

**CITY OF KUNA  
PLANNING & ZONING COMMISSION**

**MEETING MINUTES  
Tuesday, October 9, 2018**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	X	Troy Behunin, Senior Planner	X
Commissioner Cathy Gealy	X	Jace Hellman, Planner II	X
Commissioner Stephen Damron	Absent	Sam Weiger, Planner I	X
Commissioner John Laraway	Absent		

**6:00 pm – COMMISSION MEETING & PUBLIC HEARING**

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

**Call to Order and Roll Call**

**1. CONSENT AGENDA**

- a. Meeting Minutes for September 25, 2018.

*Commissioner Gealy Motions to approve the consent agenda; Commissioner Hennis Seconds, all aye and motion carried 2-0.*

**2. PUBLIC HEARING**

**18-03-AN (Annexation), 18-01-CPM (Comprehensive Map Change), 18-04-ZC (Rezone), 18-02-PUD (Planned Unit Development), 18-04-S (Preliminary Plat) & 18-20-DR (Design Review)** – Falcon Crest Subdivision; Scott Wonders with JUB Engineers, on behalf of M3 Companies- Mark Tate (Owner), requests approval to Annex approximately 996 acres into Kuna City limits, Change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, for a Planned Unit Development (PUD) for approx. 1,028 acres, to rezone approx. 20 acres and subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and one private road. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho. Please see the application for a list of parcel numbers affected by this application.

- **Staff requests this case be tabled until October 23, 2018 – a date certain, to confer with legal counsel.**

*Commissioner Gealy motions to table Case No. 18-03-AN, 18-01-CPM, 18-04-ZC, 18-02-PUD, 18-04-S & 18-20-DR to October 23, 2018; Commissioner Hennis Seconds, all aye and motion carried 2-0.*

**18-01-S (Preliminary Plat) & 18-07-DR (Design Review)** – Whisper Meadows Subdivision; Katie Miller, with Bailey Engineers, on behalf of Thistle Farm, and Vanderkooy Farm, LLC’s (Owner), requests approval to subdivide approximately 73.50 acres (previously zoned R-6 and four lots within Chisum Valley Subdivision No. 1 and 2) into 310 single home lots, an additional 38 common lots, following the Comprehensive Plan of MDR and the Council approved conditions of approval from the recent rezone. This site is located at the NWC Linder and Columbia Roads. APN No’s; R1393850100, R1693860010, R1693860290, R1693860280.

**Katie Miller:** Katie Miller with Bailey Engineers, 4242 N. Brookside Ln, Boise, Idaho 83714. Before you tonight, we have the preliminary plat for Whisper Meadows Subdivision, and here is a vicinity map. The site consists of 73.17 acres, which was rezoned on June 5 from agriculture to R-6, medium density residential. The site is located on South Linder Road, North of Columbia Road and South of Lake Hazel. Surrounding land uses to the north are agriculture and rural residential in the county. To the south is Chisum Valley Subdivision, which is rural residential and in the

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county. To the west is the new high school site. There is a proposed total of 348 lots. 309 are buildable, and 39 are common lots. Dwelling units per acre is 4.22, and our minimum buildable lot size is 5,527 square feet. Our maximum is 20,430 square feet, and the average size is 6,965. Per the order of decision by City Council on June 5, we had conditions set upon us not to exceed 4.25 units per acre. We are to provide a max of two dwelling units per gross acre on the south boundary bordering the existing homes in the Chisum Valley Subdivision. We have met that condition. There will be two accesses, one on Linder Road to the north which will be a mid-mile collector. 820 feet south, off of Linder Road, there will be another access into the development. We've got two streets to the north that access the site and one to the west, should Durant Lane ever be improved. We have two proposed to the south and the neighbors are strongly opposed. We've gone back and forth about this. We put it in the waiver to ACHD to only connect one, which was the westernmost connection point. Staff was in support of only doing a connection. We did go to ACHD Commission on September 26 and we were denied. We have to do both points per ACHD. The open space for this site is 5.56 acres for a total of 7.59 percent. We've got two acres of this dedicated to the park as you can see in the northeast there. It's got meandering sidewalks all the way around it. We've got the capability to put one U-6 or U-8 regulation-sized soccer fields in there, or one U-12 field there. Remaining open space consists of street buffers and connectivity in pathways throughout the development. On Linder Road, we have a 20-foot landscape buffer with a five-foot detached sidewalk. On the north boundary, we have a 25-foot landscape buffer and five-foot detached sidewalk. We have meandering pathways making connectivity and accessibility throughout the development very user-friendly. Should Durant Lane ever be improved, per ACHD's staff report, the applicant is required to dedicate the district with an additional right-of-way easement for future improvements along with the road trust deposit. This will be to do construction of four feet of pavement, again if and when that north-south collector ever gets improved. That is part of our conditions of approval. Our phasing plan has changed a little bit. We initially looked at five phases, but now we have the ability to do six. We're proposing an assumed start date of phase one for 2019 sometime. Phase one will occur at the northeast corner, and phase two will be to the west and will consist of 54 lots. Phase three will continue south below the park and will consist of 52 lots. Phase four will have 55 lots and go back up to the northwest and will finish the second connection on the northern collector street. Phase five will be the southeastern corner with 48 lots. We are saving phase six, because of the neighbors' position on this, to around 2027. Sewer and water connections will come from Linder Road. Our pressure irrigation will be via pressure irrigation line from our site to the Spring Hill pressure irrigation station, which is already up and operational. With that, I will stand for any questions. **C/Gealy:** What was your percentage of open space? **Katie Miller:** 7.56 percent. **C/Gealy:** What's the size of the park? **Katie Miller:** Two acres. **Troy Behunin:** Good evening Commissioners, for the record, Troy Behunin, Planner III, Kuna Planning and Zoning, 751 W 4<sup>th</sup> Street. The application before you tonight is presented for your vote to recommend approval, conditional approval or denial to the City Council for the Preliminary Plat and your decision for the Design Review. Staff just received today three letters from Ann Durrant, Richard Durrant and Joel and Michelle Van Lithe. Those three letters have been submitted for the Commission to read tonight. Staff has also passed out the updated preliminary plat that reflects the connection to the two stub streets and Chisum Valley Subdivision. I believe there's been a reduction in the overall lot count, so there's 310 buildable lots and 38 common lots. All of the noticing procedures have been followed. The subject site has recently been rezoned to residential. The four lots involved with this application are in Chisum Valley No. 1 and No. 2 Subdivision. The request does match the Comprehensive Plan Map, which is Medium Density Residential. On the east half as Mixed-Use General, as this application conforms to. The project is located at the Northwest Corner of Linder and Columbia Roads here in Kuna. The project has significant Frontage already on Linder Road. They do propose a half-mile collector from the north for at least their proportionate share. Dedication for a segment on the west side of the project has the ACHD report details. Staff does agree with the ACHD report and the conditions that are proposed for that west side collector. This application does pattern with the rezone that did take place earlier this year, 18-01-ZC. They are limited to a specific density of 4.35 dwelling units per acre and 2 dwelling units per gross acre. The applicant initially proposed just one connection to Chisum Valley, and staff was torn on how we support that. Code actually says that developers are to provide and continue stub streets that are provided. It is a little irrelevant at this point, however. The applicant went before the ACHD Commission through a variance process

