

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, April 28, 2016**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Vice-Chairman Stephanie Wierschem	Absent	Troy Behunin, Senior Planner	X
Commissioner Dana Hennis	X	Trevor Kesner, Planner II	Absent
Commissioner Cathy Gealy	X		
Commissioner Ron Herther	X		

6:00 pm – SPECIAL COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

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

1. PUBLIC HEARING:

- a. **16-01-AN** (Annexation) and **16-01-CPM** (Comprehensive Plan Map) ; Scott Stanfield requests annexation of approximately 4.70 +/- acre into the City limits and to amend the Comprehensive Plan Map designation from Med. Density Residential to High Density Residential. Applicant requests a R-12 zone (High Density Residential), in preparations to develop the site as a multi-family project. The site is located near the northeast corner (NEC) of Deer Flat Road and School Avenue.

Scott Stanfield: Scott Stanfield, 2964 Stuart Road, Kuna, Idaho. I am representing myself in this application before you this evening; first of all, thank you for having this special meeting tonight. That really helps us out and keeps us on track time-wise, so I appreciate that you've taken time out of your nights to hear us this evening. This application as Chairman Lee pointed out, is a hearing for a comprehensive plan map amendment from a Medium-Density to a High-Density with an accompanying annexation and rezone request to an R-12 zoning of approximately 4.72 acres. Why high density housing? Currently, the demand is relatively high here in Kuna. I have spoken with Stubbs Realty, and in fact, there is a report that should be in your packet, last minute that Mr. Stubbs is cited in that report saying that the vacancy rates are quite low, somewhere around 2% so there is a high demand a not a lot of product out there for high density projects out in Kuna. In fact, as I looked at high-density land within the City, I can only find on your land use map two sites; both were under four acres that are zoned R-16 and both of those are fully developed and both are generally full all of time. That indicates there is not enough R-16 out there in our opinion. Both areas are adjacent to medium-density projects. There is one as you come into town on Meridian Highway as you swing into town on the south side, there is an apartment complex there and then there is one on the south of the intersection of Linder and Deer Flat on the west side, a little cul-de-sac just south of the medium-density subdivision that is north of that. Those are the only two R-16 that I could find. If you go back into the MLS or any other property for sale, there is not land for sale that is currently R-16 so I cannot go out and buy it elsewhere because it just isn't there. In 2013 only 1.2% of the units in the city of Kuna were multi-family and a healthy average is 10-15% and I pulled that off the Kuna website earlier this year so again a very low number of high density product was available. In 2015 Kuna building permits consisted of 193 single-family with no duplex permits pulled. Freddy-Mac reports stating demand for

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multi-family throughout the state of Idaho, particularly the Treasure Valley area... and for any city to survive and thrive, you need a mix of housing types and not just shoving them into one area of town and isolating them, you need to drive a good mix that can mingle with the rest of the city. Again, high-density just isn't readily available in the City of Kuna. The City of Kuna will benefit from this project by bringing in those people that want to have a place but don't want a big yard to take care of; they don't want to have the burdens that come with homeownership. Some of us call them burdens, but they just want to have a nice place to come home to and have somebody else take care of the lawn and the maintenance and the parking and all that stuff and just be able to enjoy life in the community. The current average rent; and this would be rent and mortgages in Kuna is just over \$1000 a month. A lot of people either don't want to pay that much or they just can't pay that much. So a multi-family project such as this; a four-plex will offer renters a variety of choices that are below that \$1000 range so again, you are opening the market to other people that otherwise wouldn't come to our town because that product doesn't exist for them to live in. Why here at this location? 550 Deer Flat; it's a great location. We are really close to the schools, we are probably just about half a mile from the high school, the junior high and the middle schools are really close and within walking distance. Anytime you drive down Deer Flat, you always see all kinds of kids walking so it is a great location for schools. It is easy access to the freeway via Ten Mile; you can take Meridian Road or Linder; there is all kinds of points of ingress/egress to leave Kuna. Most importantly, people in this complex won't have to traverse through an existing neighborhood and travel on local roads to get to an arterial road. They can just get right out of their parking lot and get on an arterial or a collector and head out of town to work in the morning, so it really takes advantage of the transportation networks that are in place now without taxing the traffic on the local roads. Utilities are readily available right here. I would consider this an infill even though it is not infill; it is surrounded by city limits to the east and to the south and a couple parcels to the north, so it is surrounded and it is just a good fit in that area. Again, we are isolated with a little five acre stretch and a direct shot to Deer Flat so you don't have to burden neighboring streets at all; it's on its own.

Other options; the comprehensive plan indicates what are the other options available for a piece of property. This one; if we were to meet the comprehensive plan, the net would be a typical cookie-cutter single family residential subdivision and I am not saying that is bad, but it would just be a street up the middle with a cul-de-sac on one end and approximately 24-28 single family lots with about twelve of those on the north boundary facing the north five acre parcel and about five or six of them on each end and then of course some on the south facing Deer Flat. So it is a balance... does someone want that bearing down on them or do they want a project like ours?

If someone came forward with a straight forward Medium-density project, the city wouldn't have any design review controls that you have with a project like this. Our next step, should we receive approval through City Council, we would come in with a design review and pick the site apart and get your two cents in and generate a really nice project with berms and trees and nice layout and central parking and all the stuff that you wouldn't get with a straight forward single family project. This project we envision ...and I will try not to get too much into site design because that is for the design review, but this project would have private internal driveways or service drives that would access their parking and we would place the parking in the center court with the buildings on the outside to shield the neighbors from the traffic that is inside so again, you wouldn't have those kind of controls with a straight-forward single family cookie cutter sub. This one really lends itself to a well thought out design being private with the flexibility to move the buildings around versus sixty foot wide lot that is all linear so there are some things that we can do that make it really attractive for the City.

Staff report did an excellent job of outlining the comprehensive plan and I will try not to repeat most of that because it does highlight a lot of good points in there. Again, to repeat; you do not have a healthy level of multi-family opportunities in the City of Kuna. I have been watching the listings for about two years now and as soon

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as one unit comes available in town, it is taken pretty quick and so that tells me that the market is strong for that and again, the location is wonderful for that; there is the neighborhood center... there's the gas station, the car wash in that little strip mall and the fitness center is there and the pizza place and Verizon store is all within walking distance. The schools and the open space that the schools offer. Demand is high and Stubbs said the phone is ringing off the hook is what his report says. Hopefully you guys have that exhibit.

