



KUNA PLANNING AND ZONING COMMISSION

Agenda for August 9, 2016

Kuna City Hall ▪ Council Chambers ▪ 763 W. Avalon ▪ Kuna, Idaho

1. CALL TO ORDER AND ROLL CALL

Chairman Lee Young
Vice Chair Stephanie Wierschem
Commissioner Dana Hennis
Commissioner Cathy Gealy
Commissioner Ron Herther

2. CONSENT AGENDA

- a. Planning and Zoning Commission meeting minutes for July 12, 2016
- b. Planning and Zoning Commission meeting minutes for July 26, 2016
- c. Findings of Fact and Conclusions of Law for 16-01-ZC (Rezone), 16-02-CPM (Comp Plan Map amendment) and 16-01-S (Subdivision).

3. PUBLIC HEARING

- a. 16-03-ZOA (Zoning Ordinance Amendment); An Ordinance of the City of Kuna, Idaho, amending Title 5, Chapter 1, Section 6-2 entitled "Meanings of Terms or Words" to make changes to the definitions; Amending Title 5, Chapter 3, Section 2, entitled "Land Use Table" to make changes to Land Uses related to the requirements for either a permitted or Special Use Permit; and providing an effective date.
–This item was tabled from the July 26, 2016 Planning and Zoning Commission meeting

4. ADJOURNMENT

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

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Chairman Young called the meeting to order at **6:05 pm**.

1. CONSENT AGENDA

2. Approval of the Planning and Zoning Commission meeting minutes for **June 28, 2016**.
3. Approval of the Finding of Fact and Conclusions of Law for 16-01-AN (Annexation) and 16-01-CPM (Comprehensive Plan Map Amendment).
4. Approval of the Findings of Fact and Conclusions of Law for 16-05-AN (Annexation).

Commissioner Gealy motions to approve the consent agenda; Commissioner Herther Seconds, all aye and motion carried 4-0.

5. NEW BUSINESS:

- a. **16-04-AN** (Annexation); **Jose and Irma Garcia** requests approval to annex an approximately 1.21 acre parcel located at 930 W Deer Flat Road, into the City of Kuna with an R-6 zoning designation.

Nancy Stauffer: Commissioners; for the record, Nancy Stauffer; Planning Technician for Kuna; 763 W. Avalon, Kuna. The application before you tonight from the property owners, Jose and Irma Garcia seek annexation approval for 1.12-acre parcel into the city limits. The site is located at 930 West Deer Flat Road. The applicant seeks to designate this parcel as R-6 residential designation. Agencies were notified on June 21st, property owners within 300 feet of the site were mailed notice on June 29, 2016. Hearing notification was published in the Kuna Melba News on June 29, 2016 and the site was posted on the June 29, 2016. The comprehensive plans future land use map identifies this parcel as medium density residential. The applicant has submitted all paperwork and required documents for their annexation and have fully complied with Planning and Zoning’s staff requests. Neighborhood meeting was held on June 16, 2016 with approximately four attendees with the greatest concern being what the zoning designation would be and the future development of the property. Based on staff’s review of the application, Planning and Zoning concludes the application complete with Title 6 of city code and the future land use map within the comprehensive plan. Staff forwards a recommendation of

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approval to the commission with the conditions stated in the staff report. **Chairman Young:** Does anyone have any questions?

All "no". Chairman Young: applicant to step forward to state what he wants to do. **Jahil Vehar:** We would like

to annex into the city of Kuna. **Commissioner Hennis:** Could you please state your name and address for the record? **Jahil Vehar:** Property address, or my personal address? **Commissioner Hennis:** Personal address. **Jahil Vehar:** 942 N School Ave. Kuna ID 83634. **Chairman Young:** Are there any questions for the applicant at this time? **All "no". Chairman Young:** At this point, I will open up the public hearing. In public hearing the applicant has 20 minutes to present his application if he so wants, but those who testify, we will first have the ones in favor, those neutral and then those in opposition. Each person that wants to testify has 3 minutes and then the applicant will 10 minutes after that to have rebuttal and then the commission will have a chance to discuss the application before us. With that I will open up the public testimony at 6:17 pm and I have listed in here none in favor or neutral. In opposition, I have Mo Fester. Please come forward and stated your name and address for the record. **Mo Fister:** My name is Mo Fister I live at 1637 N Calaveras place, Kuna ID, 83634 and I live behind the Garcia's property. We don't have a problem with them, parse' but we have a concern with them putting in multi-family dwelling, that's our understanding that's what's going to be going in is like a four-plex, multiple four-plexus and we are concerned about having some type of barrier and when we moved into our subdivision we were told that it was single family dwellings, not multiple family dwellings in that area. So that is our concern is the impact it's going to have on our neighborhood. So I am not sure how these meetings work, we would like more information and we haven't been given any so we are not quite sure what the intent is with the property. **Chairman Young:** Were you at the neighborhood meeting? **Mo Fister:** I was not able to be there. **Chairman Young:** It appears to be an R-6 application, which means it is single-family homes. **Mo Fister:** Not four-plexus? **Chairman Young:** No **Mo Fisher:** Ok and that won't change in the future? **Chairman Young:** An applicant would have to submit an application, comprehensive plan change, and multiple applications to change what that is, there is a process to do that. **Mo Fister:** But that is something that could possible happen in the future once this is approved to annex him into the city? And then, who pays for the fees when he annexes, the taxpayers or the property owner? **Chairman Young:** The person submitting the application. **Mo Fister:** Ok, that's what I needed to know, thank you. **Chairman Young:** Ok, I have listed on here that they did not designate testify or not and is it Marge Knot? (inaudible) Did you want to testify? **Marge Koeppen:** Well, I did not really want to until I know what the plans are. **Director Wendy Howell:** Ma'am, you need to come up to the microphone. **Chairman Young:** Please step forward and state your name and address for the ...**Marge Koeppen:** My name is Marge Koeppen and I live directly behind the Garcia property. The yellow house, I'm at 1611 N Calaveras Pl. and I have a wooden fence between me and the Garcia's and it is just a regular 6-foot fence. So my concern is if it is going to be medium density like it says here does that mean duplexes, single houses, I don't know what that means. I was hoping the developer would be here so he could answer some questions too. **Chairman Young:** Well, actually, there is not a development proposal at this time, this is just an annexation into the city, and when they come from the county into the city, the designations can be slightly different, so this one is coming in under an R-6 designation. This means that they can build up to six homes per acre, however, with streets and things like that, it is not the case, and it is an R-6 for single-family housing. **Commissioner Hennis:** The main reason it went to R-6 from what I understand is because all of the surrounding area is the same designation so it is matching your area

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and your neighbor's areas and their zoning designations. **Marge:** So that I would like to know if there is going to be a barrier between me and that property am I going to have a taller fence am I going to have a wall. **Chairman Young:** That is something that would be discussed at the time that a development is proposed. Right now, there is no proposed development. **Marge:** Ok, thank you very much. **Chairman Young:** Ok, seeing nobody else marked on here that wanted to testify. Is there anybody that did not sign this? **Unknown:** Yeah, I'm just wondering what the cross roads are? **Chairman Young:** I'm sorry, could you come forward and state your name and address for

the record? **Kenneth (inaudible)** is my name; my address is 227 West Tallulah. What are the cross roads, is my big questions? **Commissioner Hennis:** The nearest major crossroads to this is Deer Flat and North School. **Kenneth:** Ok, that's all, thanks. **Chairman Young:** Then, is there anyone else that would like to testify on this application that is not signed up? Ok, seeing none, I will go ahead and **close the public hearing at 6:22 pm** and that brings our discussion for this application. To me the application seems straightforward, just a straight annexation into the city, there is no proposed development at this time so, **Commissioner Hennis:** All of the concerns by the neighbors would be addressed if something were to occur in the future so they would have time to present their opposition at that point. Seems straight up to me.

Commissioner Hennis motions to recommend approval of Case No.16-04-AN (Annexation request by Jose and Irma Garcia) to the Kuna City Council; Commissioner Gealy Seconds, all aye and motion carried 4-0.

- b. **16-01-ZC** (Rezone), **16-02-CPM** (Comp Plan Map amendment), **16-01-S** (Subdivision); **Steve Arnold, (A-Team Land Consultants)** requests to amend the Comprehensive Plan Map designation from Medium Density to High Density Residential for approximately 6.18 +/- acre, and to rezone the same property from R-6 (Medium Density Residential) to R-12 (High Density). The applicant also proposes to subdivide the parcel into 21 lots, in preparations to develop the site as a multi-family project. The site is located near the southeast corner of School Avenue and the alignment for Sunbeam Street.

Troy Behunin: Thank you commissioner Lee Young, for the record, Troy Behunin, Senior Planner for the City of Kuna. The application that you have before you tonight is a rezone request 16-01-ZC. A comprehensive map plan amendment request 16-02-CPM and a subdivision request, 16-01-S. The applicant for this request is Steve Arnold with A-Team Land Consultants and he represents Oasis properties, LLC here in Kuna and I stand before you tonight to let you know that the applicant has satisfied all of the noticing procedures that are required by state and local law and in fact the applicant held a neighborhood meeting last fall and then when they submitted the application it became invalid, they held a second one. Then all of the other noticing procedures, the Kuna Melba News was notified and they ran an advertisement for the public hearing. Letters were sent out to land owners that exceeded the code minimum of 300 feet. I believe we sent them out at 400 feet. The site was also posted for a June Planning and Zoning hearing, and then due to some unforeseen circumstances from the applicant, the meeting was tabled and at that hearing it was postponed to June 28th and at that meeting it was also postponed due to other unforeseen circumstances and so a courtesy notice was sent out to people within 400 feet letting them know of tonight's hearing and so here we are tonight. The applicant has submitted all of

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the required paperwork, everything is in order. The meeting minutes from the neighborhood meeting were included in the applicant's letter of intent which was included in your packet, a very sizeable packet. Staff hopes you have had a chance to review that and later we will get to some questions and answers. The applicant is requesting a comprehensive plan map change to go from medium density residential, to high density residential in order to prepare the way for a multi-family project. The applicant would like to build 13 buildings, four units each on an approximately 4.6-acre parcel that is at the cross roads of School Avenue and the Sunbeam road alignment. Sunbeam at this location does not go through, however, with this application it will be conditioned that the road be completed to ACHD and City standard and curb, gutter, sidewalk and all of the accompanying required landscaping will also be installed by the developer at his cost for Sunbeam and also for School Ave. The applicant wishes to put the multi-family units there because that's his choice, he is the owner of the land and it is required to come before this body and also in front of City Council to request that change. It does require a public hearing, which we are going to have this evening. The applicant also is aware that his proposal does not fit the zoning that is in place so he has also requested a rezone from the R-6 to an R-12. You will find in your packets and in the information that you have been given, the application actually calls for something just slightly over 12 units per acre. This is, while it does fit a high-density zoning and a high-density designation it's really not far from what the applicant needs. The government agencies that we rely on for comment have also been notified, the school district, ACHD, Idaho power, cable one, and the such, they've all been sent packets for tonight's application and the responding agencies comments have been included in your packets, one of which is the city engineer's requirements in order to make this project compliant with all of the utility standards so that all of the services are provided. There have been 3 letters received from the public, they have been attached to your packets, hopefully you have had a chance to read those. There were some other exhibits that have also been attached to your packets, a white paper from the applicant, an article and a petition from a local group. I will stand for any questions you might have. **Commissioner Herther:** Is that 13 or 14 units? **Troy Behunin:** Did I get it wrong? I am sorry, I said 13, and it is 14 units. **Commissioner Hennis:** And just a correction, I believe in your information. What is the end units per acre on this? It's around 8, correct? **Troy Behunin:** No, the ...I will have to find that answer. Well, let's see, we can figure that out. So it's just under 9. **Commissioner Hennis:** I thought you said something about 12, so I thought it was a lot lower than that. Ok, so about 8.63. **Troy Behunin:** I'm glad you pointed that out. That was an error on my part. A lot of numbers going ...**Chairman Young:** Are there any other questions for staff at this time? **All:** No **Troy Behunin:** I would also like to point out that the applicant is here tonight and he has brought a representative with him, actually two representatives with him. They would both like to present, they have a power point presentation and they have also submitted an exhibit and there is an 11x17 that has been passed out. One was also available on the back table. **Chairman Young:** At this time, we will have the applicant please step forward and state your name and address for the record. **Steve Arnold:** Members of the Commission and Chairman, for the record, my name is Steve Arnold I am with A-Team Land Consultants, address is 1785 Boise, 83709. Just like Troy was stating, what I would like to do is take about 5-7 minutes of your time and then pass it on to Andy Probst with Park Place Property Management here to help talk about multi-family, the need and dismiss some myths down here. Then we also have the owner/developer, the same developer of School House that would like to speak to his vision and some of the building quality that he is going to be doing for the multi-family. So with that being said, I will try to keep mine as quick as possible. To give you a little bit of history on this project. It was originally the 40 acres that was platted

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all as single family and we have submitted phase one of the subdivision is all single family. Phase two is when we submitted that plat we had actually met with staff and counsel at the time, and granted, decisions of the past don't bind counsels of the future, so I understand that. So that you are aware of the history, at the time there was a stub street coming into this property and discussions with staff and counsel at that time we decided that we were going to do a multi-family project and we pulled the stub street so that we didn't mix the two traffic patterns with the multi-family with the single family, and that's why we have today just a pedestrian connection to this site. There was some thought, and granted we didn't take it all the way through at the time because of the economic downturn but, that was some of the thoughts that went in. I'll let the builder speak to the buildings, but these are a pinwheel design. We have done that in several different subdivisions down here and when I talk about a pinwheel design it has essentially a town house feel so each of the face of the building is an entry into an individual unit so it gives the multi-family a greater feel of a town house over that of say a high density garden walk up where everyone all collects in the center and it's a little more private feel. That is one unique thing about that building and then I will let Marty discuss more about the interior and the size and what not. Some of the design considerations that you will see in your packet we ...along the southern boundary of the subdivision what I have done is undulate the buildings. What that does is it gives us greater open space, it gives a greater separation. We're between 20-30 feet of separation between our south boundary which helps create additional landscaping areas that we can buffer to address some of the concerns. We also put a lot of the higher density, as you can see it's kind of packed in more along Sunbeam than we did along the southern boundary and that was an attempt to try to mitigate some of the perceived effects that this project would have on the single family. Originally when we first came in with our neighborhood meeting we did have 15 buildings and trying to address some of the concerns with density we did drop a building and added the amenity to the center, which is the basketball court and the gazebo. As Troy stated, we are extending Sunbeam and improving School Avenue. There will be about a 20-foot landscape buffer on Sunbeam with meandering pathway and a 25 foot, almost exactly what we did in school house. A traffic study, to go to the traffic related concerns, a traffic study was not required for this because of the minimal trips per day, ACHD did not require it. There is about 380 trips generated by this site, approximately 38 in the PM/AM peak hours. Density, we are right around 9 units per acre. The reason we are doing the comp plan instead of just a straight rezone is because I exceeded the 8 units which is allowed under the current comp plan. For the site, because it's a multi-family, but these four plexus don't yield a lot of density, but what they do yield is a lot of space that we end up landscaping and overall, including the storm drain pond and the common lots and buffering, we are at about 3.7 acres' total of open space. In your packet, Troy has addressed many items of the comp plan that support this and some of the highlighted, higher density, that the comp plan calls for a mix of housing type in Kuna and Andy will speak to that right now. 97 percent of the housing product type in Kuna is single family. This is offering a product type that is very scarce in Kuna with a high demand and we believe with the kill plant, the Simplot plant that's going in east of town, this will help support some of that demand. One of the areas of the comp plan is it encourages the multi-family near collector streets. Here we are at two intersecting, or two higher traffic roads. We believe this is a logical transition from those collectors into a residential subdivision, so it meets that. And finally your comp plan calls for encouraging housing types that allow for various economic groups and we believe that this is going to help support that. With that, I will wrap up and I will pass on to Andy and when we are all done, I will be able to answer any questions. **Chairman Young:** Thank you. I will let the record show that **Commissioner**