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and they were denied. ACHD then required they connect to both stub streets. I'm not saying the city would have agreed to only one connection, but it really doesn't matter at this point. The applicant was trying to be a good neighbor. The Chisum Valley Subdivision is not in our jurisdiction, so the matter is not ours to decide. Since the request does follow the Comprehensive Plan, staff forwards a recommendation of approval to the Commission for the preliminary plat. Staff has also reviewed the Design Review component of the subdivision, and we do find that the applicant has proposed a significantly compliant plan. We would just like to maintain that the buffers on Linder Road, Butterfly Road, and the west side for the future collector follow the patterns that have been set forth. We know that there is some discussion on water rights, and that's what the letters are detailed about. Staff would stand for any questions you may have. **C/Young:** Regarding the letter from the Van Lithe's, have they had any contact with Bailey Engineers regarding the delivery of water. Currently, what we're talking about with the subdivision that will become Whisper Meadows, is there any current agreements between the adjacent property owners and with this subdivision in terms of water rights? **Troy Behunin:** Staff did have a conversation with Richard Durrant. In regards to the pivot that is on Whisper Meadows right now, at least according to Richard Durrant, the pivot does service the Van Lithe and Connelly property. I don't know if there's any agreement for that, but according to Richard, the pivot swings and provides water for those lands. **C/Young:** Neither the Durrants or Van Lithe's own the property that the pivot sits on. **C/Hennis:** I read that there was a pre-existing ditch that the pivot replaced. They want to make sure that was continued if the pivot was taken away. If I remember right, isn't there a note from the Control Board that says that those have to be maintained. Isn't that a condition they have to follow anyhow? **Troy Behunin:** There's state law. State law requires that valid water rights for delivery and waste have to be maintained and honored. The developer is aware of that law, and is prepared to have his engineer prepare those requirements. I had that discussion with the developer today, and he's prepared to follow state law and follow whatever is required by law. **C/Hennis:** The phasing plan that you handed out is not the current one with phase six, so is this not the current one? **Troy Behunin:** Katie will hand out her most updated version to the Commission. **C/Gealy:** I had read that staff was requesting a condition to be code compliant. **Troy Behunin:** In the past five months or so, some projects have not found it necessary to run substitutions through staff, not numbers or sizes but types. They're still code compliant but they're not what was presented. They were minor changes, because it's substituting one plant for another. We want them to know that the Design Review approval is what they need to live by, not something that your landscaper tells you. A lot of times, availability becomes an issue. This developer is not one of those who had the landscaping change on them. We just want to make sure everyone understands that this is the approved landscape plan. If it is a major issue, then Wendy will say that they need to bring it back to this decision-making body. **C/Gealy:** The plan they submitted was code compliant, but staff would like to review the changes? **Troy Behunin:** We need to see the changes and the substitutions. **C/Hennis:** We wouldn't want to word it as such that they need to abide by the landscape plan, we don't want to just state it being code compliant. We want the actual review document to be established. **Troy Behunin:** You'll notice that we said that the landscaping plan would be a binding site plan. **C/Hennis:** That was in the staff report. **Troy Behunin:** Yes, item 13. This developer does not have the problem, but if you apply to one you have to apply to all. **C/Gealy:** It would seem to me that condition 13 addresses that concern. I don't see the additional need for code compliant. **Troy Behunin:** They're coming to us saying we didn't know, and we'll say you saw the staff report. **C/Young:** We will open the public testimony. Drew Wright: Drew Wright, 7828 South McClintock Place. Kuna City Ordinance 6-1-3 provides that the purpose of subdivision regulation is for the Commission to consider whether the subdivision provides safety and welfare among other things. The harmonious development is not existing in this proposal. The Comprehensive Plan says that Kuna should continue to grow at a slow living pace as it expands. The is interest in retaining agriculture and large lot residential development. Staff should not recommend clustered larger lot rural residential developments if services can be provided to developments in an efficient and cost-effective manner. Larger lot are provided to keep a harmoniousness of the area. Page 13 in the Comprehensive Plan said a goal for the people is to cluster the development of other city residential development. Page 63 says Kuna needs to preserve a high quality of life. Page 64 Goal 3 says to ensure that new residential development is sustainable. Provide a variety of housing for Kuna residents. This is straight from the minutes of City Council. Briana Buban Vonder Haar moved to approve 18-01-ZC with the conditions of approval