I will share some things from that with you. It talks about the rental demand rate is very strong in multi-family and throughout the Treasure Valley. As Stubbs has said the vacancy rate is extremely low or well below a healthy average and basically that report it reiterates some of the facts that I went over earlier that you have a small percentage of your permits are from multi-family and yet the demand is there and the phones are ringing from the realtors, people asking to a; build these, to buy them, either the whole entire complex, or, just, I want to rent one unit, do you have anything, and that's just not available in the City of Kuna right now. My family has been here since 2000 and we have watched this city grow and change and our kids have been going through the school system and we want to offer a nice project to the town of Kuna, we have been here a long time, we have invested a lot of energy in this and we think it's a good project, and again, our goal is to move into design review should we make it, that's where we will really see where this project will lay out, and in your packet I believe you do have an example layout of what we're looking for and by all means, ask me any questions you want of that, but just know that we are going to come in with design review and we are going to have our elevation views and our color swatches and all the pretty pictures to help you make a decision during design review, and there is an existing house on this site and you might have seen that, in the southwest corner off of Deer Flat, it's really close to the road, I've talked to someone at the highway district and his response was " when you get to the point, when you getcome talk to the highway district and they would possibly allow us to draw the right of way around there, couple years ago this parcel gave right of way to present what the road is today and it's not within the five year plan to widen the roadway, so the highway district indicated that we could probably drive around the right of way with some kind of license agreement that would protect that existing house. At this point we have a couple of options, we have to stay in our density, our 12 units per acre so if we keep the house then our overall density we have to lose one unit, we can't just take the 4.76 X 12 and have that many units and keep the house, something's got to go, so if we keep the house, then we'll have a tri-plex versus a four-plex and that sight is laid out that if the highway district should also say you keep the house, drive around with the right of way but you have to access internal, the sight can accommodate that also. We would like to keep that house...if we keep the house, we would like to maintain access off of Deer Flat if we can't, that house can access the internal project, and so access will be taken care of on that as well. The highway district will require us to put in sidewalk along Deer Flat along our frontage and we would probably put that at either where they tell us to put that, or put it in our landscape buffer, which we are required by code to put in along our frontage. We would like to put in a meandering walk detached from the street, but anyway the highway district -apparently they will require us to put in sidewalk. They don't have you put in curb and gutter on the major roadways because they don't know exactly how wide they are going to make it so they just collect the impact fees and then when they have a project and build the road, then they'll do the curb and gutter a full length along there so there will be no pavement widening at this point. It's not required with the trip generations, but there will be a detached sidewalk that will be quite a ways from the edge of pavement. I think that is it in a nutshell. We think it's a good project and the demand is there from all of our research and all the realtors tell us the demand is there, yet there is nothing to offer citizens of Kuna. We think it is a good fit in the neighborhood. The traffic trip generation at peak hour compared to 24-26 single family residential lots compared to an R-12, we're about 15% higher, but it's not a huge impact; many people think it will double because you have twice as many doors but the trip generation manual that is used nationally by the transportation experts, it's not a 2:1 ratio... it's 0.6 or 0.65...it's in the ACHD staff report Which you have so the peak hour is not going to negatively impact Deer Flat and

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ACHD's staff report doesn't indicate that it will drop the level of service for Deer Flat so that is always a good thing and remember, none of this traffic will go through the local road network, so we are just focusing on the collectors which is a good thing. That's all I have. If you have any questions, I will attempt to answer them.

Oh, we did have a neighborhood meeting and we went further than the typical city requirements, because there are a lot of medium density houses around there. We mailed out I think 65-85 mailers and just a hand full of people showed up; predominantly the owners of the five acre parcels to the west and to the north of us and I think we had one individual that was outside of the subdivision that showed up. So I expected a much higher turnout. I was kind of surprised by the low level ... I wouldn't say I was disappointed, but I was kind of surprised because a lot of those people are homeowners and the owners who showed up were the same so it is mostly owner-occupied. We're talking homeowners, not renters in the area. So I don't know if that tells you anything or not but the signup sheet is in your packet as well so you can verify that in my submittal. There is a highlighted area in there that gives a brief summary of the comments and questions raised during the neighborhood meeting. So... That's it.

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

Dana Hennis: I don't have anything.

Lee Young: Ok, I have a couple; so it is the intent to keep the driveway for the house at this time as well as the new access?

Scott Stanfield: Well, the intent is whatever the highway district allows us to keep. If we elect to keep the house and the renters here...he has been renting it for many, many years and he is here this evening, we are trying to figure out a way so we could keep that for him and he can purchase the house with some land and if that works with the project and we can drop a unit, well then we would go that route and then we would entertain that with the highway district and see if they would allow us to keep that approach. Honestly, Chairman and Commissioners, the end result is the highway district will probably require us to abandon that approach and come through the new approach that we will have and again; the site can accommodate that, but whatever the highway district tells us to do, we will do that.

Lee Young: Ok, and then I know you addressed the 48 foot setbacks for ACHD along the property line, then there is the city setbacks that would be from the private property edge of the sidewalk to a building and that zone designation would be 30 feet?

Scott Stanfield: Correct.

Lee Young: And...how do you plan on trying to deal with the city setback and not ACHD's setback?

Scott Stanfield: That is easy, because this is one parcel. The public sidewalk off of Deer Flat, we are going to be in excess of that because we have a landscape strip and then some land between that and the first tier of buildings on the south side. The internal site, there is no property lines, it is just the parking lot in front of the units, so if you are thinking that sidewalk internally would be the 30 feet off setback, then there isn't a property line right there. It's just one parcel.

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Lee Young: I guess I was addressing the street frontage setbacks

Scott Stanfield: Oh, off of Deer Flat?

Lee Young: From, at least the city's requirement is 30 feet from the back side of that sidewalk which the building or a piece of the building is not supposed to be a part of.