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Wierschem is in attendance. **Andrew Probst:** For the record, my name is Andrew Probst, I live at 2834 Garibaldi in meridian. I have a power point coming up here. Ok I am with Park Place Property Management; you may have seen some of our signs around town. We are a certified residential management company. We are one of 50 companies in the nation to have this certification. We think it is very important to the city of Kuna, if we are not doing our job, we have a lot to lose, so I wanted to kind of throw that on the line so if something ever came up you have that to hang your head on. We currently manage a property right now on Linder and Deer Flat in Kuna. We have managed this property since 2008 and I have highlighted it here, I don't know if you can see this little mark, so here is Deer Flat in Kuna. Here is the project. It is 7 four-plexus built in the same manner as these town homes, which is a really nice property. Like I said we have managed that since 2008, it's been a good project for us. This is exactly what it looks like, this is...you might of...if you have driven down Deer Flat you might have seen these...or Linder and Deer Flat you might have seen these, been there for a long time. Park Place property management, I know you can't see it back there, but one thing that we pride ourselves on, we have a very thorough screening process, so, we are not going to rent to just anybody that applies. We have 9 steps to our screening process so you can see up here we look at our rental history, we look at gross income, we do a background check, we check the co-signers, we do a comprehensive criminal check, we have probably 18 or 20 different items that we can never rent to somebody on, and then there is stuff that they have to...if they have committed a misdemeanor or something like that, we won't rent to them for like 7 years or something like this. Then we also prohibit dog breeds and depending on the owner's particular preferences, we don't have to actually allow pets. So that is one thing that is nice, I think there is a lot to be said with hanging your hat on a third party property management company that does things to make sure the city, the community that they are renting puts the right people there, it makes our job a lot easier and it makes the job of the city a lot easier. We send everybody through a 9 step criteria, and we have to treat everybody the same, we are regulated by the intermountain fair housing council and urban housing development. We have to set our screening criteria no matter who applies, doesn't matter where they are from, what religion they have as long as they hit that criteria and we can set our criteria to whatever we want, then we rent to them. One thing we can ultimately screen against, and we do for everybody is anybody with a felony or any violent misdemeanor, so if they were pulled over for drunk driving or something depending on whether or not that is a felony or a misdemeanor, we will or not rent to them. So that's how we keep our communities very safe. We use a third party company called Amrent to do our screening. What we do is we set our screening criteria very specifically with them, and they run the screening and they give us an answer back, so we don't get in trouble with housing and urban development or the intermountain fair housing council cuz again we want to do everything in our power to treat all of our residents the same no matter what. So this is really hard to see, but trust me, I put a lot of work into it. I did some research on the ADA County crime website, so this is, where the arrow is pointing is exactly where our property is located. Each one of these colored tabs are different types of felonies or misdemeanor crimes that have happened in the city over the past 6-12 months. The site didn't really give a specific but I believe it somewhere between 6-12 months. You can see right where our community is, and this is basically most of the city of Kuna, the north side, we don't have any issues. We called the city of Kuna, we called ADA County, we said anything happening at Art Court, here's the plethora of addresses at Art Court and they had no complaints on record. Here is another interesting little map that I pulled from ADA County. This is the sex offender map. So you can see that there is a number of neighborhoods, single family homes all over both of these, again, this is really

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hard to see on this particular map, but I do have a hard copy I will share, but we have our project right here in the middle and no sex offenders, so we were able to screen for those things and those things are not going to be coming into our properties, exactly what I was saying before, if you have these things set up and you have your property management company heavily screen for these things you can really pick and choose who's coming into those properties. Unfortunately, if you live in a single-family neighborhood, and there is a sex offender that gets approved to buy a home right next to you, there is not much you can do, you gotta let that person buy that house and move in, but if you are renting a multi-family project, we can prevent that from happening. Now, we talked a little bit, Steve had referenced the need. Oh my gosh, we have such a need for properties to rent in Ada and Canyon County, you can see both single family and multi-family need. A healthy vacancy rate in the market runs between 5 and 7 percent. You can see right now just in the valley the grand total of vacancy is 2 ½ percent, that's less than a year in a property, single or multi-family and with Kuna, Kuna is such a great city, great schools, people want to be out here, obviously they can't because there is no inventory for them. This is a running trail; we pull all this stuff off of (inaudible) They are the same ones who gave our business the credit of CRMC. Then this is the vacancy trailing rate from 2007 until now. The blue line being single family homes, the green line being multi family, then you have your medium. You can see we are hovering right around two percent. Mountain States Appraisers also does a good vacancy rate or survey where they survey 13000 multifamily homes in the Treasure Valley, and Ada County actually, and you can see their trending vacancy rate has continued to go down, down, down and that means that every time our vacancy rate down, we can increase our screening criteria and make it harder and harder for people to get approved and get better applicants because the demand is there. So that is kind of a good trend, but I think it is too low, vacancy rate is too low, I think there is a need for more rentals in Kuna. There is another quick little phenomenon that is going on in Kuna. We had a number of institutional investors and big (inaudible) came in and bought a lot of distressed properties back in 2012 and 2013. And now they are taking those properties where they put renters in them and now they are kicking them out because the market has come back and it is a very good sales market. These people have nowhere to rent. We probably manage 200 single-family homes in Kuna, we have 0 vacant. I charge you to go home tonight and drive home and try to find me a for rent sign in Kuna, there is just none. And this is one of the situations that's happening is you are losing good residents because they are being kicked out by the good sales market they want to rent, they want to stay in this community but there is no place for them to go. This different product, this is a great home product where you have an upstairs/downstairs, more of a home feeling, own entry. We are attracting grade A people and they are wanting to rent this product but we don't have it right now in the city. Ok, I'm almost done guys. Just the last thing I wanted to throw out there. This is a four plexus in Caldwell, I use Caldwell as an example because Caldwell was really hit by the downturn, really bad, Kuna had some issues there, but Caldwell was really hit by it. So this is a four plexus that was sold in 2006 for \$335K, the exact same model that these folks are going to build here, or hope to build here. And you can see, it's really hard to see, but it's currently listed on the market for \$369K, so I'm just throwing that out there, so when prices were at an all-time high, we had this listing at \$335K, currently listing for \$369K. Now let's take this single family home, this single family home sold for \$149K, and I believe, if you can read really close, that was back in 2006, at the top of the market, for \$149K. I think it was 2-3 years old. Same house sold just recently, same house sold for \$128K, so one of the issues that people say is like, boy, these multifamily projects, they bring our values down. Well, this is an example of a single family home that sold really high at the top of the market, and now has sold

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for less now when the market is coming back. But if you compare the two over 10 years, from 2006 to 2016, the home lost 13.6 percent in value, but the town house today is still showing some appreciation, which you guys know, prices got really high back then. I go to hustle up. So recap. We care for properties of similar size, 7 four plexus for 10 years and it's been great, knock on wood (knock, knock, knock), there has been no crime or other complaints on the property, we are very grateful for it, we love that project. The waiting list for that project, by the way, is longer than any other project that we manage in the valley, and we manage over 2500 multifamily doors. We heavily screen our residents, there is a huge need, as I mentioned, for multifamily in Kuna and the value of four plexus and the people that we're putting in them, and if you get a chance to drive by those four plexus sometime in the next week or so, they are 10 years old this year and we are repainting all of them. They are right on schedule, so the value of those have held because we have good management in place, we have a good product and we have a need, so that's all I have. **Chairman Young:** Thank you. Come forward and state your name for the record. **Marty Peroni:** Marty Peroni, I'm the developer/builder. I live at 475 South Thornwood avenue in Meridian, Idaho. I guess the first thing I would like to say is there is a flyer that went out and it was put on many, many, many doors, how many I really don't know, I got a few phone calls from friends that said, hey do you realize this flyer is out there, and they are saying this about your project? I was pretty taken aback by it, and some of the things that was said is out of state developer, I have lived here for 12 years, so that is not the case. Gonna do, one of the things they said is low income, one of the guys that called me said, are you doing section 8 housing there? And I said no, and I am not doing low income at all, not even close. So I just want to get that on the record that that's not my intent at all. The other thing is, a little bit of my history, I have developed two subdivisions, both of them south of the tracks. Wild Meadows and School House, 256 lots. Steve kind of gave you the history of why we peeled off the piece and a lot of it had to do with the cost to put Sunbeam in. So it made sense to peel that off, kind of use it for, in the bank, hopefully do a multi-family housing site at some time, some sort of density, we didn't know exactly what. Andy was harping me for, literally, years to do something and he kept saying, there's a need, there's a need. I got hammered when the recession happened, and so I was very, very gun shy to make a move. I lived in School House for 4 years, we moved, my wife works in Eagle, has for quite a few years and she just got really tired of the drive, so we moved, had no idea what was going to happen, I think it was two years later Simplot puts the notice on that they are going to do this, even then I am scared to make the move. I sat down with these guys and they're just going, you gotta do it, you just have no clue, and I'm going, all right, you are probably right, you know. So I then took a drive out to Simplot and I sat down with the general contractor and said, you know, this is what the paper says, but can you tell me what the reality is, and he said, yeah, sure. We sat there for half an hour and he kind of gave me the whole history of, I think the paper said 600 full time employees, I said, is that still on mark and are you still opening up this summer? He said no, we won't open up until April/May, next year is what we project, I've heard that has already been stretched out a little bit is what I've heard. But I haven't heard that from him, but he says that it will be more like 800-900 full time employees, I'm going, wow, ok, so I came back said, you know, I have been paying, because it is developed property, I have been paying the highest taxes there is that you can pay on property for these 10 years and it's, you know, I'm over 30 some thousand dollars that I have paid in taxes and irrigation fees keeping this thing alive. You know, regardless of what happens, you know, I still believe Kuna truly needs a multi housing site on that side of the tracks. You got 900 young men and ladies that are gonna try to come to Kuna, it's a 13-minute drive from my piece to that door. There gonna come to Kuna to rent, a good portion of them,

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what percentage, I couldn't even begin to tell you, but it will save having to go over the tracks, they will turn around, along with a lot of the people from the prison. I've built about 30 houses in school house, several of them from the prison. My next door neighbor is the warden for the prison. So, you know, a lot of people like to be on that side and just go down the south towards the airport and what not, and that's what's going to happen. It's the perfect time, it's the perfect product. Now the product, the other thing I want to say is, I have no intention, I hope, if I can pull it off, to sell it at all. I hope I keep it, I maintain it, I'm involved in it for the rest of my life, maybe give some to my kids over time, whatever, but I am going to be highly involved, I'm not sitting here to flip it, make a buck and move on. That is not my intent at all. I want to say that. The long term vision, you know, I designed, and Steve kept saying, jeez, you're making them too big, you're making them too big, and I'm going, I want people...you know the housing market is going crazy and it will change, it always does. So I have designed units that are quite a bit, probably 10 to 15 percent larger square footage than any other housing on the market for multi housing. And I did that purposely so people have a very comfortable place to live, I got covered patios, I want it to be a quality home, and I want people as the market turns, they want to stay there. So it's not, you know, I don't want people running in and out in and out. I hope that I find good renters and they stay there for a very long term. Lastly I'll say, this isn't something I...I'm even hesitant to say it, but I'll say it. When the market turned, I got offered \$50K a lot, when the market turned, had them sold for \$70 all of the school house. I had 54 lots left at the time of the 64. There are a lot of people I knew that bought those first phase, I knew a lot of those folks, and I'm going, jeez, the developer that wanted to buy them, what he would have put in there would truly effect their housing costs, and it was the right thing to do. It almost bankrupt me. But I swear to god, my wife and I don't look back and go, you know, we did the wrong thing. It was the right thing to do. It was the right thing to keep house values. I don't believe this is going to affect their house values as they say. Could, I'm not a total expert on it, but I tell you what, I'm not doing it to hurt anybody. And I made that decision 8 years ago to take that kind of hit and I did that purposely to keep peoples housing prices at a quality that they deserved. They bought lots and homes from me and I didn't want to see them get hit. I'm in for the long haul and I want to build a quality project for Kuna. So I just wanted to say all that. Thank you. **Chairman Young:** Are there any questions for the applicant at this time? **Commissioner Gealy:** I have no questions. **Commissioner Hennis:** No, he answered some of the ones that I was thinking of. **Vice Chair Wierschem:** Chairmen, I would just like to apologize for being a little bit tardy, and to let you as well as the rest of the Commissioners and the audience know that I thoroughly read every detail about this project and I'm here and prepared, ready for tonight. **Commissioner Herther:** I don't know if this is the time to ask you, but you said sex offenders don't qualify? Can you do that? **Marty Peroni:** It came up on the community questions, you know, what kind of people are you going to put in there, you know, crime rate, all this kind of stuff. To be honest with you, I didn't know how it worked for fair housing, so I went to Andy. I said how does that work? He said with multi housing it's completely different than residential. You have the right to make your criteria and you can follow it and you can bump anybody out from that list if they have that kind of a background at all, and I go, ok, cool, that's what I want to know. **Commissioner Herther:** Same thing, no section 8? **Marty Peroni:** No, there is not section 8, absolutely not, guarantee you, positively, no. **Commissioner Herther:** Do you have a long-term contract with the property manager when this all comes together? **Marty Peroni:** We haven't put it together, but I plan to do just that. You bet. **Commissioner Herther:** And you plan to keep the development? **Marty Peroni:** That's my hope and goal. Absolutely to the end. It's my retirement quite frankly. I didn't say that, one of

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the things that I want to point out, when I finally sold 48 of those 54 lots, I sold them \$13,500. Cost me \$23K to build each lot, not including land or financing, construction cos's. So when I turn down \$50K a lot, I turned down, I mean it pretty much put me in to bankruptcy, but I was able to avoid that. So it was a huge decision not to do it, and there wasn't for any other reason, but to save these people's houses, quite frankly. **Chairman Young:** Any other questions? Ok, then with that we will **open up the public hearing at 6:58** and I will just remind everybody that they will have 3 minutes to speak, when you hear the timer go off, please just wrap up very quickly, finish your sentence and that gives everybody an equal chance to speak, and there are a lot of people want to tonight. Out of respect for your neighbors, please stick to that and with that in mind, I'll...again we go in favor, neutral and then in opposition. Then I will start with those in opposition then. So, first on the list, I apologize for anybody's name that I slaughter, I don't always do the best at this, but... Steven Danron, did I say that correctly? Please state your name and address for the record. **Steven Danron:** My name is Steven Danron, I live at 818 West Lunchbox, off School road, Kuna. I'm in opposition of this tonight. One thing, a few things I need to cover on here. We had a meeting last spring on this development. At the meeting there was 100 percent opposition to this, there was no mention of adding a gazebo, adding a basketball court, that we would be ok with it. This lot was promised to be single family homes with the people that bought in those subdivisions and now it's being changed again. If you look at the subdivisions going from east to west, those lots get smaller the further you go west. The east side lots you can park trailers, camp trailers in their back yards, ours you can hardly get a lawn mower in. So you saw the decrease in lot sizes for more housing towards that end. Ok, if we increase, if we put multi-family homes in this are you are going to see, regardless of what the Parks Place management gentleman said, studies have shown that you will see an increase in law enforcement calls in those areas depending on who you have in there. I understand the fact that we are getting a kill house out here in Kuna and there is going to be a lot of housing requirements. One thing that he did not mention is that we also have, you have approved a mosque in here. Ok, the refugees coming in here to Kuna. They do not have criminal records; you can't screen them out. Ok, and that's a huge concern for our development area. That place is a block away from my house, I'm a combat veteran, ok, I fought these people, I don't want them in my neighborhood, I know how they are. Ok. With increase in law enforcement you also have increase in EMS calls cuz now we have multi families living in multi areas, you have the sicknesses, you have the flus that come through. We have two sets of tracks that sometimes EMS can't get across those tracks cuz the trains are blocking them. So they will have a difficult time. This may increase the cost for the city for a substation fire station and also to put a firetruck and an ambulance in there. I understand our law enforcement is in ... works directly with Ada County law enforcement. These two will have to increase, our city will have to increase its law enforcement officers in order to patrol those areas. We can say that they, and hope that they won't go bad and they won't be that kind of element in there, but nothing else fails, you see areas where you build up in the middle of a housing development, crime begins to happen, it's area of opportunity. The residents now take care of all our own common areas through our HOA's. These, this housing unit will have an access to, in and out of our subdivision, ok, so they will have access to our common areas that we have to pay for through our HOA dues. I don't know if their plan was to build their own HOA for this, or to use ours. (timer goes off) Two points? No? **Chairman Young:** I failed to mention earlier also, if you are echoing sentiments said before, you are more than welcome to come up and state those, or you can just come up and say, you know, I agree with what was said, just in the interest of saving everybody's time as well. Now next up, I have listed to testify Shelly Aken, did I say that correctly? **Shelly Aken:** I'm Shelly Aken, I live at