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as listed in the packet, as well as ensuring the actual density would not exceed 4.25 dwellings per acre. In other words, no lot in the subdivision should be 10,249 square feet. The application that Tim Eck submitted should not be approved and should be reworked. **Jenna Vonderay:** Jenna Vonderay, 7601 S Chisum Place, Meridian. We're a neighborhood of only 30 homes. This new subdivision will threaten our safety, because the subdivision is very large. With the traffic report they did, they are estimating 2,973 trips that will generate, and 292 during the peak hour. Mr. Eck stated that he would be a good neighbor. Mr. Eck, what are your plans to mitigate accidents? Mr. Eck, could you please give the square footage of each lot? It's hard to see in the plan the square footage of those south side lots. They say they're meeting code, but we have yet to see that. Why would there be no south side buffer for our neighborhood? With phase six, is there any you can cede road development for phase six with regard to connection to stub streets in Chisum Valley? As a mom of four kids down there, the traffic going on our street onto Columbia is a major concern for me. Given sixty cars are probably in our neighborhood now, we're talking about going up to 292 cars when development is in full operation. **Sharon Luckey:** Sharon Luckey, 7741 S McClintock. My concerns like my neighbors are regarding easements needed and safety concerns of the increased traffic. Kuna City Ordinance 6-1-3 says the subdivision must promote general welfare and provide a harmonious environment. The proposed subdivision does not do so. It causes safety concerns, because there are no sidewalks in Chisum Valley. Our neighborhood consists of many families with small children to play along the road. There's no relief, and the streets are lined with steep barrow pits. At times, these barrow pits have water in them due to rain or snow melt or the irrigation runoff. It's a straight shot on Chisum Valley. It seems too high already and the ACHD report states the plan was to extend McClintock as a pedestrian walkway. Chisum would be the through street. The ACHD staff agreed with this proposal, but the ACHD board stated that McClintock and Chisum Valley needed to go in as streets. The traffic study included an estimate of the total of 2,938 daily net new trips from the new development. They're projecting 140 daily vehicles from Chisum. The traffic study did not include projections from McClintock, but you could assume another 140 would come off McClintock. The bus stop for our children is at the corner of Chisum Place and Columbia, and right at that intersection, we also have a berm divider there. It narrows that roadway more significantly and there's barrow pits on the sides. That's where our kids catch the bus. There could be potential of an additional 280 cars. **Stephanie Kennedy:** Stephanie Kennedy, 7638 S McClintock, thank you for hearing our testimony and our concerns. We were disappointed to learn that Tim Eck has no common easement area between his proposed subdivision and our existing property line. In our last meeting, Tim stated that Chisum Valley would be financially responsible for our water line, which at this point will lie on the parameter of and underneath the property of those homeowners, whose property will back up against our existing fence lines. The pipe, which has many upright valves, the homeowners will be planting and digging outbuildings on and sprinkler systems. When this line ruptures again, Tim said that Chisum Valley will be responsible for taking out the fences, sod, outbuildings, and the sprinkler systems. We will be responsible, because it's our line, we're stating that we'll be grandfathered in for fifteen years. Our original plat shows that there is an easement which is still in place. Those costs would bankrupt the subdivision, therefore I object to Tim's proposed plat. I'm asking that my questions be documented in your books as to how to have a community easement or common area that can be mandated. Also, the proposed subdivision would be held financially responsible if they rupture our waterlines. Also, there has been no discussion between Tim and ourselves as to that waterway. He said that we would be financially responsible for our irrigation line. Is there a grandfather act? We've been there for 15 years. We are also concerned about the safety of our children. There are no sidewalks at this point. With the proposed additional cars, we would ask that you would help us with the children and anyone who walks on the street at that point. **Virginia Jepsen:** 7901 South Chisum Way. I'd like to start by saying that I'm not opposed to growth. I think we all realize that it's coming. I'm opposed to the density of the subdivision, and I respectfully request that you not approve this preliminary plat application. As a resident who walks, bikes and jogs, and is a mother of two kids, I have major safety concerns with the amount of traffic that Whisper Meadows will bring. The Chisum Valley Subdivision was not designed for sidewalks. Therefore, when we walk and bike, we do so with the 300 homes of Whisper Meadows, I will not feel safe doing these anymore. I previously recommended at the previous meeting that the subdivision be a lower density. Kuna is a rural community, and most of us moved here for that reason. I'd like to reference Kuna's Comprehensive Plan that specifies that Kuna should grow at a slower

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living pace as the city expands. There is interest in preserving agricultural land within the city, not for a clustered, large lot, residential development. I would like for the City Council to address whether the Whisper Meadows Subdivision is adhering to the Kuna Comprehensive Plan. I would also like to know how the Whisper Meadows Subdivision plans to address the safety concerns of the existing Chisum Valley Subdivision. Since ACHD has already determined that both roads will connect, when will the developer be releasing detailed plans for the exponential growth and traffic that will be coming through our preexisting subdivision? I again respectfully request that until these issues have been addressed that the pre-plat not be approved. **Rick Willis:** I live at 2345 West Cogburn Street. The last time we met, it was a long discussion about small lots versus large lots. Obviously, the developer wanted the small lots. Part of his argument was that the City of Kuna spent millions of dollars designing and planning a sewer system. He stated that one of the engineers had informed him that in order for this line to function properly, a lot of rooftops would be necessary for sufficient flow. I suspect that if the system is designed properly, then that's probably the case. Shortly after the last meeting in a couple weeks, there was an article in the Kuna Melba News. The article stated that there were problems on the south side of Kuna. There were too many houses. My question is about all of these subdivisions going up in a two to three-mile radius in your treatment plant. What assurances do you have that the problems that you're experiencing in south Kuna don't migrate to north Kuna? **Jeff Henrickson:** I live at 7636 South Chisum Place. I was the irrigation manager of our subdivision for quite a bit of time, so I have some experience with these things. If you look at the first concern, it regards our pressurized irrigation (PI) system where the piping is actually on the outside of the fence. This would put it on the new property. I just want to know what provisions will be made to ensure that we have access for the mains and the operation of that system. Also, is there a possibility that the new pressurized irrigation system would tie into our mains and it would be fed all through the city? The second part of my handout outlines the problems from a gravity irrigation system that was mentioned earlier. I believe that ditch did used to go across the field, with the addition of the pivot. It just falls into a drain area that is called the ACHD easement on our plat. I attached some pictures of what that turns into doesn't hurt anything right now. Our concerns are if it is built up, it could back up and cause problems in our subdivision or somewhere else. If it's allowed to stay there, then it could be a problem for the new subdivision. The last part refers to the ACHD easement that's at the north end of our property. I'm one of the original owners, and it was explained to me that in conjunction with our barrow ditches, provide storm drainage. It's not really on our property, is it or isn't it and, where is the water going to go? I know that our developer has engineers, but again I'd like to see specific action before our plat is approved. **Alana Ellison:** I live at 7790 South McClintock Way. I would like to have the subdivision reconsidered that is by our backyards. I wanted to reiterate a few things per Kuna City Ordinance 6-1-3. The purpose of the regulations is to provide public health, safety and general welfare for the public. Safety is a big concern for our subdivision. The development for our area is not harmonious, it will be impacting our streets. It will be impacting through ways that will increase traffic. Not only do we not have sidewalks, but the streets are very narrow as it is. When you're driving through there, you can barely get two cars to pass side by side. For adding sidewalks later on, impacting the way that people move around. The irrigation is a huge concern of mine. Done the road, with the potential of having a catastrophic event, it could very well bankrupt our subdivision. There are only 30 homes that we can pass that cost along to. I really feel that a win-win situation would be if we could tie our irrigation into the new subdivision, this would eliminate the need for any kind of easements for Tim Eck. It would eliminate any issues for us as far as when there is a main break, or if something happens then we're not responsible for it. It's not going to be an effective solution to have us try to fix something. **Jared Allen:** I live at 7980 South Chisum Way in Meridian. For good reason, an R-1 shouldn't be connected to an R-6, because we don't have the infrastructure that puts the safety concerns in mind. We're putting money over the importance of safety in some of these situations. With our comprehensive plan set in place, we wanted this growth and it's happened. At some point we have to readjust it and make some better decisions on how this can be sustained long term. We need better lots and nicer homes in there, acquire money into our system. The roads were originally designed for the Chisum Valley Subdivision No. 2. There was going to be less traffic, so with this change to our new plat, we need to get going on those roads as well. We know they made their decision, but I'm the first house in that subdivision and there's a lot of safety concerns. We have kids getting off the bus, and I'm only 66 feet off that Chisum Road. A car going 30 miles per hour will have