Scott Stanfield: Yeah, we'll be outside of that. The exception would be if the highway district and you folks allow the existing house to stay, then there would have to be a license agreement between the highway district and some considerations from the city for that existing house to stay in place.

Lee Young: OK. and then ...I know we'll go through design review, but as far as building heights in general, have you come up with a thought for an actual building height?

Scott Stanfield: Yeah, we are not going to exceed the maximum height that is allowed in the two stories, it's a similar product in a two story zone which I think is ...a ...single family you are 35 feet? But we won't exceed two stories. By two stories, I am not playing games with filling the site and then going up from there, it is from the ground level. Sometimes that is a trick that some people try to do.

Lee Young: I guess my next question is just general...the intent is to keep the septic system in tact with the existing structure? Is that right?

Scott Stanfield: I am kind of weighing this now so it's a genuine answer; but I believe Mr. Law's letter mandate us to do a couple of things and we will do those to comply with his letter. I think it might have said, when that septic system fails, and then they are required to hook up, so that will require us in our site design infrastructure to stub a sewer service to that parcel.

Lee Young: But the drain field doesn't go underneath or near or close to any of these...?

Scott Stanfield: If it does, then we are going to have to hook him up to city sewer; and maybe as we negotiate and if we do keep that house and we sell it to the renter, maybe he wants to hook up to the city sewer and I think for the water, Mr. Law indicated the same. Because that existing house is served by well and I believe he said that ...I've got it in here but he is not saying the well has to be abandoned but that existing house may have to get connected to city water before his well fails, he'll have to be hooked up at that point so ...

Lee Young: Yes, I think that is what the letter indicates as well. And then my last question... as far as the project goes, do you intend for the applicant to maintain ownership of the whole project or is the intent to break each building into its own parcel and try and develop those as buyers come along.

Scott Stanfield: My intent is whether me and my partner keep and develop it, remains to be seen; but what we do and if we keep it, it is going to be one project. City ordinance; the way we want to do this project ...wouldn't allow individual parcels to be created on this because we don't have a public street. So if you have a private street network inside it, so they can't be individual lots. That is where the control in design review comes under the city of Kuna versus a typical residential cookie cutter subdivision layout; the layout is what it is and there is really nothing that anybody can do about it. This project lends itself well since we don't have those individual

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lots and that further enhances the project in that all the common area is going to be maintained by one entity. Now, individual units could be condo-ed down the road by state statute. And I'm not telling you that we are going to do that, but years from now, anybody could condo unit these and go through the condominium process, but that won't change the overall make up because a condominium plat; the unit is the lot line and the land around it is common area so everybody would maintain the common area; therefore it would be maintained by one entity and the same look, the same feel, the same quality. So I think there are protections that are inherently built into this project as we propose it to keep it going for quite some time.

Lee Young: Ok. Thank you.

Troy Behunin: Good evening Commissioners and Chairman Young; for the record, Troy Behunin, Senior Planner from Kuna Planning and Zoning Department. The application before you tonight seeks to annex approximately 4.7 acres from Ada County jurisdiction into the city of Kuna and they are also seeking a comprehensive map amendment and that change would go from medium-density; which is between R-4 and R-8 and increasing it to high-density, which begins at R-8 and goes up to R-16. The applicant has provided all of the materials required for the submittal. They also held a neighborhood meeting which the applicant mentioned. They also posted the site for tonight's meeting. Staff has also sent out letters to land owners within I believe 400 feet; Kuna code only requires out to 300 feet but because of the nature of the project, through discussions with the applicant, we decided to increase that and so they exceeded the requirement. They wanted more feedback from the neighbors. Tonight's meeting was also published in the Kuna-Melba news and posted around town and at City Hall. All of the noticing procedures have been done that are required by state and city code. I think that the applicant has shared his vision for the project so I am not going to go into that a whole lot but I did want to discuss the finer points of the comprehensive plan. The comprehensive plan is a guide for the decision making bodies. It is not a commandment or a requirement, but serves as a guide for this body and for the final decision makers, City Council. So while it serves as a guide, it is intended to be changed from time to time. The decision makers and staff must find a balance between all of the goals and policies within the comprehensive plan and the applicant has demonstrated that there is a need in Kuna and that they are willing to follow all the rules that they are supposed to in order to accomplish what they want to do. They have gone through all of the procedural items and now they set it before you for a recommendation. What staff must struggle with is to find a balance between protecting neighborhoods and providing neighborhoods. The comprehensive plan states multiple times that we are to encourage and invite and work with those who seek a variety of housing style and not just single family lots or one acre lots or just apartments; there is to be a balance. The applicant is correct that since 2008, the city has issued zero multi-family building permits...not until April 15th of this year so that is quite a span. In that same time frame, the city has grown considerably from the mid 13,000's to well over 18,400 -so while single family projects have soared, the housing market for multi-family housing in essence gone retro-grade. So staff struggle with that balance as well. The applicant has met the goals of the comprehensive plan by providing another variety and style of housing for the market. Hopefully you have had a chance to review the comprehensive plan analysis and I will stand for any questions you have.

Lee Young: Any questions for staff?

Cathy Gealy: I do have a question, and I don't mean to put you on the spot; but I recall that we have seen some multi-family project some before Planning and Zoning and I assumed that they had moved forward, but it sounds like there have been no permits requested for those, is that correct?

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Troy Behunin: That is a very fair question. And you are correct. There have been two projects during my tenure here at the city that have come before design review and this body for a special use permit or some form of land use approvals; one of which is next to Paul's or what is now Alberstons market across the street and they've come in twice for a design review because they let it lapse and it expired. That project is moving forward but as of today, they have not requested a permit –but they could at any point in time.

Cathy Gealy: And there was another at I think Ardell and Ten Mile? Or Deer Flat and Ten Mile

Troy Behunin: Yes, at Deer Flat and Ten Mile there is another project. That was approved almost a year ago by this body for design review and the final plat was approved by City Council in July I think of last year. That is a multi-family project. They pulled permits on April 16th, so that project is moving forward, but again the timeline is that they got their approval 9 months ago and they just barely started pulling permits.

Cathy Gealy: Thank you.