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941 South Jump Rope Place, Kuna ID 83634. I also agree with what Steve Said, and in addition, is I know they said that they contacted the schools, are, we already have really crowded schools here and our kids are already competing with each other for these resources and so we put in another 54 units in that area, we are going to have an increase in bussing, an increase, you know, someday these students are going to have to be simulated into our school system that we already see and we hear, you know, I know that my property tax, there is another \$6-700 a year on that property tax alone that goes to that school for the bond measure or the emergency funds that the school asks for. The other thing that I see in that area is that we don't have any public transportation in Kuna and we definitely don't have anything south of the tracks. That's an issue. You know, you have people live in multi-family housing a lot of them have to walk to where they are getting their services, whether it be doctor, food, you know, or anything else. The closest grocery store to this place where this is going to be located is 1.9 miles away and I don't really see people walking like that in the winter, they're going to need some sort of transportation. Kuna is really a bedroom community for much of the Treasure Valley. We have a lot of people that live here but work out in Nampa, Caldwell, Meridian, Boise. We don't really have...yes, we have that, not sure what it is, the meat plant that is coming in and there will be jobs there. If you are without a car, you are not going to be able to get out there, you need a job within walking distance and most of our jobs within walking distance of that area are not livable wage jobs. The other thing was, we had the meeting in March, we met at the fire station and I don't know if any of that information is in your packet. A1 came in March and we met at the fire station and he gave us the proposed design for the elevation for the apartments. And at that time he also said that senior housing was discussed and had penciled out at the same profit margin as these apartments had and that is another needed housing commodity in our area. They also told us that there was going to be, that A1 is involved in another housing development here in Kuna where it is mixed housing, where it is both single family and multi-family, so there is a possibility that that need is going to be met someplace else and not dropping an R-12 in the midst of an R-6 unit. It's not congruent to the area. Thank you. **Chairman Young:** Thank you. Next, I have listed James Laske. **James Laske:** I am allowed to speak real quick and then yield part of my time that I feel is bringing up good points? **Chairman Young:** No, we have to let everybody have the allotted time. **James Laske:** My name is James Laske, I live at 916 South Pencil Ave. I moved here two years ago from Las Vegas Nevada. I see firsthand what apartments and what crime is like and the more people you can find in a smaller area, the more problems you are going to have, no matter how you screened them, in my opinion. They can screen the people that are renting, but are they screening the boyfriends, are they screening the girlfriends are they screening the friends they are allowing to stay there, there is plenty of people that can be there and not be a part of that screening. I moved here, and I love it here, I have two children that live here with me. They get to play outside, they get to play in the street and do their thing and I like it, I love it and where I live is right at the opening, right where sun beam will be extended, where people will be able to travel through and you're talking about 14 units with 4 each unit, so that's 56, and then you're talking, probably 168 people. If you go three per unit like that. That's a lot of people in that confined area that can travel through, I'm not saying all of them, but a lot of people are going to walk through our neighborhoods, walk through the things. Crime will go up, I know it, I've seen it. That's what I'm trying to avoid. If that was there when I was buying a house two years ago, I would not have purchased my property where it was at. I chose here to get away from that big city life and from the confinement of so many people. There's almost 3 million people in Las Vegas and it's a lot smaller place than here and stuff like that and it's not good. I have fear and I have anxiety right now and I care

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about my kids, I care about my neighborhood, I love it right now and that's my biggest fear is the crime going..., you can screen who you want to screen, but, you know, the people that are shooting people aren't people that are being screened for the guns, we can, you can, you know, you can go down that route and the same thing, you are not screening their boyfriends, you are not screening their friends, you are not screening the other people that they are allowing to stay there and I have crazy anxiety about it. The other thing I want to say id, you know, with the Simplot yard, or the Simplot Kill deal coming here, yeah, you are going to need a lot more housing and whatever, but I don't feel that's their big concern, I feel like the numbers and the money signs are what they see, not the community and the people that are living here. I don't feel, you know, and this, you can call it an accusation or whatever, but I don't think they would want to live next to apartments or next to a confined area where there is tons of people living like that. I believe, I'm kinda sketched out, I'm nervous up here right now, but I appreciate the time you guys give me, I wish you would have let me give some of it to him cuz I feel like he brings up a lot stronger points, but I appreciate you letting me speak and telling you how I feel. Thank you. (timer goes off). **Chairman Young:** Ok, next up I have Jim Russell. **Jim Russell:** For the record, Jim Russell I live at 781 S School Street. This property is just across the street from me. I like to go on the record to say I'm opposed to this development. This area is surrounded by large acreages and also their R-6 development that Peroni built just south of that, and that is a nice subdivision, he does a fine job. My other concern is the value of our properties when you cram all these apartments in there, like I said there is surrounded by acreages, mine is 5, my other neighbors is 7 across the street is another 7-acre tract. And also extending Sunbeam, another point I have, it seems to come out underneath the hill and not on top of the hill, I feel it has a little vision problem. I also go out of my driveway within 30 feet of where that street is going to come in and there's been several times I almost run over people coming over the hill. Many children play on this hill cause it's one of the few hills in Kuna where you can get your skateboard and coast forever; I've seen them drop 'em off there in pickup loads to go up and down that street and with this apartment complex, I'm afraid it's gonna be a real zoo out there with people running down the street. There is no connecting sidewalk or bike path on School Street to transition these kids in a safe manner if they are going to use their skateboard instead of being in the middle of the street. There is already severe congestion of School Street and if you don't believe me, just go there at 7:30 in the morning when school is in –I feel sorry for the bus drivers that try to get out off of School Street onto Avalon now. And especially on Swan Falls; if there is a train coming. I've School Street backed up down there. It's just ridiculous. If there is a train there, you'll just sit there forever. There is no emergency services south of the tracks. I'm a person who's been involved with fires and other incidences and I know what it means when there's a train across the track. There was an incident at my house and it was a lot more serious than it should have been had a train not been across the track. I've also had accidents at my place and emergency services had been delayed. I've lived there for 47 years, so. This property was originally approved for R-6 and as I stated before, Marti has built a nice subdivision south of that; I'm not opposed to R-6 or a senior development or something like that, but definitely not high-density apartments. I also have a letter here; my neighbor was not able to attend anyway ..um; am I allowed to submit that to you that he is also in opposition? **Chairman Young:** You may pass that on to the Planning Director, Wendy there. Thank you. Next, I have listed Sherry Russell? Please state you name and address for the record. **Sherry Russell:** My name is Sherry Russell; 781 S. School Street, Kuna, Idaho. I agree with everything that's already been said, but I would like to add a little bit to that. The danger is on that intersection. The kids start... they're gliding down that hill; way above that hill. I have actually, personally

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called two mothers with kids crashing and falling off their skateboards and stuff, going at high speeds and they've taken them to the emergency room and such because of lacerations. If they start and if Sunbeam is coming through –there is no way they can stop if a car is going through to pull out. You are just waiting for a child to get hit at that corner. Impacting me personally; all that traffic is coming right to my house. And especially when people come over that hill, it will only be a matter of time before one of those cars go right into my yard or in my home because of that. So that is a concern. The R-6 I think is with the high-density; I agree that the homes Marti has built are beautiful, nice homes. What Marti had spoken to us about personally, was a senior living or 55 and over community. Now there is something we don't have any of in Kuna and I as a realtor, get a lot of requests for retirees wanting to move closer to their young families, but there's no homes for them because they don't want to be in the busy subdivisions and in the high-density areas and such; that they want to live somewhere that is closer their homes. So if the density would have to change or the zoning would have to change to accommodate that kind of community, I might be agreeable with that but not the high-density. Now; the screening process –I own several rentals here in town. I screen the applicant, but I agree with the other gentleman; I can't screen who they have live with them, their children. I've had multiple times here having parents rent homes and then having their juvenile that just got out of jail move in with them because they've kind of have to live with their parent or have to live within a certain area and so I've had criminals move into a house that I had already previously rented to a qualified renter. Animals; you are really at risk because of dogs, companion dogs you can't get around –you say no pets; you're going to have pets because there are all these legal avenues to say that it's a companion pet and they have pets and I cannot deny them even though I would prefer not to. So as far as the screening process, that is not going to help. The values to the home; again as a realtor, I do feel it's going to impact the values of the homes surrounding that -because as you can see, the people that live in those kinds of homes don't want the density around them, so in fact, it's going to be more difficult if they ever turn around and try to sell their homes, if this high-density is right next door. So, it will impact the resale value of their homes. If Mr. Peroni could guarantee us to keep that... Thank you. **Chairman Young:** Thank you. Next, we have Betty Rogers. **Betty Rogers:** Commissioners, I'm Betty Rogers I live at 1061 S. Pencil Ave. in Kuna ID. And my husband and I used to live in Boise and we got really upset with all of the traffic and busy ness there and started looking, looked long and hard for a small home in a nice subdivision that was quiet single family homes. We bought our home in March, and I love our subdivision, I think the vision there was wonderful, and that's exactly what Sherry was talking about, we're looking for single-family one level, just a quiet neighborhood. And so now to think that that is going to be changed is very upsetting to us after having spent all this time looking and finding a place we loved. I agree that Kuna needs to have high density available, the Treasure Valley does, but there is so much room for growth in Kuna I don't understand why it would have to be in our subdivision, I think they gave a very good case for it, but I don't agree that it should be right there in our subdivision. At the hearing earlier this year where there was great vocal opposition, it was stated that the projected rental price was \$900 a month for each unit. That is really low. The rentals nowadays for a comparable place are \$1100-\$1200, so, I think that alone would attract people that we really wouldn't want to have in this quiet neighborhood. The other point that came out was that the reason that he was elevating it to from single family to multi family was that he couldn't afford to finish the street that he was obligated to finish and this was his way of paying for it was to do this development. I understand, I empathize, it was a rough economy, but I don't understand how one person who had this happen to him can affect all the other people in our area, and

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change our quality of neighborhood and quality of life, so, I oppose the rezoning and I appreciate the time.

Chairman Young: Thank you. This is the letter that Jim Russell handed to Wendy. I will read this at the end of the public testimony. So next, I have listed Natalie Kleinsasser. **Natalie Kleinsasser:** Greeting Commissioners, fellow neighbors, Marty. I bought the house 3 years ago...906 S Library, Kuna, 83634. We bought Marty's house 3 years ago, fell in love with it. Had we known you were going to build the apartments, we would not have bought it., at all. We back right up to that south side, I don't feel that a 20-30-foot separation is going to be, you know, feasible, I think it needs to be bigger. The multi-level or high density housing will alter the essential characteristics of School House subdivision and other homes in the area. I feel it will also negatively affect our property values, like said before, it's going to cause an increase in school burden. It's gonna need more busses, teachers, it's gonna affect the traffic over Indian Creek. I am a nurse, I work downtown Boise, in the wintertime it takes me sometimes two hours to get to work. Right now 40-45 minutes to get to work, so I'm not many people will want to live there if they live in Boise, especially if they are just out of school, college. The character of the apartments is just not futuristically appealing at all. It is gonna cause a big strain on infrastructure with new water lines being put in, roads being tore up, sewer, new piping having to go in. Also when Ada County Highway District staff say that there is not gonna be an impact, they don't live in Kuna, they don't travel Meridian road either. There's no jobs, again people are gonna want to commute. There is always an increase in vandalism if you don't own it, you have no pride, no responsibility. And an article in an October 28, 2015 US News Money Magazine, the article My Money article, 43% of property managers saw an increase number of applicants who do not meet income requirements on their own, therefore needing a guarantor to sign in order to get a rental. Also, it was said that it was not going to be section 8, not sure if that goes along with HUD or not, but, with new laws going out because discrimination state and federal really cannot accept responsibility for the behavior of their voucher residents anymore. What else, um, and I think that's it. I totally oppose this, um, and thank you for your time. **Chairman Young:** Thank you. Next up I have listed Susan Folk. Please state your name and address for the record. **Susan Folk:** My name is Susan Folk; I live at 843 W Playground Street. Kuna ID. I oppose this because A. I was a school teacher for 33 years. I know what it's like to have an overcrowded school where a...I understand that the Kuna schools are at max and I am retired and I am all for building new schools but that means my taxes go up and I am on a limited income. Also, like Jim and Sherry have said, the traffic situation. My husband and I avoid going out before 9-10 AM because trying to turn on Avalon is just impossible, people coming down Kuna road or whatever it's called, Avalon road, you can't get on and when they did the roundy round trying to get across the treat, and it was not fun at all. My question too, is water pressure and waste sewage management. What's gonna happen to that? I mean right now we have good water pressure and, you know, waste management. By adding that many houses, are going to put what we have now into jeopardy. I am from another small town back in Indiana and they had to build a second water tower because they grew too much, so do we have to build another water tower? Are we going to put it on this side of the tracks? Those railroad tracks are a real gem. They cause a lot of problems and we have not essentially solved that problem. I hope my house never catches on fire when there's a train around. I luckily have a sheriff that lives across the street from me, so I don't worry about that so much, but I really oppose it because of the various difficulties that it's going to cause this community. Thank you very much. **Chairman Young:** Thank you. Next, I have listed James Kleinsasser. **James Kleinsasser:** 906 S Library Ave. Yes, we bought the house 3 years ago from Marty, and love the house. We live on Library and Sandbox so I feel like we are highly impacted because we have a large corner