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to stop going around that corner. As we watch traffic, people are going in over that speed. With neighborhood kids coming to visit us, I don't want to see an accident happen, because the infrastructure isn't in place. Let's postpone and change this plat until we can actually take care of the things we need to keep our community safe. **Brian Luckey:** I live at 7714 South McClintock. I want to agree with all of the neighbors in here, but I really want to emphasize when my last neighbor, Jared, was talking. For the structure of the streets, there is no center divider to keep people going in the opposite directions of their own side of the road. As you enter the subdivision, it's 55 miles per hour on Columbia Road. He's the first house on the right. He's got two young girls, and a lot of kids in this neighborhood like to conglomerate around this area. They're taking that corner pretty fast. We're talking about a lot of teenagers from this subdivision coming in this way and leaving this way. We don't have sidewalks. When you get to McClintock, you get a big "S" turn. Chisum is a straight line. We struggle with speed already with the existing neighbors, and we have over the last 19 years. When you hit South McClintock, you're going to take that big "S" turn. You have big trees that make it hard to see around that corner. You don't realize how much caution it takes when you come around the corner with oncoming traffic, because you have no divider or sidewalks. These kids are going to be in the streets. We have no speed control, no speed bumps and no sidewalks for our kids to at least get off the street and get a safe zone. I know ACHD, and we've watched Meridian Road come in to a five-lane highway. As I raised my kids, I forbid them from going down Columbia Road. I made them go down to Amity and get on Meridian Road because of the stoplight. ACHD tends to be reactive to a lot of stuff for putting in four-way intersections. I do not want to see that in our subdivision. What would you do to keep your kids safe from that incoming traffic? **Tim Eck:** I live at 6152 W Half Moon Lane. The Comprehensive Plan gave us a land use designation of medium density residential and mixed-use general. Mixed-use general dictates up to 20 units per acre. Maximum density on these two parcels would be 1152 lots. We're at 310, and we've always been at 310. The general density is 4.25 per gross acre. I don't believe Kuna has any provisions requiring density calculations to be done per acre. We did agree to limit the density contiguous to the northernmost lot. We got it down to two units per gross acre, and we can provide that calculation. We have gone through our traffic study and the ACHD process. We fought long and hard to try to achieve a single connection. Knowing that the ACHD policy and the city code requires these developments to have stub streets. They are stubbed through them to provide connectivity to the adjoining properties. When we come in later, we're required to connect to those. It's not an option not to connect. We agreed to try and mitigate that and went through the process of getting a variance. The city was neutral on it, and I was able to convince ACHD staff to agree. Then it went to a public hearing at ACHD Commission, and voted against granting the variance. For approving the project, they have to connect to both streets. They are a signing body on the plat. If we don't comply with their requirements, they don't sign the plat. The traffic and back study to Columbia. That connection is currently an LOSA. At total buildout, that connection is an LOSA. Additional traffic counts on Chisum Way is well over the ACHD monument thresholds. There's a lot of concern about easements and water conveyance, and drainage. We can't take any of that away. Through the platting process, we have to ensure the delivery of water plats to properties with water rights delivered from a diversion. We can reroute it, but we have to preserve it. It's very easy to reroute the gravity waters. Around, through under or over our plat to get to the Van Lithe property to get to the Linder Farms property. The same goes for the drainage. You don't do that until you're doing your construction drawings. Once you've surveyed the whole property and designed all the infrastructure, you're engineering the sewer and water and the surface irrigation supply. All of that is done at that time. We can't get our construction plans approved by preserving that. We have pipelines that run around their property and along the boundary of their property. I don't know if there's an easement there or not. It's their pipeline, just like when it's in the city's pipeline and it bursts in someone's backyard. There are risers on there that provided irrigation connections that we will remove, because we will not be needing them. I don't want four-inch PI risers coming from their system that I can't use. I'm in the city, so I have to connect the city's PI system. I have no choice, I cannot connect to theirs. The wires are unused, so we'll remove them to avoid potential damage. They are all required to have a 10-foot PI easement on the back of every lot. If their PI main breaks, then they have to go through those backyards. They need to remove the fence, fix the problem, and put everything back in the position it was when they entered. They're not losing their PI facility, but they could connect the city's pressurized irrigation system. They can only do that if they annex. Irrigation water cannot be