Lee Young: Ok.

Dana Hennis: Most of the portion of the units in the development behind Les Schwabb was multi-family, was it not?

Cathy Gealy: I think that is what he was talking about across from the Paul's market?

Dana Hennis: No, because...

Troy Behunin: No, the ones that you are talking about was an R-16 and those have been there for a long, long time. They have been there for more than ten years.

Dana Hennis: No, no the one south of Avalon

Troy Behunin: Oh, you mean Journey's End?

Dana Hennis: Yes, off of Sailer Place

Troy Behunin: No, they just recently in the last few months they did get approval for some, yes. And the ones I am talking about are on Kay Street directly east of the Paul's market.

Dana Hennis: The two quads, ok. I don't have any other questions that I can think of.

Cathy Gealy: I am just clarifying for the record is all.

Lee Young: Ok, thank you. Then we will open the public hearing at 6:37 pm. I have the sign-up sheet and we'll go in favor, then neutral and then opposition. First, we have listed in favor a Greg Bullock? Please step forward and state your name and address for the record?

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Greg Bullock: Greg Bullock; I live at 504 Bayhill Drive, Nampa, Idaho and I would like to begin by thanking the city planners for their recommendations for approval. First I would like to give you a little history of this almost five acre piece of dirt out there; it has belonged to George and Margie King for a large number of years. George was a business partner of mine. He and I developed Star Pass Ridge in Canyon County at the end of S. Powerline Road. So if you cross over Deer Flat and kind of climb the hill, we put 20 one acre lots on the top of that and called it Star Pass Ridge and he and I were partners in that and he lived in this house on this property during that time and then my wife and I took the proceeds from that and we were the ones who developed Hunter's Point golf community over in Nampa on the southwest area there and then the financial cliff kind of put an end to that. But I bring that up to say that we have developed two very nice projects and this is George and Margie King's home where they lived for a number of years so that is just a little background to this piece of property. In 2000, George came before City Council to try and develop residential lots in there and he was told that it will be twenty years before sewer is north of Deer Flat so he was told no at that time being on that side. So he stayed there and owned that property and let the city kind of grow around him and in 2008, he came to me and said 'I've got cancer and I've got 90 days to live and we need to split up all of our business dealings' and so we did that—we split up all the lots at Star Pass and he took this property and then he passed away. His widow Margie, is now in an Alzheimer's clinic and the family pays about \$10,000 a month just to take care of her there—so they are at the point where they need to sell this property in order to take care of her in that facility. So there is a little bit of the history on this ground. The highest and best use with the estate and myself is to look at this and say 'where is the market' and 'where is the need and demand' 'how does this fit' and so the plan that is coming before you is birthed out of that and the history of it and being able to perhaps fulfill the King estates and have a really nice high-density four plex plan. So the product that we want to put in there is something that the city would be proud of with very nice landscaping and very nice berming; something very attractive with very nice buildings; there are a number of really nice four plex plans that are coming on the market, they are very sharp and something that the neighbors would be surprised at how nice it would look. With the demand that is here now for the rental market, we want to supply something nice. It is one parcel, so you can't split off just a four plex, find an investor, sell it and then that one guy is in charge of that one and then you have twelve different owners out there, whereas predominantly one owner that owns the whole project so it is going to be somebody that can provide for pretty substantial needs to even do it, so that gives credence to the value and the product that is going in there. I did provide an exhibit that I gave to the staff that you have a copy of—that is a publication from Idaho Housing and Finance that I receive about every quarter and just received it yesterday and that's why I made copies and brought it in today, but it does quote Mr. Stubbs here locally and in regards to the demand for rental properties... there is another article in there titled 'why I rent' which is a cross-section; this covers all of Idaho, but it does tend to point quite a bit to Ada County and the needs there in that periodical but I brought that for you as well. We just want to do a really good project for people who would like to rent and would enjoy the freedom from responsibility of ownership and that doesn't make them any less of an economic sphere; they just choose a lifestyle that they would like to have that. I think there is a misnomer about high-density; that you are going to get the lower economic sphere, that you are going to get blight, that you are going to get all kinds of these misnomers out there... and it's just not accurate with every project. This is going to be a very nice project and something that the city would be proud in providing housing for a very needed market so with that, I stand for questions.

Lee Young: Ok, any questions for this gentleman?

Cathy Gealy: None at this time.

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Lee Young: Ok. So since there are none listed to testify as neutral, we will go to those in opposition. First I have listed is Bruce Fox? Just making sure I wasn't reading it wrong.

Bruce Fox: Bruce Fox; I am at 1920 N. Andrew, and I represent six homeowners that all reside in Saratoga subdivision which is north Andrew Lane and I appreciate the comments from the applicant and the proponent that we just heard and we are opposed to this development. We are opposed to this annexation for the proposed development; let me say it that way. The comments by the city planner with regard the comprehensive plan; this project is inconsistent with the comprehensive plan. There have been a lot of taxpayer dollars and effort and time put into developing that plan and it just shouldn't be abandoned because a developer wants to come in and put in 13 units all for the sake of monetary gain. So, a small rental development in our opinion lacks the vision for the city's quality development. Emphasis on quality development. So that is why we are here; the residents of Saratoga. We're here to challenge and encourage this commission to be more thoughtful when considering actions such as this and items placed in front of them by various developers. You have a tremendous responsibility to review these things as planners and carefully look into the future of the community; when you advise and move motions forward to the City Council for approval and that encouragement and challenge is all in the context of considering what we, together want Kuna to look like five years from now, ten years from now, twenty years from now. What's the vision for the future of this community? So, we would encourage you to keep this in mind as we share our opposition to this annexation. So we are opposed to this development because it is inconsistent with the surrounding zoning. There are single family homes all around it. The applicant cited adjacent projects that were zoned similarly; they are not adjacent. So, N. Andrew zoning is Rural-Urban Transit – Single family residences. The zoning against other boundaries of this property and development is R-6; single family. This development is proposing a re-zoning to R-12 high density; completely contrary to the comprehensive plan and inconsistent with surrounding property residences. This proposed development introduces numerous traffic hazards; one egress from and back onto Deer Flat for 13 dwellings; 52 families. The parking within the proposed development is inadequate; there's 86 stalls shown on the development plan; that is 1.6 stalls per family. How many cars do you have at home? More than 1.6 I would imagine. There is no turn-around in the parking areas; parking will be full continually; people will be backing in and out continually, creating continual vehicle hazards. Trash receptacles; where are they planned? What is the plan for the trash truck access to these receptacles, entry and exit into and out of the development? It's just not thought through. It's not planned. This proposed development restricts emergency services access. With the limited parking, most certainly full on a continual basis, ambulance and fire vehicle access will be extremely limited, causing further congestion and inadequate service in case of emergencies; they won't be able to get in there. Inadequate resident parking will cause parking overflow on the round-about that is shown on the master plan and even out onto Deer Flat further increasing traffic hazards and impacting emergency services from proper and timely response. There was some discussion about berms and trees and landscape...the single family residences, especially on Saratoga, the five plus acre lots...those are geared towards quality, higher-quality and larger homes; what plan is in place? I realize you don't have a site plan, master plan yet, but what privacy barriers are planned: berms, plants, green space, others...whatever they might be; what is planned for insulating the existing properties around from this high density planned development? One of the proponents listed –what he called a misnomer about rental units; we do feel that rental units are often, most generally not maintained as a single family residence would be. So, we're concerned about decreased property values much like the Corey Barton development north of Saratoga subdivision that was pushed through and approved with our opposition last fall, this planned development is not doubt, again a starter type resident type community with rental units obviously. The applicant discussed and mentioned that the rental price would be lower than the average, so obviously that is geared toward highest occupancy rates possible. Low rent prices