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lot, approximately a 3rd of an acre, and there would be two four plexus directly behind our lot and then the walkway is just west of our house. There's a walkway there currently and that would be the walkway from the new proposed housing plan to our subdivision. So I feel like we are highly impacted on this. I strongly oppose it for property value reasons? We got out of high school, we rented an apartment, we stayed there three months and we were gone because of noise, domestic abuse problems, we've owned houses for 30 years in single family developments and not had any problems, and we'd like to keep it that way. I live in the real world, for the last 4 ½ years I've delivered pharmaceuticals to nursing homes, to nursing homes inside subdivisions, to single family housing, to four plexus and apartments all throughout Nampa, Boise, Burley, Pocatello even cuz we do long runs. I drive truck too. You build relationships with these people cuz you see 'em on a weekly basis and I don't care what the property management people say, because before you know it the brothers living with them and the brother's girlfriend's living with them and they cannot regulate that. I see every time and there's a couple more kids with them. It's amazing how many people can live in one apartment and you would think that maybe your neighbor would tell the property management people, well your neighbor might be scared, or your neighbor might be doing the same thing. There brother might be living with them. I've seen it. When you deliver medicines to the same people every week, you see the same situations, sometimes the people living with them you deliver medicines to them too. So I highly oppose it. We bought the house the appraisal was \$245K. We just refinanced the house we got an appraisal of 249K. So in three years property values have supposedly been going up 10% each year, they went up \$4K in three years during a housing influx, so with these, with these, this development next to us, do you think our property values are gonna go much higher? Don't think so. Scared of the property values, I'm scared of loud noises and just crime (timer goes off) Thank you so much. **Chairman Young:** Thank you **James Kleinsasser:** I really liked what Steve had to say, I wish I could have took my time and give it to him cuz he knows what he's talking about. **Chairman Young:** Thank you. Ok, next I have listed Janice Sanders. *from the audience...not to testify... Oh, I apologize...*from the audience...can I testify on my wife's behalf?... **Wendy Howell:** He needs to sign up. **Chairman Young:** Yes *from the audience...I signed up...**Wendy Howell:** That's fine, he needs to sign in as well if he would like to testify. **Chairman Young:** She just said please sign this. *from the audience...you want me to sign that?...please. Right here please. Thank you very much. Please state your name and address for the record. **Travis Sanders:** My name's Travis Sanders 876 S Jump Rope Place. I'm a be December a 10-year officer out at that prison. I know what these guys are all about. I'm very smart, very tactical, I'm very good at what I do, I take pride in my stride. And for our families to have that stuff come in there with this gentleman and these other people are saying, is right on the nail. I know what they are about, I know the way they think, I know. You know, we're a low key neighborhood. I think there is plenty of land in Kuna to put that somewhere else, for sure. And the senior deal? Cool. R-6, that's great. But to R-12 it, with all this stuff and everything else, let alone the traffic and what not, everybody else is saying great points, I'm just telling you on the crime side., they know, he knows, I know. And I know what's at stake and what's at hand, first hand. I've been through a lot at that prison and it's changed me mentally. I have issues around big crowds. I stay away from big crowds and stuff like that. People go to do a job, I go to do mine on my feet, the right way, make the move at the right time to help the person out, or do what I gotta do for our family that stands here and our community period. I put my heart and

soul into my job every day and I do it the right way. That being said, I don't want the muck, we don't want the

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muck. You know, when I'm out here I metal detect all the time around the neighborhood all the time, I'm always respectful to everybody, I talk to the kids if they come up to me, I don't approach 'em, but I give them a little speech on what to look for and how to look for it. I know firsthand how these pedophiles work, firsthand how these murderers, rapists and everything else, not saying that they're gonna be there, but I know firsthand what this stuff is all about. I live it and breathe it on a daily basis and I do it the right way. Thank you. **Chairman Young:** Thank you. Next up listed to testify is Kedrick Torrey. **Kedrick Torrey:** My name is Kedrick Torrey I live at 794 W Sand Box Kuna ID. 83634. I'm a native Idahoan, I've been in Kuna, in and out, pretty much my whole life. Playing sports. Moved back here when I got out of the military. Little bit about myself. Been in law enforcement, been in the military, got my post in California, worked in a little town here on California. I moved back here, worked at Canyon County as a Sheriff, then I worked out at the prison in Ontario. Then I went to Iraq, came back in 2009. Sorry, I'm, just...Very, what Steve said is very true. What's gonna happen in that high density housing. Steve, you shoulda sold for \$50K. Someone gets into land, they are there to make a profit, I don't care what your intentions are, they are there to make a profit, he should have sold when he had to. And not put the responsibility on us, or change our lives. And, with property management, at one time I lived in Selway apartments. Park Management managed that. It was horrible. When you have renters that says luxury apartments and then when you don't get the people you want in there, so those applications change. They're not set in stone, like a law or anything like that. So, they'll manipulate it, they'll let whoever they can to rent those, to make the money, to make the payment to get their mortgage paid, the land owners, the homeowners or the property owners. So keep it where it's at. Make those lots into homes, single family homes. Or a senior citizen home, that's great. When I moved in there 3 years ago, if I knew that, like several people have said, I wouldn't have bought the house, I would have went to 10 mile. Been a lot closer to the school out there. This is something I don't want to deal with, and, like Steve said, I've been in combat with the people that are going to be in these houses. I don't want it, and, I guess I'm not trying to...hope you don't take it as I'm mad at you guys (timer goes off) Thank you for hearing us. **Chairman Young:** Thank you. Next up Mike Wiler. **Mike Wiler:** Hello, I'm Mike Wheeler 781 South School Road, Kuna ID. And I just have all the property to the north of that area there and I'm definitely against this proposal. Everybody's made some pretty good points and I think you know how everybody else feels about it, so, make up your mind. **Chairman Young:** Thank you. Next up I have Dwayne...*from the audience...I signed up not to testify... Ok. Then Elizabeth Olasi. **Elizabeth Olasi:** My name is Elizabeth Olasi, I live at 603 W Tallulah. My home, from that backyard you can see my neighbors pasture, from there this property that's being proposed, where it would be. Um, I am against this. When we first, we lived in Meridian where the Village is, and when we first decided to move out to Kuna, all our families said why? Why are you moving way out to Kuna? And once they came out and saw this beautiful town, they said, ahh, now I know why, it's got this great country feel, this homey feel and this is a wonderful place to be. Building this apartment complex right in the middle of two subdivisions in this small area is going to change that. The whole reason we, and all these people here built their homes, you're taking that whole reason away if you agree and vote in favor of the R-12. I know they made up a great point about how the meat packing factory that's being built, that they can just drive that road and not cross the tracks. My husband works at Micron, a lot of times he takes Kuna Mora road to work, but, we also have to go to doctor's appointments, grocery stores, kids school things. We go across those tracks all the time. Doesn't matter if that's the way he goes to work, we still have to cross those tracks. Living here in Kuna, so many times, those tracks are blocked because of the train and traffic

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just backs up all along Avalon and through downtown Kuna there. Old downtown Kuna, where Enrique's is. It's just crazy. You have to wait forever. And with the traffic the way it is and being blocked and increase and make it an R-12 on this side of the tracks, I don't think it is a wise decision, especially with the emergency not being able to have fire, police, ambulances on this side of the track. The more you increase the population, especially in a small area, it's gonna affect that. So I just, I think it's a not the right place to put an R-12. Um, and I hope that, um you will vote in favor of what the citizens and the people who live in this community what they want. My husband didn't come tonight, he said, what's the point, they are gonna vote in favor of what they believe is progress. Money talks. But I hope that the love of the community and the love of the citizens that live in that community talks. And I hope that you will vote to keep it the way it is. Thank you. **Chairman Young:** And next, I have listed Bryce Baker. **Bryce Baker:** Good evening Chairman, Commissioners, I have been a resident of 975 W Recess Way, here in Kuna for about 12 years. The thing that we were attracted by, and still appreciate about Kuna, is the small town atmosphere and feel. The rural feel and that fact that it is so community oriented. I think the biggest thing that makes a town such a nice place to live is it's invested homeowners and the people who take care of their property and take pride in their community, and that comes by people who purchase property and who stay for a while and raise their family in that community. I think everybody in this room as probably rented an apartment or a home at one time or another, we certainly understand the need for that from time to time, but I am opposed to the high density housing for this area. None of us begrudge Mr. Peroni's desire to maximize his profit, his return on his investment. Many of us would like to do the same, which is exactly why we would encourage you to not change the zoning, we don't feel that it's appropriate for his interest to override the homeowners in the area and I think this would be detrimental to our value. You also heard lots of testimony this evening of people who would have decided to buy a home elsewhere had this apartment development already been there and so I think that is good evidence that it would be detrimental to property values in the area. In spite of the assurances that we've received from the developer and his property management company, those things can change and the application and screening process can all change. The property management company can all change, but once the apartments are built, the horse is out of the barn and the damage has already been done to the neighborhood. So I would appreciate your consideration in leaving the zoning as is so that it's consistent, remains consistent with the character of the neighborhood. Thank you. **Chairman Young:** Thank you. That is the end of the list that I have here. Is there anybody who did not sign in that would like to testify? Ok. Please uh, Troy, could you hand this to...sign that, thank you. Inaudible...**Becky Wooley:** My name is Becky Wooley, I live at 657 W Tallulah Dr. My property is across the field from where the proposed development is. Um, my family and I just moved here two months ago from a small town in Southern Oregon, my husband grew up there. Back in the day it used to be a lovely little town just like this one and unfortunately is has become less than favorable to live, which is why we moved away. Lots of rentals. We lived right in the middle of housing rentals downtown, surrounded by HUD and other types of rentals and I can testify to you that the types of people who rent, um, can be good, we were renters, um, but a majority of them were not.. We had lots of ambulances on our street, lots of police on our street on a regular basis, a lot of people who lived in these homes were on disability cuz they couldn't work. Um, a lot of elderly people and they need the services that the police, that the fire, that the ambulances provide and I feel that on this side of the tracks, it's just not safe to have that many people, because you will get people on disability, you will get people with problems, you will get the domestic because, um, like other people have said, you cannot screen who they have living with them .We

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had a lady next door to us, who, you know, her screening process went fine and then she brought in her boyfriend and we didn't know he was a pedophile until the police were in front of our house and his computer was being confiscated. So, um, like has been said, we are very concerned about the, um, type of development being put in, my seven-year-old daughter said how much she loves it here because she feels safe here, and I would really prefer it to stay that way. Thank you. **Chairman Young:** Thank you. **Kenneth Maily:** I'm next on the list I think. I live at 227 W Tallulah Dr. I also own a property on 859 S Jake Ave, which Jake and Sunbeam, obviously, are right there. Um, you can start the timer now. My big problem is, isn't section 8 housing. I have a section 8 in one of my other houses in Kuna. They're fine, that's, I don't care if your poor, I don't care if you're rich. Um, my big problem is, sigh, the, the City and I have made a pact, basically. The pact was, here's what's coming here eventually. If, if, if property can't, if, if, property owner can't make his money, that ain't my problem. Property owner's problem. He wants to rezone it, no. Why? Give me a good reason. Don't, I wanna make money, that ain't a good reason. Good for you. Poor people need housing, great, we've got zoning for that. This isn't zoned for that. This is zoned for housing, R-6 or below. This ain't R-8, R-12, or whatever. This is R-6. Me and the city have entered into a pact. The pact was, that's what's going in there, unless there's some huge reason not to do it. He needs to make money? Don't care. My property value goes down because he needs to make money. How happy do you think I am about That? Look at this room. I have one time seen this room this packed. One time, that was Best Bath. O'course it got kicked out on its ear too. Look at this room. Who's here, who's here to say they like this? Anybody? Besides him. Anybody? Nope? Who's here to say they hate this deal? Who's here to say No? It ain't because a poor housing for me, has nothing to do with poor people, has nothing to do with Muslims coming in, bring em on, I'm loving it. I don't care, everybody needs a place to live. They don't need a place to live where it isn't zoned for that. You wanna rezone it? Great. Give me a good reason, not you need to make money. I need a good reason why you want to rezone this. I wanna make money is not a good reason. I wanna make money too. Everybody here, is here to protect their money (timer goes off) that somebody is trying to take. I'm here to protect my money. My money. Not his, not anybody else's, my money. **Chairman Young:** Thank you **Kenneth Maily:** Everybody's money. **Chairman Young:** Ok, next up I have listed Melissa Peterson. **Melissa Peterson:** I live at 883 S. Pencil Ave. Just a couple of things. I pretty much agree with the majority of what everybody here has said tonight. Um, a couple of things. When people go to purchase a home, or go to rent a home, they kinda take a look at what there are getting into because they should be responsible homeowners, or seeking a place to live. This subdivision and its covenants and restrictions. Its intent was for single family housing. It's intent when people went to purchase their homes and their investment was for single family residence. It goes into details about the building lots, how they need to be platted, how it needs to be single family, how it can't be less than 1400 square feet, can't have any structures taller than two. Single family all over the place in here. So the people that go to purchase these homes, similar what the gentleman just before me was mentioning. There were things that they were purchase this home for. They were looking for certain aspects and what their families could grow into. Are comprehensive plan talks about density being in the hub of our city. We aren't the hub of the city. We've started to expand, expanded out. We have schools that are packed. My children are all in high school, I've lived here for 20 years. At the high school they try to protect the kids. No back packs on your backs, now we got em sharing three to a locker because there is not enough room for them. They finally got the special Ed department out of Hubbard, the, the, um, not the elementary school, but the kindergarten, over at Hubbard, they finally got the special Ed room out of the women's bath room. They

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just don't have the room. So I think along with that responsibility come's responsible building as well. So we have a gentleman who hasn't even finished the common's areas. On pencil, my house backs up to this subdivision that he wants to pull away, out of this, because it doesn't fit. So, there's, there's commons, there's supposed to be a volleyball net. The other gentleman was talking about the development to provide for the people moving into this complex, places for the kids to play. We did bring that up. One basketball hoop doesn't cut it. There's 54 units going in. A gazebo and one basketball hoop? That's not responsible. Neither is dumping four plexus into a single-family designed subdivision. So what, you pull it out of the subdivision and create your own? I don't think so. It's been around for more than 10 years. We that live in this subdivision, it's ours. How do you pull it out here? Who, who says you can do that? I don't understand. So I just think we need to back up a little bit. I'm not against growth, I just think it needs to be responsible. That's it. Thank you for listening to me.

Chairman Young: Thank you. Ok, and next I have listed Mike Brunetti. **Mike Brunetti:** Hello my name is Mike Brunetti. I live at 763 W Sand Box, and I'd just like to reiterate. First responders won't be able to respond. I don't know how important that to anybody. But you heard about the line going through Kuna waitin' to get across the rail road tracks. Well I had to get in line once and there were cars piling up behind me, and I was right by Albertson's. Used to be Paul's. So just consider the first responders, they won't be able to respond. Take that into consideration please. Thank you. **Chairman Young:** Thank you. Ok, then I will read into the record that was passed to Wendy and, I'm sorry. What was the gentleman's name, I can't read his signature completely, Jeff...Foster, ok. Letter from Jeff Foster, read by **Chairman Young:** Jeff Foster at 805 S School. To whom it may concern regarding the public hearing on high density apartments proposed for the future Sunbeam and School street. The proposed high density is across the street from my property. I am strongly opposed to the apartments for the following reasons. The area is surrounded by large acreages and residential properties. I feel it would be a devaluation of surrounding properties. Future Sunbeam street enters below a hill and is a potential accidents due to poor visibility. My children use the hill for skateboards, bike riding, walking to school, etc. and would be a great number more if high density is approved. I'm concerned with the safety of these children due to increased traffic. There is no bike path or sidewalks connected to school street over Swan Falls. There is already congestion at School and Avalon. Swan Falls attracts such high increase of population would only make this worse. There's no emergency facilities south of the tracks. I feel it would be irresponsible and so many more residents before this issue can be addressed. Property was originally approved R-6, why change that? Thank you for your time. **Chairman Young:** Ok, now, I have no more names listed on the list to testify, so, we will have the applicant come forward. **Steve Arnold:** Mr. Chairman, again for the record, my name is Steve Arnold, I'm with A Team Land Consultants. Um, I'll try to address some of the common things that came up. There is a lot of individuals, if I miss those, I can stand for questions. Um, with this submittal, I've put together a white paper that was done by a an association of a, a, it's called the National Multi Housing Council Association, they did a white paper that addressed these common things that come up with multifamily housing. One being crime rate, um, and the concern that multifamily increases crime rates, and that was not found to be the truth. The second being devaluation of, a housing around multi family. That, again, was not found to be the truth. The um, a housing community that has mixed housing types, such as we're proposing, actually has increased value in the properties. As you were seeing by Mr. Probst, these multifamily buildings, the units, are, because of the quality that Marty is going to be putting into them, they have an increase in value, um, a, much more than some of the single family. So it really all depends on how the property is set up initially, how the property is managed, how