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shared between the city and non-annexed property. It's illegal. If their septic tanks all fail and they can't get permits to fix it, they'll be able to connect to our sewer. Our domestic water will be stubbed there. If they have failures in their domestic water wells. They're a lot of benefits for the improvements that they're putting in. He talked about the seven million-dollar wastewater treatment plant. The developments that were around it and the comp plan. We have an R-6 zone with an additional restriction. That limits us to 310 gross lots. Right now, we're at 309 because we lost one to accommodate the two gross layer density in Chisum Valley. We're playing with an in-depth sewer setting right now, and there's a possibility that we might not need a lift station. We want to gravity back to the 2100-unit sewer lift station right now. If we can do that, we can reclaim the one lot that we lost because we don't need a lot for our lift station. As a result of ACHD's decision to grant the variance, we've come out with the phasing that you see now. Phase six, our very last phase, will get the connections to Chisum Valley. We will not connect to them until our very last phase. If we do one a year that six years, and if we have a slow down it could be 10 years. It's right now in the very last phase. The stormwater that comes off the end of that street, the easement, is an ACHD easement that will contain stormwater that will come off of the ACHD approved streets in their subdivision. Those are ACHD streets, they're not private. Stormwater that comes off of that comes into the easement. We have to design to take it, our system will all be sub-terrain. Their stormwater in that street will go right into drop inlets and go right into our storm drain systems. The roads in their subdivision are standard ACHD approved local roads. The trees in the sight triangle have to be preserved when you're coming around the intersection. It's the property owner's responsibility to maintain that sight triangle. If the trees are blocking their view, then the trees need to be trimmed to maintain them. If somebody complained to the highway district, then they would come and enforce that. We're consistent with the Comprehensive Plan. We're exactly 100% compliant with the zoning that was granted by the Planning and Zoning and City Council. Our density is exactly what we proposed at both of those meetings. We had a couple trees that were planted and were different species. The neighbors go out to buy them and they can't get the right trees, so we have to go through the process of getting them approved. We're trying to make sure that our landscapers stay further enough ahead it, so that if they can't meet the plan exactly, then we're coming in for a request for our modification well in advance. I'll stand for any questions that the Commission may have. **C/Young:** Just to try and adjust another one of their concerns, all of the runoff has to be designed to stay within the subdivision? **Tim Eck:** All of our stormwater has to be contained on site, because they have an easement on our property. We have to take care of that. I have a very rough grading layout that I can leave with you that shows a corridor right around the boundary where the gravity irrigation is. Normally you don't do this stuff until you're engineering for construction. I've just done a rough layout of what the grades will be. We can easily run the gravity irrigation all the way around the property, however Charlie takes all of his off of Ten Mile. **C/Young:** I'll close the public testimony at 7:16. **C/Hennis:** The pre-plat conforms to what the City Council has required. **C/Young:** Unfortunately, ACHD did not want to do what City Council was requesting, but they do have to sign off on the final plat as well. **C/Hennis:** I do like the fact that at least phase it into the last absolute time frame to keep it at least out of there. **C/Gealy:** The primary concerns that I hear about are about traffic and safety. The second one is basically water, discussion about the drainage. If they choose to annex, they can hook up to the city irrigation. If they choose not to, they can still access the pipe they have that's on an easement, the subdivision property, if they need to repair it. In terms of drainage, their drainage drains into the subdivision property and the subdivision will handle it. I don't see an issue with drainage. **C/Young:** If there is an easement, then it has to be maintained and the new property owners have to encroach on that, the buildings and things like that. **C/Hennis:** It's also any of the water rights with regards to the easement they have to maintain. **C/Gealy:** That will be indicated on the plat and the new owners would be aware that there is a new easement that has to go across their property. **C/Hennis:** That takes a couple of issues presented by Mr. Henricksen, and they're going to have to be designed inside the stormwater issues. If they're not farming those fields, then they're not going to have a lot of water flowing that way. They still have to maintain the gravity drains. I think that if these construction documents are presented, then they'll answer those questions a little more specifically. **C/Young:** In regards to design review, I think that the landscape has presented in the required buffers streets that all meet city code. I don't see any issues with what's been presented. The landscaping goes with the Design Review side of things. **C/Gealy:** As far as the traffic and the safety, I appreciate your efforts to try to limit

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it to one access point. I do know that ACHD is concerned with connectivity between and among development. I wonder if there would be some traffic mitigation that would be possible to encourage people to leave the subdivision by another route. I do know that often winding streets will slow down speed as opposed to straight streets. Somebody tonight mentioned speed bumps. I had the opportunity to live overseas for a while. When traffic got too bad, they would just put a concrete planter in there and that slowed people down. **C/Hennis:** I think we tried that, and ACHD shot us down. I'm looking for someone with more experience and more creativity to look at what kinds of things could be done in Chisum. What kinds of things could be done in Whisper Meadows to mitigate the traffic concerns. **C/Young:** That's something that ACHD provides. It's not something that we condition. **Troy Behunin:** It's true. It's not something that we have jurisdiction over, but I do know that speed bumps will not be entertained by ACHD. **C/Hennis:** How do we see this in today's streets somewhere else, like over in Boise? ACHD has it in their jurisdiction, but we have it in several streets that I know of up along Mitchell. **Troy Behunin:** Standards vary from year to year. Stuff from five years ago is not allowed today. The actual way that a grandfathered right works is you put it in place legally and then code changes after it's been placed. Then it gets to remain as it was designed and built. You can't change it, you can't alter it, you can't move it. You can't do anything with it. If there were speed bumps in subdivisions in other cities, then they were probably legal at that time. They don't do that anymore. It's unrealistic to expect a developer who doesn't own property to extend sidewalks through a subdivision that's not even in the city. That's an unrealistic expectation. **C/Hennis:** We were just looking to see if there was a possible idea of mitigating the connection between the two, seeing how ACHD has overruled us. **C/Young:** I think that will temporarily help some of that. The connection point, as the last phases are being built out. The first five phases as people go through or tried to hit the lower south connections up to the north and the east. It's not available in the beginning. You kind of get drained going in the direction. **C/Hennis:** Who knows, policy might change by then. It's obviously changed before. This conforms to the zoning and policy set forth by the City Council. The developer has done the best he can to beat the traffic. Water rights need to be maintained legally, state requires it.

*Commissioner Hennis motions to approve Case No. 18-01-S and 18-07-DR with the conditions as outlined in the staff report. Commissioner Gealy Seconds; Motion carried 2-0.*

**18-04-AN (Annexation), 18-03-S (Preliminary Plat) & 18-23-DR (Design Review)** – Lugarno Terra Subdivision; Billy Edwards, with Select Development and Contracting, LLC., requests to annex a 40-acre parcel on East Deer Flat Road into Kuna City Limits with an R-4 zoning designation and to subdivide the 40-acres into 134 total lots, consisting of 114 single family buildable lots, and 20 Common lots. The subject site is located at East Deer Flat Road, Kuna, ID 83634, within Section 18, Township 2 North, Range 1 East; (APN# S1418346600). Additionally, the applicant also requests to annex a 1.725-acre parcel into Kuna City Limits with an R-6 zoning designation. The subject site is located at 1919 East Deer Flat Road, Kuna, ID 83634, within Section 19, Township 2 North, Range 1 East; (APN# S1419223000).

**Jonathan Steele:** I'm representing Select Development and our address is 2501 State Avenue, Meridian. The application shows two parcels. To the south of this side of Deer Flat is a triangular piece which is about 1.75 acres. That's the path for annexation for this application. Right now, for that particular parcel, there are no plans for the development of it. It's simply an annexation. In the future, if the applicant knows what he wants to submit with it, it would be a separate application for that. We just wanted to clarify. The one we're focused on is right here, and this is referred to as Lugarno Subdivision. In the center of the plan, there is an irrigation ditch. That irrigation ditch goes basically in a north-south direction. We submitted applications to both the Bureau of Reclamation and Boise Projects to relocate that. We submitted that application back in June. We were told sometimes that the process could take a year. We were optimistic in talking with him and working with him. Hopefully we will get approval by the end of this year or possibly January of next year. If we do, that project will be completed in one phase. If we're not successful with that, then we'll complete it in two phases. The first phase would be the easterly half with the westerly half done, once the irrigation ditches get piled. As I mentioned, it's 40 acres. It has 114 single family homes. They average