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translate typically into low maintenance performed on the buildings, and grounds meaning quick deterioration of the property itself dragging down property value and as well, dragging down the values of the adjacent properties around it. So, we would like to understand what plan is in place for long term maintenance and upkeep of this facility to avoid decreased property values. The impact on municipal sewer and water supply systems –the applicant talked about an existing well with the rental house that is on the property; it's just not realistic for that single well that was designed for a single family home to service 52 families. That is just not realistic. It is going to have to hook onto city water. Same with the sewer.

Lee Young: Yes, it will.

Bruce Fox: Absolutely. So, the comprehensive plan was surely developed in consideration of the city's water and sewer infrastructure. What studies have been done with this proposed development to address those critical systems with respect to having adequate capacity to take on the additional loads from this high density development? Also there is an impact on city schools. Surely this development will draw families with school ages children. The schools here are nearly, if not at capacity so with this planned high density development, 52 families. What studies have been done and presented to the public on the impact of local schools? So, the applicant mentioned this is a great place for lower rent units; the problem with Kuna is, that is what we have here. And again, this gets back to encouraging you to have a vision and a plan for the future of Kuna. There are no –there are few, if not, no upgrade opportunities for starter families in this area. If people want to upgrade out of a starter home, they gotta move out of town. Is that what we want for Kuna? So, thank you for allowing us time to express our concerns and again, we just want the future of this community long-term, not short-term considered. Planning and Zoning by definition, is that; planning for the future and we hope we have given you some helpful thoughts to consider for a rejection of this annexation and development. Thank you.

Lee Young: Thank you. Next up, I'm not sure if I am going to say this correctly; Zelda? E-Z-I-E-D-E-O... did I say it right? 1203 Andrew Lane? Please step forward?

Joe Ziegler: I don't want to speak, I am just opposed.

Lee Young: Ok, then next since he doesn't wish to testify, next one doesn't say testify or not to but Brian Fouts?

Brian Fouts: Am I able to ask questions to the applicant?

Lee Young: Yes, you have three minutes to please state your name and address.

Brian Fouts: I am Brian Fouts, 1752 N. Andrew, which is next door. Obviously, I am opposed for obvious reasons. One of my questions to you guys was there is two other high density projects potentially? Am I correct in that?

Dana Hennis: Yes.

Brian Fouts: And one of them is Deer Flat and Ten Mile?

Dana Hennis: Yes, I believe that was where the permit was issued for.

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Brian Fouts: Ok, so you could be developing right there; so my concern is the traffic. And obviously, he gave you national statistics. I don't know if you guys have driven down that road at 7:30 in the morning, but it gets all the way backed up past Andrew Lane. I mean, when you have an influx of 52 units potentially two vehicles per unit and the majority of jobs that people work and living out here; he mentioned access to the interstate driving into Boise. That is a main artery to where everybody drives through. And if you have the potential of another project being developed at the end of Deer Flat, they are also all be going to school at the high school and the elementary right there. So my concern is the traffic and I don't know what was... I guess if there was a plan by the highway department or anything to I guess resolve that? I don't know if my concerns... are I guess, warranted on it, but I just want to know what they are going to do about the traffic and the influx through there. Especially the school zones, just because how backed up it does get.

Lee Young: All I can address is the ACHD report that says that their study of the project says it can handle the increased traffic flow.

Brian Fouts: Ok. Is that the potential for both of them? For the high density going in at the end of Deer Flat and Ten Mile as well?

Lee Young: It should have been for each of those. For each project, ACHD has responded those already.

Brian Fouts: Ok. So...

Lee Young: Each individual projects and the areas... all of them.

Brian Fouts: Ok, that was just one of my concerns. The influx of traffic, I mean as you guys know driving through there at 7:00 in the morning, it is absolutely terrible. It sounds like he knows what I am talking about. And if you haven't, I would encourage it because it is very dangerous as far as visibility for children walking up and down there, crossing the streets and obviously, how much traffic gets backed up there. But that was my main concern. Thank you.

Lee Young: Ok, thank you very much. I have one other listed, but not to testify. Is there anybody who has not signed up that would like to testify?

***inaudible** from audience*

Lee Young: Ok, just come forward and state your name for the record.