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things are maintained to create value. It's the same thing in a single family subdivision. If you don't set up a single family subdivision and build it and build the value into the community, you don't get the same value out of it compared to um, other subdivisions in Kuna. Um, we have probably, you know, one of the other things I hats I wear, is I am also a realtor, and we market subdivisions. We have one of the highest ...inaudible...subdivisions south of the tracks not far from this project, and I have no concern about value in that subdivision. As a matter of fact, it was brought up earlier tonight that I have another project that is multi family. And I purposely put multifamily next to, or, across the road from a single family. We kept it, and that project was called Journey's end, and you just saw the design review for the first phase, we hope to get it under construction in the very near future. Um, but we have the component of multifamily, we've got town homes and we got single family there. I would not have put that in there I had I thought that that would deter from the value of that subdivision. And I, we've got support that dictates the, um, that it's not going to affect value. Um, I've done numerous of these projects in Ada County and I've, and I can go back and pull data about the housing and it's still, I'm not seeing any decrease in the residences that we're putting these near. Especially the quality of the housing type, this multifamily that we're doing. Another one of the comments that was brought up tonight is infrastructure, traffic, sewer, water, the demands on city services. The demands on city services for a multifamily housing product type, and again, that's part of this white paper, and it can be supported by engineering and city staff. The demands on those infrastructures is significantly lower than a single family home. I give you an example, a single family home we typically generate about 10 trips a day per house, for traffic. For a multi-family unit, were at about 6.8, or even lower in some situations. So that's just an example of the less demand, we have less power, we have less sewer demands and less water demands on those same units. So from a pure economic, and I know that's not what the commission or council needs to make decisions. But from a pure financial standpoint, multifamily housing is cheaper for a city to maintain than a single family housing. And that is also part of that white paper that I submitted. Um, and in contrast though, they also pay higher taxes. Um, so the multifamily housing pays, typically, a commercial taxing base, compared to the single family that's got home exemptions and other exemptions that are associated with it. So from a pure operating standpoint, if we were looking at this from a business, we've got lower costs and higher fees coming off of it. So, the myth that multifamily housing has a higher burden on a city infrastructure is not correct either. It goes with school age children. There is fewer school age children in a multifamily housing project than there are in a single family. Um, that to, and I, the numbers don't have right off the top of my head, but they are fewer impacts fiscally from the multi family, than the single. The crime, the negative, um, you know, as stated tonight, we've all been renters, I'm no more of a criminal now that I'm a home owner, than the day that I was a renter. You know, you're going to have criminals that make it through the rental system. We do have a stronger ability to cross check and do checks and balances than I do on a single family home sale. I sell a single family home, you know, I, there's no checks. I list a home in Kuna, I sell it, there's no checks on who goes in there. The only check is, can they afford and can they make the payments on a home, that's it. There's quite a bit more checks and balances on what people go into a rental unit than a single family. Um, The EMS, you know, that's been a problem in Kuna since I've worked here for the last 20 years. When we did Sutter's Mill, that was the biggest concern then. That's why we've seen these studies for the Swan Falls crossing, the ten mile crossing and um, a there was another crossing that slips my mind. But, it does need to occur. Um, one thing that we're gonna have here in the multi family, that is not a part of single family, is these units are sprinkled. So each individual unit is sprinkled, unlike a

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single family unit. You know, there's no sprinkling system in that. There's quite a bit of fire measures and mechanical equipment that go into each of these buildings that protect against fire. More so than you would have in single family, and I think that's a point to be taken on these. Obviously that doesn't help with the ambulance or police and those, but from just a pure fire standpoint, these are much better protected units than single family. (mumbling from gentleman in crowd) I think I covered most of the issues that were brought up, if there are any that I forgot, I apologize, but I'll stand for any additional questions that the commission may have.

Chairman Young: Ok, are there any questions for the applicant at this time? (from crowd...is the applicant not taking questions from anyone at this time?) We may ask you to come back as we start the discussion. Thank you. Ok, and with that I'll close the public hearing at 8:02. And I'd like to just remind the public that the commission's

job is to make decisions based on objective facts, and real impacts of the project on the community. And that while all the comments are always appreciated, only those that we're able to consider, that we can discuss, are ones that are a part of the project and we can't consider all comments, because some of this really could violate provisions of federal law. So, that being said, it's time for our discussion. (from crowd...shouting...)

Chairman Young reminds him that public testimony has closed (from crowd...more shouting) Again, reminds him it is closed. Ok, ready to begin?

Commissioner Hennis: I think uh, I think the, the owner is clarified some of the concerns that I had in regards to quality, how they planned to manage it and such. What I don't know is how we can guarantee that down the road. If this were intended to be a long term ownership, why is it being subdivided into 21 units. That's part of my concern, because we've seen other developments in town where they plan to own/operate, and finance, and keep it for a while, for long term and it's been all on one parcel. So I have concerns with that. Also, as was reflected by some of the speakers tonight, I am concerned with EMS services across through the traffic as well as, typically we see these multi-family units, the whole purpose of this is to provide a multi-family or higher density services in near the core of the city. Near the city core, that's what I'm trying to say, is that, you know, that they can get to retail, they can get to commercial by walking, by being close, I mean, cause we got a lot of people there. We're kind of, this one's way out there, and there's nothing really close to it commercially, retail and there's no public transportation. You know, it kind of goes away from what our idea of the density, multifamily use usually is. You know, the other ones that we have seen before have been in those situations or those locations. That's kind of my concerns at this point. Um, one question maybe you guys picked up from the literature. Is this all part of the original subdivision? So then, why don't the CC&R's cover this?

Chairman Young: Well, we can't discuss the CC&R's anyway. So, it's not something that...

Commissioner Hennis: I realize that. **Vice Chairman Wierschem:** I'll go next. Um, after hearing the testimonies and reading testimonies that have been submitted. And being involved in our community, um, I have witnessed, been part of that traffic jam, um, so that's one of my concerns. And in regards to emergency, whether it's EMS, fire, um, looking through our packet, I didn't see any reports from them, um I didn't see any reports from the school. And in our packet under neighborhood district, um, it gives a brief description on a close knit, mixed community and as commissioner already stated, it's a core service are for schools, churches, parks, neighborhoods, commercials, um, and so, I know our community is in great need of housing for multi families. Um, I'm, I'm just not convinced that that location is a good fit, um, I don't see where it, um, follows any of those areas and this, I'm on page 7 of 10 in our packet from the staff report.

Commissioner Hennis: That's the part that I read that I was talking about. **Vice Chairman Wierschem:** And I didn't, let's see, there's one other thing that I did want to address, if any one knows, or maybe staff, um, I believe it was Susan brought up, um,

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what about water pressure, um, will it be affected, and then, I believe it was in engineer's report, you know which one I'm referring to. **Chairman Young:** Yeah, the City Engineer indicated that we have sufficient services to accommodate the site. Anybody else? **Commissioner Gealy:** While I hear and understand many of the concerns that are voiced here. Many of the concerns I feel would be the same weather we were looking at R-6 or R-12. So I have trouble distinguishing exactly which concerns are applicable only because we are talking about a zone change and a multifamily development. Um, the tracks, it's a problem, weather we put one house there, or 56. Um, I'm not convinced that crime is isolated only to people who rent property. I don't think we can make those kinds of generalizations. Um, so that's really what I'm struggling with, and I remember in reading through the packet and I had a little trouble paging through on an iPad and I'm sorry about that, but there was some information about what the incremental impact would be. The difference between R-6, and in this case I said it's not necessarily R-12, it would be R-9. What the impact would be, really, in terms of additional people there and, perhaps, the applicant or staff could remind me what that difference is. **Troy Behunin:** Are you talking about what would the density be for an R-6 single family vs a multi-family, or...**Commissioner Gealy:** What the incremental impact is of the change in zoning between, if this was, if this went ahead as R-6, and now we are looking at, essentially, I think we said R-9, is what it would be. **Troy Behunin:** If the commission recommends approval to City Council and City Council approves it as is. The overall difference would be around 3 units per acre. That would be the sum of difference. **Commissioner Gealy:** And there's 4 ½ - 5 acres here. **Troy Behunin:** 6.4-6.3, but that includes the retention pond, the open space, the sidewalks, the dedication of right of way, etc. So, we're really looking at about 3.1 per acre. **Commissioner Gealy:** On six acres? **Troy Behunin:** Yes. It may be under 3.1, let's just call it 3:00. **Commissioner Gealy:** So I guess I, we, I think that we need to consider not what the development adds in terms what we're adding to bare ground, which is what it is now, but it is zoned R-6, but most of the concerns seems to be, not that it's going to be developed, but that it's going to be developed as multi family, zoned as R-12, essentially R-9, so, to me a lot of the concerns that I hear, fall away because it will be developed. And that's not going to, we'll still have the concerns about emergency services, we'll still have the concerns about the track, we'll still have, if people live there, we'll still have concerns about crime, um...**Commissioner Hennis:** Well, the extension of Sunbeam would go through regardless. **Commissioner Gealy:** The extension of Sunbeam will go through, um...**Commissioner Hennis:** So, those safety concerns would still be a valid point. **Commissioner Gealy:** And that's where I feel like we need to look at what are the impacts in the change in zoning, and not forget that it will be developed, and like you say, Sunbeam will go through, and when that happens I expect that ACHD, because they're the ones that build all the roads, will take into account those elevations and those concerns, don't misunderstand, it's not that they're not valid concerns, they are valid concerns, and I'm sure ACHD will take those into account when they construct that road, or when that road is constructed. **Commissioner Hennis:** Yeah, no, you make some valid points Kathy, It's, we're not looking at changing it from a rural RUT to an R-12. We're going from an R-6 to an R-12. So the high density housing, as their calling it, isn't necessarily as high density as it could be, but yet, we're still having to go from an R-6 up to R-8 is not that big of an increase, we're still gonna have the same issues. **Commissioner Gealy:** Most of these issues happen no matter what the development. Most of these issues that are addressed, and I appreciate everyone coming and raising these issues, and they are the same issues that we hear over, and over, and over again. Traffic, crime, schools. But most of those are real regardless of the size of the development. (mumbling from audience) **Chairman Young:** I see the development and, you know, it's design is done well, you know, they

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wouldn't be higher than two stories. Wouldn't be any higher than adjacent homes. They're designed well if they're meant to meet lead silver design standards. The construction to meet those is good construction, it's good design. It's environmentally done to meet those certain standards. Healthy communities, they do have a good mix of different housing types. That being said, all of the high density housing we've approved, at least since, that I can recall since I've been on the commission, have been a lot closer to retail or potential retail centers. Journey's End is the perfect example of what we want to see. You go from commercial to high density to an R-6. But that retail commercial component is there and the high density is the transition. In the comp plan we talk about where we want to put high density housing in city centers, or in the city center, employment centers, in neighborhood centers, those neighborhood centers are built up around commercial, or potential commercial areas, with the goal of putting higher density and mixed use housing in those areas. What I see with this is where the proposed location of this site is, it's more on a neighborhood edge where in the comp plan, the neighborhood edge is a soft are between competing neighborhood centers, where people will be going from this location to maybe downtown or the next neighborhood center over and when the comp plan was developed the intent for those areas would be primarily single family homes, duplexes and those types. And that's where I have a little bit of my concern. I think the project itself, the design of it, the layout and those items, it's a good product. I think the owner is presenting a very good product, it's just that the location with respect to other parts of the city. Anybody else have any thoughts? **Vice Chairman Wierschem:** No, I concur. **Chairman Young:** Would anybody like to offer a motion? **Commissioner Hennis:** Can I ask staff a question? Did we receive any acknowledgement back from the school district or the fire department with relation to this application? **Troy Behunin:** No. All of the information was sent to each of those agencies. **Commissioner Hennis:** Cause I know, unfortunately we don't have a lot of communication from the school district, but usually we hear from the fire department as to whether this a concern or not. Ok, I just wanted to make sure. **Troy Behunin:** No, we did not. **Commissioner Hennis:** We have had an extended period of time as well, so...**Troy Behunin:** Usually ACHD is the agency that takes the longest respond. We received their final communication well ahead of this scheduled meeting. **Chairman Young:** Thanks Troy. **Chairman Gealy:** Well I do think that housing diversity builds a healthier community overall. Um, I would prefer to see multifamily scattered throughout our community, rather than concentrated. I think if we have multifamily concentrated, say in, one area of the city, say we draw a circle and say we're just going to put all of our multifamily in this area, then I think that we may find that that would make for a less healthy community. But we would end up having more of the things that people are afraid of by concentrating multifamily in one area. By scattering it throughout the, I believe, by scattering it throughout the community, it builds a healthier community. We don't have parts of town that you don't go into because it's dangerous there, for instance. I think we see that in many communities, that they've isolated certain parts of their community to the detriment, I think, of everyone in the community. **Commissioner Hennis:** Yes, I agree with you and I was kind of skimming through the ACHD and the engineers reports and going back to what we were talking about, the difference between R-6 and the proposed multi family, there would not be, it does not appear virtually any increase in their projection for traffic trips per day on the streets between the two, if they stayed at R-6 vs all the single family homes and the higher requirements that ACHD has done through their traffic studies vs a multifamily. So they would actually pretty much be a wash. So the traffic was going to increase, period. The fact that is going to "quote" high density" isn't going to change. **Commissioner Gealy:** Now, I agree too, there is definitely a need for public transportation, I think that need is there weather you live

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in a high rise building, or a single family home, there's definitely a need for public transportation. I'm not sure that this development is gonna tip the community to the point of offering public transportation, but I think that is definitely a conversation we should have. **Vice Chairman Wierschem:** I just want to toss this out there one more time, um, because I'm just having a hard time with this. Under the neighborhood core concept, it says, a highest density housing should be located near the core of services. Schools, churches, commercial, and so, at this time, that location is not, so sure how, weather, so I'm just, does anyone have any feedback, thoughts? Do you see it differently? **Chairman Young:** Echoes some of what I said with the city center vs neighborhood edge communities. And as far as, you know, the neighborhood centers, then if looking at the comp plan, when you look at the future land use map, those neighborhood centers are kind of identified out, not at the core of the city, but they are intended to develop in certain areas as the city expands. You get those community centers where you get the C-2 commercial projects, the neighborhood restaurants and those types of areas and that's where that neighborhood center is developed. So there not just at the city core, the intent is to be spread throughout the community as we expand north and west and east and a tiny bit more south. But...