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from 8,000 to 13,000 square feet. The price range for the homes on these lots will be around \$340,000. The common area totals 1.6, and we'll get to that in a few minutes. Dedicated landscaping is approximately 11 percent of the area. The plan is to tile that ditch, and right now, you can see the center south direction, a pathway. We would love to put a pathway in there. They're pushing for that to basically be a maintenance road. I want to clarify that right now, this shows up as a pathway. It's highly unlikely, but I wanted to make sure that I was clear on that. There will be strong CC&Rs with this, and we think that this project is well maintained. As far as Deer Flat, Deer Flat will remain as two lanes. We will put in a curb and gutter to the property lines for the single-family homes. There will be a detached sidewalk that is 10 feet in width. On Strobel, that will also be improved along with 12 feet of asphalt. There will be curb and gutter on the west side, a 25-foot landscape buffer and an eight-foot sidewalk. We have two options with ACHD. We think that we can take the road which takes that stub to Strobel midway up. We could stop it there and do a road trust to ensure that the balance of that road is complete once development continues to the north. I think that the reality is that we would do a road trust on that. All of the streets on that would be local streets constructed at ACHD standards. The entrance off of Deer Flat is here, and this shows 1.6 acres of common area. Below that is a 1700 square foot clubhouse. It'll have a dedicated sales office and a community room. It'll also have 850 feet of outdoor covered seating area. To the north of that will be a pool with a patio seating area. To the left will be a basketball court, and to the west there is a climbing play area. There will be a series of amenities here for this. The applicant feels that this is very important. One of the reasons I am addressing this is because the parking off of both of those streets is perpendicular to those streets. We are proposing parking to accommodate residents or people who want to come in and meet with them. We understand that staff says it's not within your policy. We're asking simply for a variance. The other option if we have to put it on there is we have to lose open space. I think like any city in this state, you want to preserve as much common area for your residents. This is maybe counter to the code, but we believe that it should not be a huge issue. We're hopeful that it's not. We've talked to ACHD about it, and ACHD accepts it. What they'll do is take the sidewalk around the parking, so it will be where the cars park into the front. We would ask for a variance in this one, so we can provide parking. We can preserve or maximize as much open area as possible. Another thing that we think is very attractive is that we use a select group for maybe four, five or six builders. We want to ensure that we have quality builders who build houses with quality construction and diversity of design, and we go through a project that's going well, we talk it all the way through. It's probably going to look like a subdivision where each one looks differently. We've done that in the past, and we think it's very successful. We intend to do it in this one. We will also do six-foot vinyl fencing around the entire perimeter within, as well as people in the surrounding area. As far as the staff report, we're in agreement with the staff with the exception that we get a variance for the parking, so that we can do it as designed here. We think this can be beneficial and again we can maximize providing 1.6 acres of common area. In closing, the applicant Select Management is here to go beyond what is just the requirement. It's easy to satisfy the city and call it good. I think here with the common areas and the pathways and added landscaping, hopefully they're demonstrating to you that they want to build a quality project that you'll feel proud about. We are here to represent Kuna. I will stand for any questions you might have. **Jace Hellman:** Jace Hellman, Kuna Planning and Zoning Staff, 751 W 4<sup>th</sup> Street. As stated previously, the application before you this morning is for preliminary plat, annexation and design review. The applicant has requested to annex a 40-acre site into Kuna City Limits with an R-4 medium density residential zoning. The applicant proposes to subdivide that 40 acres into 134 total lots. There are 114 single-family buildable lots and 20 common lots. There density breaker is supposed to be approximately 2.8 residential units per acre, with lot sizes ranging from 8,000 square feet to 13,000 square feet. Applicant proposes to build on Strobel Road along the east property line. It is listed as a north-south collector in the City of Kuna Street Circulation Map. Staff would recommend that the applicant work with the staff and ACHD to ensure that the streets get constructed to standards. There are several stub streets that have been provided in this project. There are two to the west and two to the north. This includes the future stub of Strobel Road as well. The applicant will be required to install a sign that states the roads will continue in the future. Staff would defer the comments to ACHD for the language for those signs. In your application packet there is a Design Review Application packet with landscaping and open space. The applicant has proposed and dedicated the landscaping strips and buffers throughout the project that actually make about 12 percent of the

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entire project. Staff would find that the proposed landscaping requirements comply with Kuna City Code. There is the 1.6-acre common area that was proposed. As he stated, those were the amenities that are anticipated. Staff would like to make the applicant aware that after bringing forth those amenities such as the pool and the clubhouse, they will need to go for design review approval. Our series of lots along the west side, according to Kuna City 5-9-2-G, which is standards for parking states that parking shall be designed in such a manner that any vehicle leaving or entering the area onto a public or private street shall be traveling in a forward motion. This does not comply with Kuna City Code. Staff would recommend that the applicant work with staff to provide a parking area that is code compliant. Additionally, to create their path of annexation, they are requesting to annex a 1.25-acre parcel into Kuna City Limits which was on the southwest corner of the property that would give them their touch to annex the larger property. That property is contiguous to city limits to the western side of the property, which is Ashton Estates. The applicant of the representative stated that there is no development that is proposed for the area at this time. Staff would determine the preliminary plat and annexation comply with the goals and policies of Kuna City. Kuna City Code Title 5 and 6, Idaho Statute 67-65, the Land Use Planning Act, and the Kuna Comprehensive Plan. Staff would forward a recommendation for a recommendation of approval for Case No. 18-04-AN and 18-03-S. Staff would also recommend approval for 18-23-DR subject to any conditions of approval outlined by Kuna's Planning and Zoning Commission and any additional conditions added by the Commission as well. I'll stand for any questions you may have. **C/Young:** We'll open the public testimony at 7:46. **Shirley Grothouse:** 2404 East Deer Flat Road, we own approximately 3 acres and it borders the east boundary of this proposed subdivision. We have several concerns, one is the water rights. We get our irrigation from a ditch on the north and the south side of this property. I was talking to Mr. Edwards, and he assured me that our irrigation wouldn't be impeded with the tile ditches, so we could still do our gravity irrigation. I just wanted to reiterate that hopefully that will be done. My other concern is with the lights on the subdivision. That pole mounted night-lighting, are they going to be pointed downward or upward? The proposed Strobel Road will come right down beside our driveway. I heard him say that there is a sidewalk and some barriers along the east side of the road and the west side of Strobel. What will be on the west side, can we get a fence between our property, because it just borders all the way down our place. I'm looking at our driveway and Strobel Road, with nothing in between. I know the fence is going to be on the other side of Strobel Road. We have huge cottonwood trees that the red-tailed hawks nest in. I believe that would be on the border between this subdivision and us. This is where Strobel Road is going to go, I just wondered if they could move the road a little bit. I have these big trees, they're about 90 years old and the hawks do nest in there every year. I was concerned with the traffic also. Also, if this is annexed into the city, will this be pressurized city water or will they dig more wells? **David Anders:** I live at 1920 East Deer Flat Road, it borders the west side of this property as well. The boundary to this property will be within 30 feet of my house. I've lived in Kuna for 25 years on five acres, and I'm not thrilled about it going in right next to us. The next concern is about property, lighting, and it's quite a bit lower than my property. A six-foot fence between my property and this property will be equivalent to about three feet. This is not enough privacy at all. There are no trees or anything between the two properties. The edge of my property and the back fence and the homes behind me. Another concern that I have is about stub of this subdivision. I don't want it coming in my backyard. There's also water runoff between our two properties. On the west side of my property is the high point canal that runs between the Ashton Estates that they talked about. There are 124 homes coming in. The low-point is between our two properties, which is on the east side of me. I don't know about that water runoff, I don't know how that's being handled. I just have a concern about that, as well as the well. I'm curious which way that the sewer is running on this. Is it running east or is it running north? Is it running downhill? Is it running uphill on or between the west side of property. I'm not concerned about the Comprehensive Plan, but I'm not concerned about that. I'm not concerned about the traffic. There are already 144 homes being built that are coming in on the Ashton Estates coming into Deer Flat. There are 114 that are coming in to dwell. The traffic really hasn't mattered a lot. My main concerns are lighting and the privacy to my property and the fence privacy, I'd like to avoid weeds and plants encroaching on my property. **Jonathan Steele:** I'm with Select Development, my first regard is to what Shirley said with respect to the tree. As you can appreciate, that's going to be right of way. I like to keep trees, but I think this call goes on ACHD and not us. This goes back to the last project you heard. If the tree can be preserved, they will