Bonnie Heinrich: Good evening Chairman and Commissioners, I'm Bonnie Heinrich; I live at 1672 N. Calaveras and I am a proud resident of Kuna for over 53 years. I lived here when a section of Deer Flat was dirt and so I have seen a lot of change and I'd like to add to Mr. Fox's encouragement and request for just thinking about the vision of our community and what we want it to look like. I am sure there is a demand for multi-family; I am in construction and we build a lot of multi-family units in the Treasure Valley and there is a demand there. I think it is going to peak and I think we are going to see...I think we are in a bubble so everybody wants to build and have a part of that. It sounds like there is other multi-family developments planned for our community in addition to this. Traffic on Deer Flat is a huge concern. My mom is Ruth Reid; she lives on the corner of Deer Flat and Linder and that is where I grew up and Deer Flat traffic is absolutely crazy trying to get off of School Street to Deer Flat

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from our development, Mineral Springs, is very tricky during high traffic areas, so I echo all the concerns related to traffic. The impact to schools is another concern. I think that as you plan and you discuss with the development, I think we need to be talking to our school district and making sure that we understand the impacts to our schools. So, just please... we have got an amazing community; I have got deep roots here and I would love to see... I am getting at the age where a big yard is not a big deal to me; I would love to have a smaller yard and some opportunities for a maintained development where somebody mows my yard, but more cottage-style living. Very high amenities and very high quality... um, I think we should think about things like that. Some other options other than just lower economic scenarios that really add to our community and our neighborhoods that will enhance property values. Thank you.

Lee Young: Thank you. Ok, I will ask one more time, is there anyone that has not signed up that would like to testify? Ok. We'll go ahead and ask the applicant to come forward and respond to the concerns brought up or any of those comments, but please no new information.

Scott Stanfield: Thank you Chairman Lee and members of the Commission. I will make this quick. I should have written names, but I will do them in order. The first gentleman that brought up a few things regarding the site; traffic hazards, I think ACHD pretty much included that in the report that it is not a negative impact generated by the project, again when compared to single family residential units that could go on this project without a comp plan amendment change, then that peak hours slightly increase and the overall number of lots either way, according to ACHD who is the jurisdictional authority over the roadways, has said that it does not negatively impact Deer Flat. Parking; the parking –and I know this is getting into site layout which you will see in the design review, but our plan should we get that far, we have a nexus in city code. Code gives a minimum requirement and we are going to exceed that with parking. Turnaround; the site is uniquely designed –again, this is layout stuff, but I am going to respond to his comments anyway; the layout lends itself perfectly for EMS turn-around. It incorporates a turn-around circle in the middle which doesn't look like a turn-around because we are going to landscape the center island, but still have the 28 and 48 foot radius minimum all the way around, so traffic or fire trucks or any vehicles can pull right in, and right out. Each of the legs going north, east and west; those do not exceed the emergency length distance for a 'T-type' turn-around or a hammerhead. So we have 'T-type' turn-a rounds inherently built in; we've got hammerhead type turn-a rounds, and we'll have a circle built in. So we have really beaten the emergency access to death on this project, literally. That was one of the concerns, was how do we keep emergency vehicles moving through here? And the site really lends itself to that. I did a whole lot of layouts and this one really thrives on that aspect. Trash enclosures are on the layout and that is in the city ordinance too so it's not an issue. In the comment about restricting emergency traffic; that is not going to be a problem, I think this is far better than most projects you see as far as emergency vehicle access goes because that was important to us. Again, that is a site detail issue. Five acre lots; the privacy that they have –we looked at a medium density project and we got with one of the land owners that owns property there or his son does, I'm not sure about the ownership but on the northerly boundary there, if we came in with a medium density project, he would have 11 or 12 or 13 single family homes with no controls bearing down on his lot. To me, that is not privacy. That is not doing the neighbor any favors. This project, we have worked with Jeff and we've worked with that gentleman, we've incorporated berms and when we get to the site development plans, you'll see this in design review. We talked to him and we moved our building away from his boundary; we've rotated them so that every unit doesn't bear down upon his five acres and we think this is much, much less privacy invasive than a single family, straight forward project and they would probably agree. I don't think they want to get out in their back yard and see that many homes, possibly all of them two-story, forty feet away from the boundary. I don't think that is a good project for this area. Again, the design review will go into that, should

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we get that far. The next gentleman; rental units not maintain –there are not studies out there that are fact-based which say, just because you have a rental unit, it's not maintained. I couldn't find any and in fact, I'm sure for every unit you find in a multi-family that isn't maintained, you can find an equal amount of single family units that are not maintained. It just depends on the neighborhood, how it reacts and how they get along with each other and don't get along. This project, unlike a straight forward single family medium-density project where you have different land owners, this will be one entity that will be in charge of the common area and landscaping. It's not going to be hodge-podge with some lousy grass and some with good grass; we just have them be one entity that is in charge of maintaining it. Again, that is so much more important than the level of maintenance. You're just going to see a higher level. Low rents; I didn't say these would be low income and I'm not saying they won't be. Who knows what they will be? But the rent is going to be structured to a) pay the mortgage, b) to pay the maintenance around the parking lot and drive aisles, the striping, the sidewalks, the trash, the typical utilities that come with that and the common space. But the net result is that it will be under the median in Kuna; just over \$1000. The reason why I brought that up originally was \$1000 obviously indicates that is a single family traditional home. That is not an apartment, it's not a duplex, and it's not a four plex or a tri-plex. That further tells you that you have a high relative number of one particular product type. You would see a lower number if you had, let's say a large number of multi-family and you would see a higher number if you were like the city of Eagle with higher tax assessments. But that number indicates you are at a flat point; you aren't offering citizens a variety in the city of Kuna. Again, common areas will be maintained by one entity.