Commissioner Hennis: So, that kind of revolves around comp plan revision as to what's being presented to us, the amendment. However, was I right in hearing when the owner/applicant presented that if they reduce the units just slightly, to go from just over 8, to just under 8, they wouldn't have to do that? I thought I heard that. Because right now we are at like 8.63 units per acre, and they said something about that if they were under an R-8, virtually that they didn't have to go through the comp plan amendment. I thought I'd heard that. **Chairman Young:** Is that a question for staff then? **Commissioner Hennis:** I believe...well, we'll ask Troy. I believe the owner was the one that indicated that, it could have been Mr. Arnold, I'm not sure. **Troy Behunin:** Let me see if I understand your question. So if they didn't do a comp plan map and tried to go for an R-8 designation, they would still be required to get a rezone. However, they could avoid a comprehensive plan map change because R-8 is still considered medium density residential. **Commissioner Hennis:** That's what it was. Ok. So we're only talking a little between this medium residential designation and what they are offering in this project anyways, it's just a wee bit over and so it's qualified as high density housing, which we all associate with multi story apartment complexes and such. So it's really not...I think that's the thing I'm struggling with is everybody is conferring...calling this high density housing, where I'm not convinced it is, but that's what my question was earlier. (inaudible) **Troy Behunin:** So, I'm not sure if you're asking this, but, they wouldn't be able to obtain approvals for this and then change it to a higher density. Is that what you're saying? **Commissioner Hennis:** NO, no, right now, let's say they took one building out, like they've already done, that would then bring them under that unit, and so, we'd still have an apartment complex, but it wouldn't be considered high density, and all the things we're talking about would virtually be the same as what's already zoned. I mean, you answered my question, thank you. **Vice Chairman Weirschem:** I think what I'm hearing is, from high to medium, by one unit, is that correct? **Commissioner Hennis:** It seems like we're just on the border here, and it would be one thing if it was 112 or 120 vs 56, but, we're talking 56 to 39 as a difference in units. And what that goes back to is if that becomes medium, residential then this comp plan...**Vice Chairman Wierschem:** (inaudible) Oh, I was just pointing out on page 7 of 10 the lot sizes would increase. **Commissioner Hennis:** One, we wouldn't be into this neighborhood core concept. **Vice Chairman Weirschem:** Exactly. **Chairman Young:** But this application isn't for that, so...**Vice Chairman Weirschem:** Right. **Commissioner Hennis:** I know, I'm just trying it in perspective as to, you know, are we really into this high density, where we need public transportation, or we have to be in the city

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core. Or is this just...**Vice Chairman Weirschem:** I think we are because you're looking at a larger variety of families that, you know, 21 vs 56, or whatever. **Commissioner Gealy:** 39. **Commissioner Hennis:** Right, no, I mean...**Vice Chairman Weirschem:** So we have to look at what has been presented to us, not what...**Chairman Young:** Any other thoughts? **Commissioner Herther:** I was just wondering, what the location, just taking the location into consideration, with nothing else, just considering what it is and its proximity to the city center, is that a location where it should be? If we had other options. **Vice Chairman Weirschem:** If there was a comp map you would be able to...**Chairman Young:** Well, I don't have one up in front of me. **Vice Chairman Wierschem:** Nor I. **Chairman Young:** As far as what, other zoning areas? **Vice Chairman Weirschem:** Yes, then he could see the different...**Chairman Young:** Oh, with the neighborhood zones. A map that shows the neighborhood areas that I was talking about. **Commissioner Herther:** What would be an area where we would preferably want to have high-density housing? (inaudible) **Chairman Young:** Let me see if I can bring up...**Commissioner Hennis:** Just hypothetically, or ...Because, like, Journeys end is a perfect example over there by Walgreens. Would be that same, it's near the retail, it's near commercial, it's near services. That's the intention, yes. **Commissioner Herther:** Exactly. **Chairman Young:** I don't have a comp plan up. **Commissioner Herther:** Sorry I can't offer more, I just...**Commissioner Hennis:** The whole thing is, these are valid reasons. **Chairman Young:** Well, I think so, given the application for, what they're asking for, being an R-12, being high density, you know, also have to you know, on every other application that comes in, if it's close, is it, you know, do we go a little high, do we go a little low? Once we blur those lines, it's hard to be consistent as a commission. **Commissioner Gealy:** Troy, we don't have the comp plan map in front of us. Can you tell us if there are neighborhood core areas designated on the comp plan south of the tracks? **Chairman Young:** Are you looking on the future land use map? **Troy Behunin:** It is not within one, no. It is near a couple of them, but it is not in one, no. **Commissioner Gealy:** Can you tell us where there's a neighborhood core south of the tracks that it's near? **Troy Behunin:** Not from Memory. I can give you the intersections if the commission would like to wait, I can find out. **Chairman Young:** I've got the comp plan coming up, but it may take me a minute to find that map in this 300-page document. **Commissioner Gealy:** So we have some neighborhood commercial that is developing as the city develops. You know, there was a time when we didn't think that we would have any development outside of the downtown core, and now, then we got Paul's, which became Albertson's, and then we had Ridley's and we have a Chevron station now, there are things that were taken into account in the future land use map that would provide for some development of neighborhood commercial. Um...**Vice Chairman Weirschem:** Chairman, could I ask Troy to retrieve that map for us? **Chairman Young:** Yes, why don't we just take a 5-minute recess then. **Vice Chairman Weirschem:** Thank you. **Chairman Young:** Resume our discussion, so, Troy brought up the future land use map that shows those neighborhood zones. So these are those neighborhood zones that Stephanie and I were discussing, or talking about. Does that answer your question? **Commissioner Herther:** Yes, it does. **Commissioner Hennis:** The next closest one is further than downtown is from this project. **Chairman Young:** Well, it's, as we all know, the comp plan and the land use maps are living documents, it's not, you know, set in stone, this is where things happen, but...inaudible...looking at this, is what we were looking at. **Commissioner Gealy:** So do we have an idea of how fa this development is from the downtown area? **Troy Behunin:** Um, this property is within, it is less than a mile from the top of the property to the state bank and Enrique's common wall. **Chairman Young:** So, any other thoughts or discussions? **Commissioner Herther:** My concerns now, again, would be property management. How can we be sure that that's going to be managed properly? People are going to be screened, and all the

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things you said could be done, will be done. **Chairman Young:** Well, all we have to go on is track record, you know, there's other properties in town that are high density, and I'm not that far from one of them and I've never heard of a problem with one, within one. **Commissioner Herther:** A mention was made that the rent would be \$900.00 a month. I have a question about that yes. Is that what the rent would be? Because that would have a bearing on who would be moving in. **Marty Peroni:** Quite honestly, I'm hoping it's a bit higher. Um, you know, Andrew has given me his numbers, he thinks it's about \$925-\$1050, that's the range that I've done my homework on, so that's as much as I know at this point in time. The going rate in Meridian is a \$1 a square foot. You won't get quite that much here. That's the way I kind of analyze it. If that helps you. **Chairman Young:** Thank you very much. **Commissioner Hennis:** So, the comp map that they brought. So, we've allotted for, in the comp plan, mixed use, high density, up towards are connector, or basically, behind us right here. And across from us. But not down where we are talking about. **Chairman Young:** No, actually, more south of what we're talking about. **Commissioner Hennis:** Well, I mean, yea, way down there, but in relationship to the actual downtown, I mean, this relates to that neighborhood center, this neighborhood center would be our actual city, and that we've got the services along that main street is what we're targeting, and what was designed. **Chairman Young:** Any other thoughts, questions? Then I will stand for a motion. **Commissioner Hennis:** It's awfully close...**Chairman Young:** Is there any discussion on the motion? Hearing None

Commissioner Hennis motions a denial of Case No's 16-01-ZC (Rezone), 16-02-CPM (Comp Plan Map amendment) and 16-01-S (Subdivision) request by Steve Arnold of A-Team Land Consultants) to the Kuna City Council; Vice Chairman Weirschem Seconds, C/Hennis, C/Wierschem and C/Herther aye; C/Gealy no, motion carried 3-1.

6. ADJOURNMENT:

Chairman Young motions to adjourn at 8:52 pm; Commissioner Hennis Seconds, all aye and motion carried 3-0.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

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

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**MEETING MINUTES
Tuesday, July 26, 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	Absent
Commissioner Dana Hennis	X	Trevor Kesner, Planner II	Absent
Commissioner Cathy Gealy	X	Nancy Stauffer, Planning Technician	Absent
Commissioner Ron Herther	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Chairman Young called the meeting to order at **6:01 pm**.

1. CONSENT AGENDA

Commissioner Gealy motions to modify the consent agenda in order to remove item 2b [Findings of Fact and Conclusions of Law for 16-01-ZC (Rezone), 16-02-CPM (Comp Plan Map Amendment) and 16-01-S (Subdivision)] from the consent agenda; Commissioner Herther Seconds, all aye and motion carried 3-0.

- a. Approval of the Findings of Fact and Conclusions of Law for 16-04-AN (Annexation).

Commissioner Gealy motions to approve the consent agenda; Commissioner Herther Seconds, all aye and motion carried 3-0.

2. PUBLIC HEARING:

- a. 16-03-ZOA (Zoning Ordinance Amendment); An Ordinance of the City of Kuna, Idaho, amending Title 5, Chapter 1, Section 6-2 entitled “Meanings of Terms or Words” to make changes to the definitions; Amending Title 5, Chapter 3, Section 2, entitled “Land Use Table” to make changes to Land Uses related to the requirements for either a permitted or Special Use Permit; and providing an effective date.

-Staff requests this item be tabled to the August 9, 2016 Planning and Zoning Commission meeting

Commissioner Hennis motions to table item 2b [16-03-ZOA (Zoning Ordinance Amendment)] to the August 9, 2016 Planning and Zoning Commission meeting; Commissioner Gealy Seconds, all aye and motion carried 3-0.

3. ADJOURNMENT:

*Commissioner Herther motions to adjourn at **6:05pm**; Commissioner Gealy Seconds, all aye and motion carried 3-0.*

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Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

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



City of Kuna

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Findings of Fact & Conclusions of Law – P & Z

To: **P&Z Commission**

File Numbers: **16-01-ZC** (Rezone)
16-02-CPM (Comp Plan Map amendment) and **16-01-S** (Subdivision)

Location: Southeast corner (SEC) of School Avenue & Sunbeam (Alignment) Kuna, Idaho

Planner: Troy Behunin, Senior Planner

Hearing date: July 12, 2016
Tabled on: June 14, 2016
Findings of Fact: August 9, 2016

Applicant: A-Team Land Consultants
Steve Arnold
1785 S. Whisper Cove Ave.,
Boise, ID 83709
208.321.0525
steve@ateamboise.com

Owner: Oasis Properties, LLC
Marty Pieroni
475 S. Thornwood Way,
Meridian, ID, 83642
208.401.0977
martypieroni@gmail.com

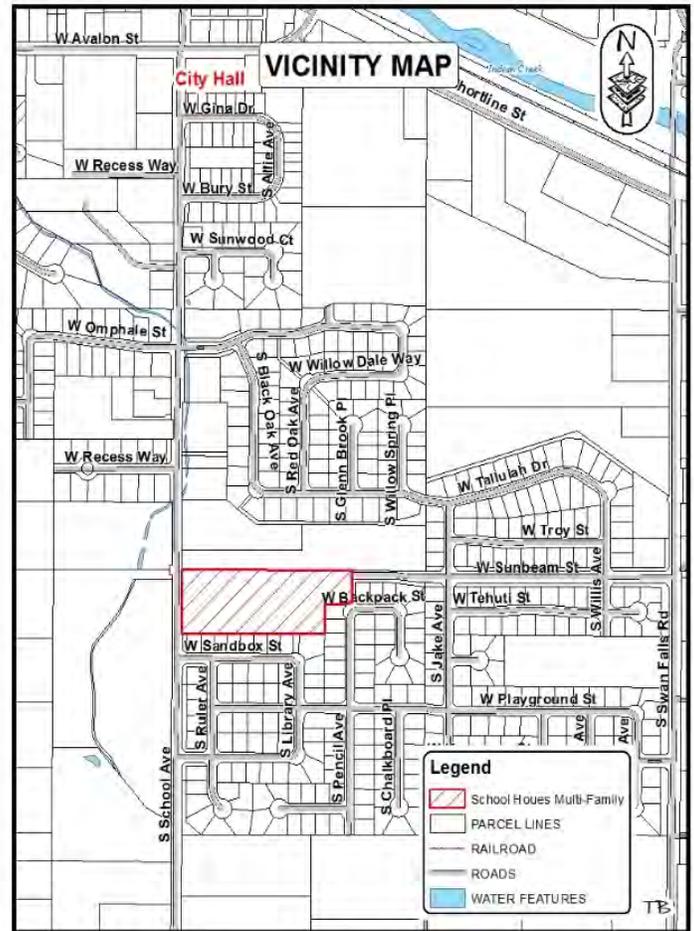


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| E. General Project Facts | L. Kuna City Code Analysis |
| F. Staff Analysis | M. Conclusions of Law |
| G. Applicable Standards | N. Recommendation to the Council. |

A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), states that Rezones, Comprehensive Plan Map Amendment, and Subdivisions are designated as a public hearing, with the Commission as a recommending body and the City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|--|---|
| i. Neighborhood Meeting | November 9, 2015 (seven persons attended) and
March 7, 2016 (twenty five households signed in) |
| ii. Agency Comment Request | May 2, 2016 |
| iii. 400' Property Owners Notice
400' Courtesy Notice | May 26, 2016
July 12, 2016 |
| iv. Kuna, Melba Newspaper | May 25, 2016 |
| v. Site Posted | June 1, 2016 |

B. Applicants Request:

1. Request:

Steve Arnold, with A-Team Consultants requests an amendment to the Comprehensive Plan Map (Comp Plan Map) to change the *designation* from Medium Density to High Density Residential for approximately (6.18 +/- acre), and to rezone the same property from R-6 (Medium Density Residential) to R-12 (High Density). The applicant also proposes to subdivide the parcel into 21 lots, in preparation to develop the site as a multi-family project. The site is located near the southeast corner (SEC) of School Avenue and the alignment for Sunbeam Street.

C. Aerial Map:



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D. Site History:

This site is in the City, and has been undeveloped for many years. It is adjacent to the School House Park Subdivision.

E. General Projects Facts:

1. **Comprehensive Plan Map:** The Future Land Use Map (Comp Plan Map) is intended to serve as a guide for the decision making body for the City. This map indicates a land use designation, it is not the actual zone. The Comp Plan Map identifies this site as Medium Density Residential.

2. **Surrounding Land Uses:**

North	R1	Low Residential – Ada County
South	R-6	Medium Density Residential – Kuna City
East	R-6	Medium Density Residential – Kuna City
West	R-6 & RUT	Medium Density Residential – Kuna City Rural Urban Transition – Ada County

3. **Parcel Sizes, Current Zoning, Parcel Number(s):**

- Parcel Size: 6.18 acres (approximately)
- Zoning: R-6; Medium Density Residential - Kuna
- Parcel #: S1326428020

4. **Services:**

- Sanitary Sewer– City of Kuna
- Potable Water – City of Kuna
- Irrigation District – Boise-Kuna Irrigation District
- Pressurized Irrigation – City of Kuna (KMID)
- Fire Protection – Kuna Rural Fire District
- Police Protection – Kuna Police (Ada County Sheriff’s office)
- Sanitation Services – J&M Sanitation

5. **Existing Structures, Vegetation and Natural Features:**

There is a structure on site that appears to be a shed. The remaining site has vegetation that is generally associated with an open field.

6. **Transportation / Connectivity:**

The site is near the SEC of School Avenue and Sunbeam Street (alignment). Ingress / Egress is proposed to and from a future extension of Sunbeam Street.

7. **Environmental Issues:**

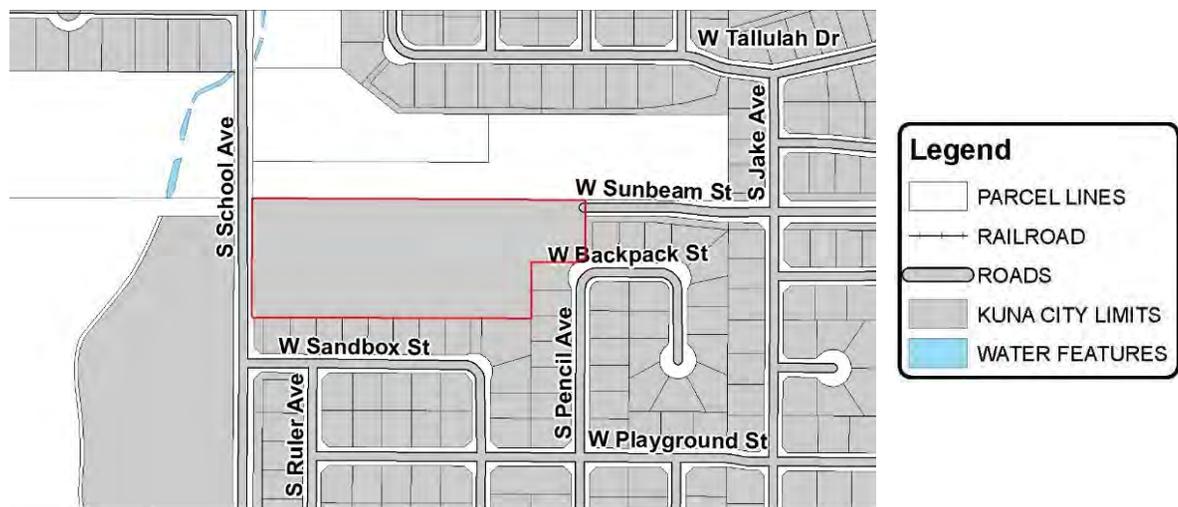
Staff is not aware of any environmental issues, health or safety conflicts. The site’s topography is generally flat.

8. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.) page 31, Ada County Highway District (Mindy Wallace) Page 35, Boise Project Board of Control (Bob Carter) page 45, Idaho Transportation Department (ITD) page 46. The responding agency comments are included with this case file and are included with this report.

F. Staff Analysis:

The Comprehensive Plan Map amendment (Comp Plan), rezone, and subdivision applications involve a parcel that is essentially surrounded by Kuna City limits and is neighboring several platted subdivisions. The parcel is adjacent to a major collector (School Avenue) and all public utilities are near this site. These applications have been submitted to prepare the site for a multi-family housing development.



The applicant has submitted a written commitment to mitigate any perceived adjacent property impacts associated with this request. Applicant will apply extensive landscaping adjacent to both collectors and a year-round screening buffer on the south between this site and the adjacent single family uses. The applicant will enhance landscaping, and place dwelling units at a maximum distance from neighboring subdivisions, following the setback and other site design requirements.

If approved, this map amendment request (from Medium Density (8 units/acre) to High density (12 units/acre), would result in an overall difference in the number of units allowed per acre, by four (4) units.

In accordance with the requirements of the Fair Housing Act, staff has reviewed the Comp Plan. Kuna's Comp Plan encourages a variety of housing types and income levels numerous times throughout the Plan. The sections of the Comp Plan that address multi-family housing are included below, in Section K (Comp Plan analysis) of this report. The City attempts to balance all housing types within the City. The Comp Plan invites dense development in order to bring life and strength to specific areas which benefit the community as a whole as vacant areas of the City begin to fill in with development (Neighborhood development plans – pg. 79, Land Use 6.2 objectives Pg. 63 goal 1, Obj. 1.1, policy 1).

The dominant housing type for Kuna and the Treasure Valley is single-family housing. In Kuna, single-family homes comprise more than 97% of all housing types. From 2008 until April 15, 2016, there has been zero new multi-family building permits issued, while the city has grown from roughly 13,748 residents to a recent estimate at 18,430 (from COMPASS). This demonstrates that while single-family home sales have increased dramatically, the multi-family market has fallen considerably behind and the goals of the Comp Plan have not been met or realized.

Typical multi-family projects are more dense than single-family projects and do not require the same acreage in terms of overall lands used. Often times, multi-family units are placed in remnant land, or left-over lands, which is typical for in-fill style development. This helps explain why there are typically pockets of multi-family units scattered throughout a City rather than placing all of them in one or two locations with a land mass equal to most single-family projects. Given the fact this site is nearly surrounded by City limits and several subdivisions or otherwise developed land, this application should be considered similar to infill development.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No's 16-01-ZC, 16-02-CPM and 16-01-S subject to the recommended conditions of approval listed in Section 'N' of this report.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5, Chapter 13
2. City of Kuna Comprehensive Plan, adopted September 1, 2009
3. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Procedural Background:

The Commission conducted its Public Hearing on July 12, 2016, where it considered Cases No. 16-01-ZC, 16-02-CPM and 16-01-S, including the application, agency comments, staff's report, application exhibits and public testimony presented or given.

I. The Commission's Findings of Fact:

Based upon the record in re: **16-01-ZC, 16-01-CPM and 16-01-S**, including the exhibits, staff report and testimony elicited during the public hearing, the P&Z Commission hereby recommends *denial* for Case No's 16-01-ZC, 16-02-CPM and 16-01-S, Rezone, Comp Plan Map amendment and subdivision to the City Council of Kuna. (The Commission vote was 4 Yea's to 1 Nay. Thirty one (31) people signed up in opposition to the project, and twenty (20) of them testified in opposition) upon the following grounds:

1. The Kuna City Comprehensive Plan provides that multi-family housing is encouraged to be placed in or near City Centers and Neighborhood Districts (N.D.). The majority of the Commission feels this project is situated between two (2) N.D. and not within the City Center or a N.D.. The majority of the Commission also feels this project does not follow the concept of locating higher density development near the City core, churches and schools. The majority of the Commission feels this project does not follow the goals of the Comp Plan, or, the Comp Plan Map.

Staff's Comment: The Comp Plan lists numerous goals for providing multi-family housing in Kuna. The Comp Plan Map designates this property as Medium Density. As this is a proposed residential use, the project generally follows the goals of the Comp Plan and the Comp Plan Map.

The Commission's finding does not agree with staff's analysis that the proposal complies with Idaho Code §§ 67-6511(2) C and 67-6513, the Comp Plan (as outlined in this report) and accompanying Comp Plan Map.

In making a decision regarding a rezone, the Commission is to consider Idaho Code §67-6511 (2) C, which requires that it analyze a proposed change to the city's zoning ordinance to ensure that the requested change is not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction then the request for re-zone may properly be denied.

In addition, and in regard to the request for the subdivision of the property, Idaho Code §67-6513 states that the city may provide for mitigation of the effects of subdivision development on the ability of the city to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.

In Case Numbers 16-01-ZC, 16-02-CPM and 16-01-S, the Commission concludes that the requests do not comply with the City of Kuna's Comp Plan or Comp Plan Map because the proposed development is not within a neighborhood district (N.D.) or close to services. Most Commission members commented that the location for higher housing densities like this application belong in the City core, or inside a defined N.D.. While considering the Comp Plan Map, the Commission decided this Location is in between the City core and a N.D.. Most Commission members could not accept these proposed housing densities based on the Comp Plan calling for higher densities in the core, or in a N.D..

2. The Kuna Commission has the authority to recommend approval or denial for these applications.

Comment: On July 12, 2016, Kuna Commission voted to **recommend denial** of Case No.s 16-01-ZC, 16-02-CPM and 16-01-S.

- The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Comment: As noted in the process and noticing section, notice requirements were met to hold a public hearing on July 12, 2016.

J. Factual Summary:

This site is located near the SEC of School Avenue and Sunbeam Street (Alignment). Applicant proposes a rezone for approximately 6.2 acres in the City from R-6 to R-12. Applicant proposes a Comprehensive Plan Map amendment for the site, from Medium Density to High Density Residential and a preliminary plat to subdivide the parcel into 21 lots (six buildable, seven common).

The site will take access from the future Sunbeam Street in one location.

K. Comprehensive Plan Analysis:

The Kuna Commission accepts the Comp Plan components as described below:

The proposed zone change for the site is consistent with the following Comp Plan components:

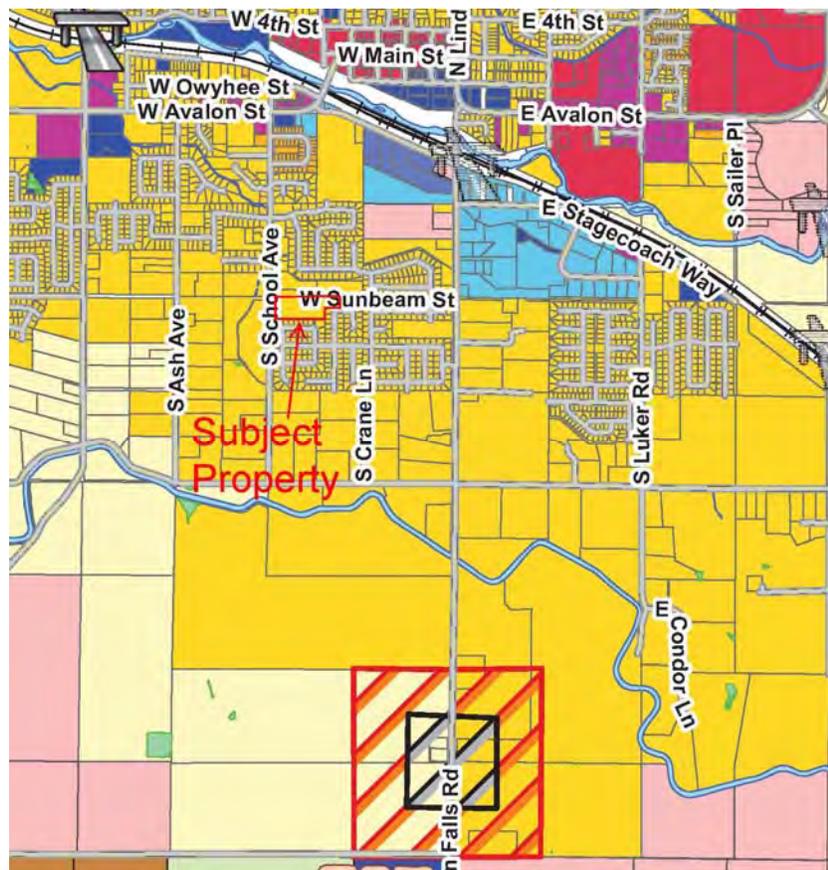
Community Vision Statement:

Residents hoped for the creation of business and light commercial use centers within neighborhoods. These centers would include restaurants, gas stations, churches, multi-family use facilities, and other mixed-use developments. Citizens anticipated the manufacturing area moving south and eastward between the Union Pacific Railroad Line and Kuna Mora Road (Page 21).

Housing:

Residents envisioned higher densities in the City's core to include opportunities for mixed residential and light commercial activity. They expressed interest in a mix of residential type dwellings applications; including single-family, multi-family, apartments and condominiums. They were receptive to a greater mix of lot sizes and house prices to appeal to a variety of people. A goal expressed by many was the preservation of large lots and rural cluster development in appropriate balance with a complement of other types of residential development (Page 21).

Comment: The proposal follows the community vision and housing goals as stated and adopted.



	AGRICULTURAL		PROFESSIONAL OFFICE
	RURAL CLUSTER		FEDERAL LAND
	LOW DENSITY		NEIGHBORHOOD CENTER
	MEDIUM DENSITY		NEIGHBORHOOD DISTRICT
	HIGH DENSITY		WWTF
	MIXED USE GENERAL***		CITY INTEREST
	MIXED USE CITY CENTER		MIXED USE GENERAL WITH A MINIMUM EQUIVALENCE OF 3 UNITS PER ACRE
	LIGHT INDUSTRIAL		GREEN WAY WATERWAYS
	HEAVY INDUSTRIAL		GREENBELT OVERLAY
	PUBLIC		
	COMMERCIAL		

*** MIXED USE GENERAL EXPECTED RESIDENTIAL DENSITIES CAN RANGE FROM 2 TO 20 UNITS PER ACRE

Legend

Private Property Rights Goals and Objectives - Section 2 - Summary:

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City's attorney;
the Idaho Attorney General's six criterion established to determine the potential for property taking.

Comment: Utilizing the Idaho Attorney Generals criteria, and a review by the City Attorney, the proposed project does **not** constitute a "takings" and the economic value is intact.

Economic Development Goals and Objectives - Section 5 - Summary:

Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5 and Pg. 43 – 3.1).

Comment: The proposed application complies with these elements of the comp plan by providing a non-standard housing type meeting this goal.

Land Use Goals and Objectives - Section 6 - Summary:

Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles (Pg. 64 – 3.1 & Goal 3 and Pg. 65 – 4.3).

Neighborhood Core Concept:

The character of residential housing surrounding and within the core of a Neighbor Center is that of a close-knit, mixed-density community. The Neighborhood District provides close access to community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include multi-family dwellings, duplexes, town houses, row homes, and single-family residences (Page 81).

Neighborhood District:

The Neighborhood District can be characterized as residential housing within the core of a close-knit, mixed-density community. The Neighborhood District provides close access to the community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include *multi-family* dwellings, duplexes, town houses, row homes, and single-family residences (Page 93).

Commission Decision: Most Commission members disagreed with staff's view that this proposal generally follows the Neighborhood District definition, and the Commission decided to follow a strict interpretation of the Neighborhood District. The Commission decided the location for higher housing densities like this application belong in the City core, or inside a defined N.D.. The Commission decided this Location is in between the City core and a N.D..

Staff's Comment: Staff believes that the proposal complies with the land use plan as adopted by Kuna, by incorporating the following; non-typical housing densities and types in or near a neighborhood district while promoting in-fill methodologies and a quality housing project.

Housing Goals and Objectives - Section 12 - Summary:

Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those

with special needs. Encourage logical and orderly residential development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – Obj. 1.1, Pg. 163 12.4 and Pg. 165 – 2.1).

Encourage mixed-use development that includes town centers, single-family, *multi-family*, accessory units, and other types of residential development. – Policy 1.1.2, Section 12, Housing (Page 155).

Comment: *Applicant proposes high density residential which will contribute to availability of varied types and home sizes in a logical and orderly manner with an infill-style of development.*

Community Design Goals and Objectives - Section 13 - Summary:

Strengthen Kuna’s Image through good community and urban design principles that create self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and creates a sense of place (Pg.167 – Goal 1 and Pg. 168 – 1.2).

Existing Residential Subdivisions:

Residential placement is intended to increase social interactions at various times of the day. *Multi-family* residential uses should be located closer to the neighborhood cores and be interspersed with mixed-uses (Page 178).

Neighborhoods:

Kuna’s updated Plan is an advocate for the development of self-sufficient neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood will have a center, a core and an edge. The Neighborhood Center will be the core of the neighborhoods churches, schools, and public facilities. The neighborhood centers will feature denser developments and multi-family residential development (Page 179).

Comment: *This application promotes sound community and urban design principles.*

L. Idaho Code Analysis:

1. The Commission finds that the proposal is *not* in compliance with the following Idaho State Code sections.
2. **IC §67-6511 (2) C** requires that the Commission analyze the proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction.
3. **IC §67-6513** provides that the City provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.

M. Comprehensive Plan Analysis:

1. The site is physically suitable for a subdivision.

Comment: *The 6.2 acre (approximate) project appears to be suitable for a subdivision.*

2. The rezone and subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: *The land to be rezoned is not used as wildlife habitat. Roads, driveways, family units and open spaces are planned for construction according the City requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

3. The rezone, Comp Plan Map amendment and subdivision applications are not likely to cause adverse public health problems.

Comment: *The rezone and Comp Plan Map amendment for the property requires a zoning designation per Kuna Code 5-13-9. The project requires connection to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

4. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

Comment: *The Commission did consider the rezone, Comp Plan Map amendment and subdivision and the location of the property with adjacent uses. The majority of the Commission determined that this site is not close enough to either the City center or a Neighborhood District, where high density residential uses are encouraged.*

5. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.

Comment: *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services are suitable and adequate for the residential project.*

N. Conclusions of Law:

1. Based on the evidence contained in Case Nos. 16-01-ZC, 16-02-CPM and 16-01-S, Commission finds Case No's 16-01-ZC, 16-02-CPM and 16-01-S generally do not comply with Kuna City Code.
2. Based on the evidence contained in Case Nos. 16-01-ZC, 16-02-CPM and 16-01-S, Commission finds Case No's 16-01-ZC, 16-02-CPM and 16-01-S are generally not consistent with Kuna's Comp Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

O. Recommendation to the Council:

Based upon the foregoing, on July 12, 2016, the Planning and Zoning Commission voted 4-1, to recommend **denial** for Case Nos. 16-01-ZC, 16-02-CPM and 16-01-S to Council, including the request for a rezone, Comprehensive Plan Map amendment and subdivision.