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do it, but we just don't have any control over that. We don't want to impede the vision triangle. It will be determined at another point, until the east is developed. As far as the road goes, we're improving half of it plus a 12-foot section. On our side, there's a 25-foot buffer from the curb and gutter. As far as privacy goes, I think this should accomplish it. As far as lighting, I've now done something within the City of Kuna. I know photometrics is typically required. These street lights will be downcast on any other subdivision. We're all sensitive to that obviously. This is not just for the surrounding community, but for this community itself. With respect to the gentleman on the side, I can respect his concern. We don't have a lot of control over the height of the property. We will maintain an irrigation ditch to ensure that the water does not flow into his property. All water rights will be maintained that are existing, that's a state law. As far as traffic goes, every project creates traffic. This is not a high density, this is 2.8 units per acre. This could have been zoned as office, which would have created for more traffic than any residential. I appreciate the fact that it creates traffic, but there's not a development in the world that doesn't. With that I'll stand for any questions you may have. **C/Young:** As far as the stub streets go, the stub stops at the property line. If you sell that land at some point, and that land gets subdivided and the street goes through, that's when that would happen. It then stops at the property line. Jonathan Steele: As long as he lives in that house, that stub street will not impact you. It's when you sell it, ACHD will then extend the road. Right now, it stops and doesn't go beyond that. **C/Young:** Do we have any graphic that shows where the stub street is in relation to his house? **Derek Kerner:** 270 North 27<sup>th</sup> Street, Boise, Rock Solid Civil Engineering. I would a look at some of these. It looks at 350 feet, we'll see how far north that stub street is going to be. **C/Hennis:** It looks like it's going to be in his rear field. **Jonathan Steele:** That street will not be extended until something to that parcel happens. **C/Hennis:** It appears that it's on the northern side of that backyard. Jonathan Steele: This is where his property is, and this is where the stub street will be. It's about 350 feet. **C/Gealy:** There was a request from the school district for a place to students to wait for the bus and when they're dropped off. Jonathan Steele: I'm not personally aware of that, but I suspect that we can work with the school district on that. **Wendy Howell:** Typically, the school district will pick them up at the common areas. **C/Gealy:** It would be inside the subdivision? **Wendy Howell:** It would, in this case. **C/Gealy:** ACHD was talking about Deer Flat in the report. I assumed there was some curb and gutter off Deer Flat? **Jonathan Steele:** Yes, it is two lane asphalt as you know with just gravel on the edges. ACHD wants us to put curb and gutter in that existing asphalt. What we can do is either dedicate the right of way or do it through an easement. We have approximately 30 feet from the curb and gutter. If you're going towards the subdivision, 30 feet from the curb and gutter to the sidewalk which is 10 feet. There is a 35-foot landscape buffer behind that. We'll landscape that entire thing someday, not now. It's not in the five-year capital plans. Realistically they're saying 20 years, but who knows. Then they'll come in and take that right-of-way. They will potentially construct a five-lane road. You will go down it now, or you will go down it. It will be entirely landscaped. **C/Gealy:** There was some discussion of an existing driveway? **Jonathan Steele:** There is an existing driveway with a 1.75-acre parcel which is on the south side, the triangle. Right now, there is an existing driveway. What ACHD is saying in the staff report is that's fine, we can make improvements over there but we the driveway to line up with the gentlemen's house across the street. We want to get rid of one of the driveways and simply keep one. We'll go from two to one. That's with you seeing the staff report. One more thing that I'd like to say and emphasize is if the City of Kuna can work with us on the parking and the common area. We think that's very important. You can imagine if you look at that amenity area, which is 1.6 acres. You have to go in and put parking within it. You're going to lose so much open area. I don't think it is a safety factor, in fact if you think about it, it's a little bit different. We all walk behind cars all the time. We all have cars backing perpendicular to the drive. We're hoping here that there's a degree of flexibility so we can keep it out there, divide the parking, but also maximize the amount of open area that I think is more important than putting parking in the project itself. We sincerely ask for that. **C/Young:** I'll close the public testimony at 8:06. **C/Hennis:** I think it's a really nice subdivision. They're putting some amenities in that we request for a lot of subdivisions. I like the large lots, the low density. It's something that we've been trying to balance everything with. **C/Young:** You also addressed someone's question our there that the subdivision does tie into city water. There won't be any new wells dug for the subdivision. They tie into city water. **C/Hennis:** I think everything's provided well and the irrigation's going to have to be maintained for the neighbors. Obviously state law. **C/Gealy:** What about the parking for the common area? **C/Hennis:** I personally don't see too