The wells and the sewers; the question was asked, is if that existing house is being hooked up. We can't hook up the new units to that well. We can't hook up those new units to the septic system. Not only would that be foolish because it couldn't handle it, but it's not allowed by ordinance. So we have to put in sewer, water and pressure irrigation as well. That is all in Mr. Laws analysis. I did paw through it while I was waiting and he says in his letter when the well fails, if that house stays, he will be required to hook up to city water, and when septic fails provided we do not move it and we're forced to hook up if we keep that house, then that house shall hook up to city sewer. And health district would require that any time a drain field is within 300 feet of city sewer or public sewer, they will not permit a septic –you have to hook up to city sewer. That's an automatic built in protection. Critical systems were mentioned; that is why you remit to the city engineer; that is why you remit to ACHD; that is why you remit to Boise Project Board of Control and that is why you remit to ITD. None of those agencies had any negative comments regarding this project. Sewer capacity is just fine; no problems there. The water; no problems there. The pressure irrigation; no problems there. Those are the three critical systems that the city is in charge of and again, his letter stipulates that the city can handle that quite easily. ACHD –again, it does not negatively impact Deer Flat. Schools; I pay a lot of money to the schools every year on my property taxes and I'm surprised that they did not submit a negative letter –but they didn't. You must remit to the school district also so there is no negative response from the school district either. And the only way to combat that; if somebody doesn't want any more students to attend the school... then you put a moratorium across the city. No more building permits –is the only way to mitigate that problem, if it is a problem.

The gentleman was asking about the variety of housing here in Kuna –that there are no upgrades in Kuna; there are a few neighborhoods in Kuna that you can upgrade to. There is Denali Heights which comes to mind. It's a wonderful project and its turned out quite nice and I'm sure there are others. It's been a while since I've been in the area of town that is developing –typically they aren't around the school or downtown, but they are out there.

Traffic on Deer Flat; yes it is bad every day. But it is only for a short period of time. We drive by there every day ourselves, and we have for 14 years. We found that if you leave at 7:15, it's not a problem. If you leave at 7:45, there is not a problem. But there is just that small window and then when school gets out –so that problem;

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these users, should their daily jobs and lives allow it, will easily be able to come and go when they need to or they can turn north and go up to Linder or they can go to Deer Flat. They can completely miss –with the location of this project, they can turn left or right pulling out of their neighborhood and make another left or right and head north to get to the same place probably faster and not head down Deer Flat to Meridian Road like everybody else does. But again, that is short snapshot –not even peak hour really, it's like a peak 20 minutes. And again, this project will add trips, but it's not going to add to it appreciably greater than any straight forward single family, medium density project. And it won't add to it enough to drop it down a level of service. ACHD commented on that and they are the authority of the transportation systems. The only way to stop adding traffic on Deer Flat, because everybody in Kuna takes Deer Flat; is to put a moratorium on....and I don't think that is the answer either.

Lee Young: Alright. Thank you. Are there any other questions for the applicant?

Ron Herther: I am wondering about the adequate parking facility. Are there enough spaces to accommodate all of the residents?

Scott Stanfield: In the site design field, we feel there are. We did an analysis on the parking ratios and we are comfortable with that and we also exceed the city ordinance and there is a possibility that we can squeeze a couple more when we go through design review also and we will definitely talk about that should we get that far; I don't want to be presumptuous –we have to get your recommendation and then City Council's ultimate decision, but the very next step will be design review and that will be a fun process. I think you will like some of the design elements we have put into this. I am not sure who makes up the design review board these days...

Dana Hennis: It's us.

Scott Stanfield: Ok, so I think you will like that process and I don't know if it's public or not, but they can come and listen and give their input; particularly the neighbors to the north and the west and we've accommodated those folks when we started this layout but we can definitely talk about the parking when we get there. I have tried to squeeze as much as I can in there without getting out to the perimeters where the headlights and doors opening and closing won't be trespassing onto the neighbors. Does that help at all?

We're comfortable with the number of stalls we have based on the national averages and we exceed the city ordinance for parking stalls. And the opportunity exists to potentially add more.

Ron Herther: Ok. Thank you.

Cathy Gealy: I have a couple of questions; this might be new –am I allowed to ask something new?

Lee Young: Actually, why don't we wait until our discussion and then...

Cathy Gealy: I have a question for the applicant.

Scott Stanfield: For me? If she has a question, I can...

Lee Young: Well, we'll close the public testimony first and then come back. Thank you. So, with that, I will close the public testimony at 7:14 pm and I actually go the right time –so that is good.

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laughter

Lee Young: With that, it brings up our discussion and first of all, I would like to thank everybody that came to testify. We do listen to everyone and we take to heart everything that everyone brings on both sides and we take that into consideration. I would also like to mention to the rest of the Commission that all the comments – like I say, I appreciate all of those that are permitted and focused directly on the impacts of this development are the things that we need to focus on ourselves. So if any of the comments that may be considered which could potentially violate any provisions of federal law, let's make sure we keep that separate. So, having said that, who would like to go first?

Dana Hennis: I think the key thing that we need to look at here is what exactly the increases with regard to the comp plan because the whole premise behind this is that it is not –according to the opposition, is that we are not consistent with the comp plan. However, the comp plan puts this as medium-density residential, which is around and R-8. And so we are not increasing it by that much. It's not like it's still going to be another leg of the Saratoga subdivision where it is a large zoning like R-1 with large acreage residential. We have to look at the fact that we are only changing the amendment from basically one category. So, are we going to have a drastic effect over what the comp plan has already established by changing this amendment? Or does it just change it slightly? As well as the other impacts that have been brought up –those are always a concern, but the whole premise behind this is whether it is consistent with the comp plan and I do believe that it fits with the intent of the comp plan because the difference between medium-density residential subdivision and possibly and what appears to be –and what can be controlled or reviewed down the line which is a good quality, higher density development. But we're not even talking an R-16; we are talking a low R-12, or R-10. I think it is something in the interest of the way that the city is trying to grow and the needs for young professionals as well as older professionals that don't want to maintain certain things –we do need to provide in this city, some more quality common area subdivisions like this. You know, the family type, but of a quality nature and it appears that it will be and that is something that we can easily follow through with in design review as well, so I don't foresee it having a lot of issues in my eyes because it is not a huge increase from what is already designated in that area. If we were changing from like and R-2 up to an R-12, then yes that would be a big step, so...

Cathy Gealy: Or heavy industrial.

Dana Hennis: Exactly. So, unfortunately it is something that every neighborhood has to deal with. I think probably all of us have had to deal with it at some point as well, but whether we go in with a smaller R-8 medium density subdivision like he is saying is it's not going to be as –or may not be as high of quality as what we could maybe direct this one to be. Because we do have a need for these –I happen to know quite a few young professionals that are looking for a higher quality kind of apartment complex. They don't want the average one that is out there. And I think this is something, especially considered that it is a single parcel and its going to be a common area controlled by the owner instead of the possibility of it getting run down or what some of the smaller subdivisions can do with single ownership of the houses.