DATED this 9th, day of August 2016.

Lee Young - Chairman
Planning & Zoning Commission

ATTEST:

Troy Behunin
Senior Planner
Kuna Planning and Zoning Dept.



City of Kuna
Planning and Zoning Commissioners
Staff Report

P.O. Box 13
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
www.kunacity.id.gov

To: Kuna Planning and Zoning Commissioners

File Numbers: 16-03-ZOA (Zoning Ordinance Amendment)
Title 5: Zoning Regulations

- KCC 5-1-6-2 (Meaning of Terms or Words)
- KCC 5-3-2 (Land Use Table)

Planner: Wendy I. Howell, PCED

Hearing Date: July 26, 2016 (Tabled)
August 9, 2016

A. Course of Proceedings

Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states text amendments and ordinance changes are designated as public hearings, with the City Council as the final decision making body. This request was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

- | | |
|---------------------------|---------------|
| i. Agencies | July 21, 2016 |
| ii. Kuna, Melba Newspaper | July 13, 2016 |
| | July 20, 2016 |

B. Agency Responses

- *No responses have been received.*

C. Staff Comments:

Staff has reviewed this proposed ordinance which adds additional definitions and land uses to the current land use table of Kuna Zoning Ordinance. The changes appear to be generally consistent with the Comprehensive Plan.

The City attorney has reviewed the proposed ordinance without any objections.

D. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5
2. City of Kuna Comprehensive Plan
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

E. Proposed Decision by Council:

The Council shall consider and discuss the evidence and testimony presented at the meeting prior to rendering its decision.

Note: This proposed motion is for approval or denial of this request. However, if the Council wishes to approve or deny specific parts of the request as detailed in this report, they must be specified.

- F.** Based on the facts outlined in staff's report, the Commission's recommended approval, and public testimony as presented (if any), an Ordinance Of City Of Kuna, Idaho, amending Title 5, Chapter 1, Section 6-2 entitled "Meanings of Terms or Words" to make changes to the definitions; amending Title 5, Chapter 3, Section 2, entitled "Land Use Table" to make changes to land uses related to the requirement for either a permitted or special use permit; and providing an effective date.

ORDINANCE 2016-**
CITY OF KUNA, IDAHO
ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF CITY OF KUNA, IDAHO, AMENDING TITLE 5, CHAPTER 1, SECTION 6-2 ENTITLED “MEANINGS OF TERMS OR WORDS” TO MAKE CHANGES TO THE DEFINITIONS; AMENDING TITLE 5, CHAPTER 3, SECTION 2, ENTITLED “LAND USE TABLE” TO MAKE CHANGES TO LAND USES RELATED TO THE REQUIREMENT FOR EITHER A PERMITTED OR SPECIAL USE PERMIT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article XII, Section 2 of the Idaho Constitution and Idaho Code Section 50-302 allow municipal corporations to adopt regulations which are not contrary to the general laws; and

WHEREAS, this text amendment is in agreement with the spirit and intent of Kuna Comprehensive Plan; and

WHEREAS, it is deemed to be in the best interest of the City of Kuna to amend Title 5; and

WHEREAS, this zoning amendment is pursued in accordance with Kuna City Code 5-13, “ZONING AMENDMENTS”; and

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, ADA COUNTY, IDAHO, as follows:

Section 1:

Title 5-1-6-2: “MEANINGS OF TERMS OR WORDS” is amended to add the following terms to the list of definitions:

MEAT PROCESSING FACILITY (Wild Game): A ‘no-kill’ facility which processes and prepares wild game meats for consumption by private person(s). Such facilities are designed for the temporary storage, preparation, treatment and packaging of wild game meats not intended for retail or wholesale distribution or commercial sales. Such facilities are subject to state and local standards for bio-hazardous waste storage and disposal.

NON-PROFIT ORGANIZATION: Any person(s), partnership, association, corporation, or other group whose activities are conducted for unselfish, civic or humanitarian motives, or for the benefit of others, and not for the gain of any private individual or group.

POWER PLANT: A facility that converts one or more energy sources, including but not limited to water powers, fossil fuels, nuclear power, or solar power into electrical energy or stream. Any plant facility and equipment for the purposes of producing, generating, transmitting, delivering, or furnishing electricity for the production of power.

Section 2:

Title 5-1-6-2: “MEANINGS OF TERMS OR WORDS” is amended to amend the following term to the list of definitions:

AUTOMOBILE REPAIR SHOP: A location designed or used for the repair of automobiles, including mechanical repair, maintenance, engine or transmission replacement or overhaul, and upholstery, but not paint nor bodywork.

Exception: An owner may repair his/her automobile Automobile repair (including engine or transmission repair) may be performed by the a private provided the owner is limited to working on of only one (1) automobile at a time. -When the automobile is not being worked on, it, and any, only at the residence (not to be parked within a street) when the vehicle, parts and equipment shall be are enclosed, or screened from the view of any street with a weatherproof cover, and the while repair is not being performed. The vehicle shall not to be parked within upon a street.

BOARDING/~~ROOMING~~ HOUSE: A dwelling or part thereof, other than a hotel, motel or restaurant, where meals and/or lodging are provided for compensation for three (3) or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

Section 3:

Title 5, Chapter 3, Section 2 entitled, "LAND USE TABLE" is amended as follows:

Land Uses	Districts														
	A	R-2	R-4	R-6	R-8	R-12	R-20	O	C-1	C-2	C-3	CB D	M-1	M-2	P
Child Care, Group (7-12 children) <u>49</u>		S	S	S	S				S	S	S	<u>S</u>			
Explosive/Chemical Manufacturing and Storage														S	
<u>Farm Animals (Domestic)</u> <u>2, 4</u>	<u>P</u>	<u>P</u>	<u>S</u>										<u>S</u>	<u>P</u>	<u>P</u>
<u>Fraternity/Sorority/Dormitory/Residential Hall</u> <u>5, 7</u>		<u>S</u>	<u>S</u>					<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>			<u>S</u>
<u>Laboratory (Medical, Dental, Optical)</u> <u>5, 7, 33</u>		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>			<u>P</u>	<u>P</u>		<u>S</u>	<u>P</u>	<u>P</u>	
<u>Laundry, Commercial Plant</u> <u>5, 7, 33</u>														<u>P</u>	
<u>Library</u> <u>5, 7, 33</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		<u>P</u>			<u>P</u>
<u>Liquor Store</u> <u>5, 33</u>								<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Locksmith</u> <u>5, 7</u>		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		
<u>Manufacturing, General</u> <u>5, 7</u>											<u>S</u>		<u>P</u>	<u>P</u>	
<u>Manufactured Home Park</u> <u>7, 8</u>						<u>S</u>	<u>S</u>								
<u>Manufactured Home Sales</u> <u>5, 7</u>										<u>S</u>	<u>P</u>		<u>P</u>		
<u>Marine Sales/Rentals</u> <u>7</u>										<u>S</u>	<u>P</u>		<u>P</u>		
<u>Meatpacking (Wild game) (No-kill)</u> <u>5, 7</u>	<u>S</u>									<u>S</u>	<u>P</u>		<u>P</u>		
<u>Museum or Planetarium</u> <u>5, 7</u>	<u>S</u>							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>
<u>Non-Profit Organization</u> <u>5, 7</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>

Power Plant 5.7

Recreational Vehicle,
Trailer, or Camping Park 5.7

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Section 44:

Severability If any clause, sentence, paragraph, section, or any part of this chapter, shall be declared and adjudged to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect, invalidate, or nullify the remainder of this chapter.

Section 56:

Full Force and Effect This Ordinance shall be in full force and from and after its passage, approval and publication as required by law.

ADOPTED this ____ day of July 2016.

CITY COUNCIL OF THE CITY OF KUNA
Ada County, Idaho

Joe L. Stear, Mayor
City of Kuna

ATTEST:

Chris Engels, City Clerk
City of Kuna

LEGAL NOTICE

**CITY OF KUNA
PO Box 13
Kuna, ID 83634
Phone: 208-922-5274**

**File #'s 16-03-ZOA
Zoning Ordinance
Amendment**

NOTICE IS HEREBY GIVEN that the Kuna Planning and Zoning Commission will hold a public hearing on Tuesday, July 26, 2016 at 6:00 pm or as soon thereafter as it may be heard at Kuna City Hall, 763 W. Avalon, Kuna, ID. The public hearing is for the purpose of gaining input on a proposed zoning ordinance text amendment:

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING TITLE 5, CHAPTER 1, SECTION 6-2 ENTITLED "MEANINGS OF TERMS OR WORDS" TO MAKE CHANGES TO THE DEFINITIONS; AMENDING TITLE 5, CHAPTER 3, SECTION 2, ENTITLED "LAND USE TABLE" TO MAKE CHANGES TO LAND USES RELATED TO THE REQUIREMENTS FOR EITHER A PERMITTED OR SPECIAL USE PERMIT; AND PROVIDING AN EFFECTIVE DATE.

The public is invited to present written and/or oral comments. Any written testimony must be received by July 25, 2016. Please mail to PO Box 13, Kuna, ID 83634, or drop off at City Hall 763 W Avalon.

If you have questions or require special accommodations, contact the Planning & Zoning Department prior to the meeting at 208-922-5274.

Kuna Planning &
Zoning Department

July 13, 20, 2016

1484343

LEGAL NOTICE



City of Kuna
Planning & Zoning Department

City of Kuna
P.O. Box 13
Kuna, Idaho 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
Kunacity.id.gov

July 21, 2016

Notice is hereby given by the City of Kuna that the following action is under consideration for:

FILE NUMBER	16-03-ZOA – Zoning Ordinance Amendment
PROJECT DESCRIPTION	AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING TITLE 5, CHAPTER 1, SECTION 6-2 ENTITLED “MEANINGS OF TERMS OR WORDS” TO MAKE CHANGES TO THE DEFINITIONS; AMENDING TITLE 5, CHAPTER 3, SECTION 2, ENTITLED “LAND USE TABLE” TO MAKE CHANGES TO LAND USES RELATED TO THE REQUIREMENTS FOR EITHER A PERMITTED OR SPECIAL USE PERMIT; AND PROVIDING AN EFFECTIVE DATE.
SITE LOCATION	The subject of this proposed action is not associated with any site-specific location.
Requestor	City of Kuna PO Box 13 Kuna, ID 83634
SCHEDULED HEARING DATE	Tuesday, August 9, 2016 6:00 P.m.
STAFF CONTACT	Wendy Howell, Planning Director whowell@kunaid.gov Phone: 922-5274 Fax: 922.5989
We have enclosed information to assist you with your consideration and responses. The public hearing is at 6:00 p.m. or as soon as it may be heard located at Kuna City Hall 763 W. Avalon Kuna, ID 83634. No response within 15 business days will indicate you have no objection or concerns with this proposed action. We would appreciate any information you can supply us as to how this action would affect the services your agency provides.	



City of Kuna

Planning and Zoning Staff Memo

P.O. Box 13
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
www.kunacity.id.gov

To: Kuna Planning and Zoning Commission

File Numbers: 16-03-ZOA (Subdivision Ordinance Amendment)

Title 5: Zoning Regulations
KCC 5-1-6-2 (Meaning of Terms or Words)
KCC 5-3-2 (Land Use Table)

Planner: Wendy I. Howell, PCED

Hearing Date: July 26, 2016

Applicant: City of Kuna
PO Box 13
Kuna, Idaho 83634

Planning and Zoning staff are requesting that this item be tabled to the August 9, 2016 Planning and Zoning Commission meeting.

ORDINANCE 2016-**
CITY OF KUNA, IDAHO
ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF CITY OF KUNA, IDAHO, AMENDING TITLE 5, CHAPTER 1, SECTION 6-2 ENTITLED “MEANINGS OF TERMS OR WORDS” TO MAKE CHANGES TO THE DEFINITIONS; AMENDING TITLE 5, CHAPTER 3, SECTION 2, ENTITLED “LAND USE TABLE” TO MAKE CHANGES TO LAND USES RELATED TO THE REQUIREMENT FOR EITHER A PERMITTED OR SPECIAL USE PERMIT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article XII, Section 2 of the Idaho Constitution and Idaho Code Section 50-302 allow municipal corporations to adopt regulations which are not contrary to the general laws; and

WHEREAS, this text amendment is in agreement with the spirit and intent of Kuna Comprehensive Plan; and

WHEREAS, it is deemed to be in the best interest of the City of Kuna to amend Title 5; and

WHEREAS, this zoning amendment is pursued in accordance with Kuna City Code 5-13, “ZONING AMENDMENTS”; and

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, ADA COUNTY, IDAHO, as follows:

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Section 3:

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Child Care, Group (7-12 children) <u>49</u>		S	S	S	S				S	S	S	<u>S</u>			
Explosive/Chemical Manufacturing and Storage														S	
<u>Farm Animals (Domestic)</u> <u>2, 4</u>	<u>P</u>	<u>P</u>	<u>S</u>										<u>S</u>	<u>P</u>	<u>P</u>
<u>Fraternity/Sorority/Dormitory/Residential Hall</u> <u>5, 7</u>		<u>S</u>	<u>S</u>					<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>			<u>S</u>
<u>Laboratory (Medical, Dental, Optical)</u> <u>5, 7, 33</u>		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>			<u>P</u>	<u>P</u>		<u>S</u>	<u>P</u>	<u>P</u>	
<u>Laundry, Commercial Plant</u> <u>5, 7, 33</u>														<u>P</u>	
<u>Library</u> <u>5, 7, 33</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		<u>P</u>			<u>P</u>
<u>Liquor Store</u> <u>5, 33</u>								<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Locksmith</u> <u>5, 7</u>		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		
<u>Manufacturing, General</u> <u>5, 7</u>											<u>S</u>		<u>P</u>	<u>P</u>	
<u>Manufactured Home Park</u> <u>7, 8</u>						<u>S</u>	<u>S</u>								
<u>Manufactured Home Sales</u> <u>5, 7</u>										<u>S</u>	<u>P</u>		<u>P</u>		
<u>Marine Sales/Rentals</u> <u>7</u>										<u>S</u>	<u>P</u>		<u>P</u>		
<u>Meatpacking (Wild game) (No-kill)</u> <u>5, 7</u>	<u>S</u>									<u>S</u>	<u>P</u>		<u>P</u>		
<u>Museum or Planetarium</u> <u>5, 7</u>	<u>S</u>							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>
<u>Non-Profit Organization</u> <u>5, 7</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>

Power Plant 5.7

Recreational Vehicle,
Trailer, or Camping Park 5.7

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Section 44:

Severability If any clause, sentence, paragraph, section, or any part of this chapter, shall be declared and adjudged to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect, invalidate, or nullify the remainder of this chapter.

Section 56:

Full Force and Effect This Ordinance shall be in full force and from and after its passage, approval and publication as required by law.

ADOPTED this ____ day of July 2016.

CITY COUNCIL OF THE CITY OF KUNA
Ada County, Idaho

Joe L. Stear, Mayor
City of Kuna

ATTEST:

Chris Engels, City Clerk
City of Kuna



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

- ACZ
- Boise
- Eagle
- Garden City
- Kuna
- Meridian
- Star

Rezone # 16-03-20A
 Conditional Use # _____
 Preliminary / Final / Short Plat _____

City of Kuna

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water waste flow characteristics
 - bedrock from original grade other _____
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
 - central sewage community sewage system community water well
 - interim sewage central water
 - individual sewage individual water
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage community sewage system community water
 - sewage dry lines central water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
 - food establishment swimming pools or spas child care center
 - beverage establishment grocery store
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

14. _____ Reviewed By: *[Signature]*

Date: 7/27/14

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AUG 04 2014



Return Sheet