Cathy Gealy: I did want to discuss some of the concerns that were brought up, especially with respect to parking, trash, emergency vehicles, berms, trees, landscaping –those are all issues that will be considered in the design review process; so there is an opportunity for the public and for the commission to have a lot of input in regards to those issues. Don't think that we are discounting or not hearing those concerns, just as a side note. I did have

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a question... I do agree that the one owner of the common area is I think a benefit in this case but I thought I heard that the ownership of the parcel is not determined at this time. So my question is –is it the intent to develop it and then sell it or is it the intent to develop it and own it.

Lee Young: Can we have the applicant come up and respond to that?

Greg Bullock: Greg Bullock, 504 Bayhill Drive. Right now, we are under contract to purchase this and the contract is contingent upon approvals. This happens often; as you look to develop real estate, you don't go pay the price of an approved project, you make it contingent on that. Having said that, as we've gone through this process, which has been several months –there are people who would like to come on board with Mr. Stanfield and I who are in contract together to purchase this, who have the financial wear-with-all to partner in on the development itself and we would form additional partners in order to finance this or we would have the opportunity to sell this approved project to somebody who would like to come in and just own all of these units themselves. I think the control factor here is that it is one lot. It is not 13 different lots with 13 different owners and 13 different investors if you please, and 13 different maintenance possibilities out there. So, we are in contract to purchase it; if we get approvals, we will go ahead and close that and then we will look at the market as to whether we want to sell the project to another developer who would come in under the same guidelines of approval or if we would venture into that ourselves. So there is the future.

Cathy Gealy: Thank you. The second concern or question that I had and this may or may not be for the applicant, but in reading through the packet, there had been some common amenities that had been included in the plan that were removed based upon concerns from the neighbors that there might be lighting or noise –so at this point, there are no common amenities in the project. Would you address that please?

Scott Stanfield: Yes, I was wondering if someone was going to notice that. When we first laid this out –sorry; Scott Stanfield, 2964 Stuart Road, Kuna, Idaho. When we first laid this out at the neighborhood meeting, we discussed putting some gathering places for these users in the northeast and northwest corners away from Deer Flat and away from the units in the more open areas. That was immediately met with some dislike from the neighbor to the north and I think to the west. We had a basketball court up there and they didn't want any of that stuff –so we pulled those out. Again, in the design review phase, we can address that. I think the amenities we offer is really the product itself. The placement of the buildings are rotated and moved away –not at straight linear cookie cutter presentation, lots of grass space, units clustered as tight as we can, but not too tight –with some green space so the kids can run and play in the open areas versus running in between buildings. We've got some ample areas for those kids to go and not play in the parking lot. The layout with the landscaping in the middle island, I think that lends itself well to an amenity. So those are some things we looked in lieu of having active amenities versus a passive amenity because of the neighbors concerns. Does that help?

Cathy Gealy: Thank you.

Lee Young: Myself... when I first got the packet, I had grave concerns for the project because of the zero transition from an R-12 to an R-5; as I kind of dug into things and see the distance; I am looking at the proposed site plan here –I think with landscaping, berming and working with the applicant, I really think that we can make the people to the north and the west happy with the separation that they can feel from this project. Overall, I feel much better about it and actually, I think I have spent more time looking at this project than I have anything else in about a year. I really have.

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Dana Hennis: Yeah, I agree. I have had some of the same concerns and I think this layout is a lot better than what I expected to see in a similar project.

Lee Young: Any other thoughts or questions? Anything else?

Cathy Gealy: I actually thought that it might actually be a better buffer between the traffic on Deer Flat than an R-8 would be for the homes to the north –well for the community to the north. It's kind of a ... well better than any neighborhood commercial would be.

Dana Hennis: I like the fact that it is pulled away from the northern boundary the way that it is and with the centralized parking like they have, it really kind of centralizes this whole thing and keeps it like they said –away from the neighboring areas. It's designed a lot more user friendly than I thought it would be for the site.

Cathy Gealy: I am concerned about the lack of amenities and I am concerned that I feel like we have a sort of understanding and an agreement as to the quality and what we're expecting to see in the design review and if the... I want to make sure that the understandings are communicated should the ownership change.

Dana Hennis: Yes.

Cathy Gealy: That we would expect a plan for long-term maintenance; that we would expect a high quality development; that we would expect that the concerns of the neighbors would be addressed whether we see the same faces in the design review or not.

Lee Young: Right. If ownership did change, they still have to abide by the same provisions given in any approvals that we give here, so without coming in with a separate application or request, they couldn't modify what they are proposing here. We can certainly condition that when the design review comes, we can have amenities brought in as part of the design review and have discussions for those. So that could certainly be a condition of approval.

Dana Hennis: Like you just said, should a new owner take over this project, there is nothing in the conditions that could state the quality that we are looking for. How do we state that without being ... I mean, is there something that we can condition on that or do we just have to wait for the design review?

Lee Young: I think that what they are asking for at this point is the zone change and the comp plan map

Cathy Gealy: And so the additional...

Lee Young: ... yes, the design review process, we have control over that and we have the ability to dictate a little bit there.

Dana Hennis: Right, we aren't addressing that in this particular agenda. Ok.

Lee Young: Any other thoughts? Ok. I will stand for a motion.

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Commissioner Hennis motions to recommend approval of 16-01-AN and 16-01-CPM to the City Council with the conditions as stated in the staff report with additional considerations to be made regarding amenities presented during the design review, that a discussion take place about those amenities for residents which won't disturb the neighbors; Commissioner Gealy Seconds, all aye and motion carried 4-0.

2. ADJOURNMENT:

Commissioner Gealy motions to adjourn at 7:32 pm; Commissioner Hennis Seconds, all aye and motion carried 4-0.

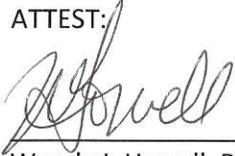
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Dana Hennis, acting Chairman
Kuna Planning and Zoning Commission

ATTEST:



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