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much of a trouble with it. I would think that we just condition them to work with the city to resolve what they want. I would prefer an open area. I think they will configure that parking lot like that, it's going to be difficult. **C/Gealy:** ACHD, I don't know if they recommend it, but they have adjusted moving the sidewalk behind the stalls. But then there would have to be a drive lane. **C/Hennis:** Maybe it can be brought in a little bit more, so instead of backing into the street, they back into another area. Instead of bringing it straight into the public, they can back into here and pull out onto the street. You'll have parking stalls, and let's say that's the street. We actually move these in slightly so that you have a thing that you can pull. **C/Young:** With people pulling in and out, I'd almost be wanting to side with staff a little bit. Just because I'm not sure what this would be, if any. **C/Gealy:** I think Commissioner Hennis means moving the parking into the common area enough so that people could back out without people backing into the street. Instead of having a sidewalk behind. **C/Hennis:** Well I like the idea of having a sidewalk behind, because then you've got people have to walk between cars pulling out and people driving by. I don't think that's at all any safer. **C/Young:** I kind of agree with staff to mandate a more traditional code. **C/Hennis:** Well I think the city's trying to do something where they have to pull in and pull back out into traffic. You'd have a whole separate parking lot that is off-street. That's going to take out a whole common area versus just a length of the street. There has to be an easier way to do it than that. As city code mandates, you have to pull people in and then pull out front-wise into traffic. That means you'd have a parking lot coming off of right of way. **C/Young:** You're potentially suggesting moving the parking lot and the walkway west about 20 feet to create a drive aisle right along that walkway. I don't know if that's legal, but that's what I'm thinking. We're seeing it in different places, that's why an open area there as opposed to a whole parking lot on each side. You're going to have to do the same over here too. We see this all the time. It's not a public area, this isn't a city park. You're going to have limited traffic. **C/Young:** You're suggesting a recommendation of approval as a variance to council. That's not necessarily a full drive aisle to work with. **Wendy Howell:** Just for clarification, a variance was not requested. There's not a variance application in procedure. It's just a deviation from code. **C/Hennis:** Essentially, you're saying that it just needs to get done? **Wendy Howell:** If that's what you're choosing to do, just condition it as such. It will go with the recommendations to council for final decision. **C/Young:** I think the size of the lots and what they're wanting to do would be a good asset.

*Commissioner Hennis motions to recommend approval of Case No. 18-04-AN and 18-03-S and to approve 18-23-DR with the conditions as outlined in the staff report; With a condition that the applicant request a deviation from code; And a condition that the applicant work with staff to come to an agreement; Commissioner Gealy Seconds; Motion carried 2-0.*

**18-11-SUP (Special Use Permit) & 18-27-DR (Design Review)** – Pinson's Muffler Shop; Applicant Darrell Pinson, requests special use permit approval in order to operate an automobile maintenance shop within the Central Business District. The subject sites are located at 156 and 120 West Main Street, Kuna, ID 83634, within Section 23, Township 2 North, Range 1 West; (APN# R5070000315 and R5070000350).

**Marcellus Clark:** I am a project manager for BRS Architects at 1010 South Allante Place, Boise, Idaho. I am representing Darrell Pinson, who is the developer as he is looking to purchase the property for this use. I would like to start out by saying that Pinson and myself both live in Kuna. I know a lot of developers come in from outside the city and try to develop what they want. We both drive through that roundabout in downtown quite a bit and anybody who drive through it sees this big concrete box right on the corner. We're planning to repurpose that to an auto maintenance shop. The overall purpose is to extend the bays and the roof a little bit. We want the bays to be long enough to enclose that front area. That would allow the business developer to operate that building. With that proposed design for the building, it's a tightly designed site plan. One of the constraints that led to the design was the fire apparatus access path of travel that you might be able to see on the site plan. This is coming into the front entry and out of the back alley. That kind of limited the use of the site and the extension of the building. With some design, we found that it would be able to work and we have the ability to keep the 10-foot

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landscaping buffer along the Linder and Main Street intersection. The proposed landscaping falls within the required landscaping requirements with the proper planting and trees. With the building itself, we will not leave it grey. We would like to spiff it up with some added color, texture and materials. The front entry will be clad with even storefront material. The back entrance will be built with a CMU block, split face with access to tie in the existing smooth face structure. We're trying to keep it attractive and keep the existing structure there and utilize it. We feel that it's an appropriate use for that existing facility. We feel that it's an attractive accent for the city and for that corner lot. With that I can answer any questions you may have. **Jace Hellman:** Good evening Chairman and Commissioners, Jace Hellman, Planning and Zoning Staff, 751 West Fourth Street. According to Kuna City Code, in order to operate an automobile shop within the Central Business District (CBD), a Special Use Permit and Design Review are required. The subject site is located in Downtown Kuna on the northwest corner of the roundabout. At the intersection of North Main and Linder Road, street lights, curb gutter and sidewalk we're installed in that part of this project in 2016. Staff would note that these parcels are included in phase two of Kuna's revitalization project. As a result of the overall revitalization, there has been a specific list of plants that's been created to be used within the Downtown area. The applicant does have a 10-foot landscape buffer along Linder Road and an additional landscape island on the side. There is an ingress and egress from Main Street. The applicant provides one shade tree and five shrubs for every 35 feet of street frontage. This project does conform with Kuna City Code. However, as part of this Downtown revitalization is requiring the applicant to work with staff to make some changes to the landscape plan. As far as the detail for what kind of plants come in, they are in conformance with the plant list for the revitalization project. According to the site plan dated August 23, 2018, there are 14 parking spaces. This does exceed Kuna City Code, which requires two spaces for each service bay. In a CBD, off-street parking is required where physically possible to get it behind the structure. The majority of proposed parking is in the rear, and staff would just recommend that the applicant keep the project cars working in the back of the lot. Also, it is important to reserve those for parking customers. J&M Sanitation commented, saying that the proposed location of the site does meet the needs, however, staff would require that the applicant work with J&M Sanitation to lower that enclosure to their standards. Staff would note that the applicant included a new site plan. Originally, they showed one that had vinyl fencing. They were made aware that this wasn't ok. They have submitted once a CMU that shows the brick enclosure with the steel gates. Staff has determined that this application does comply with Kuna City Code. I can answer any questions you may have. **C/Gealy:** I'm vaguely aware that automobile repair needs specific requirements for a disposal of waste. Is that something that is required by another agency? **Jace Hellman:** Department of Environmental Quality does have a list of comments. There is also existing drainage at the bottom, and thank you for bringing this up. There is existing drainage that is under this car wash. I'll add as a recommendation that the applicant be recommended to work with the Public Works Department staff on how to cap that drainage. Sludge and things do not drain into the water system. **C/Young:** I'll open the public testimony at 8:27 and I will close the public testimony at 8:28. They did a nice job fitting it into the location, but I think the redress of the building will be useful. I agree that the change-up of materials is appropriate. **C/Hennis:** It sounds like the drainage systems and recommendations will work with staff and the engineer. **Jace Hellman:** I was going to add that there is a condition to get drainage plans approved through the City Engineer, but if we want to add additional restriction, then I guess that it would probably be beneficial.

*Commissioner Hennis motions to approve Case No. 18-11-SUP and 18-27-DR with the conditions as outlined in the staff report and a condition to work with staff to make sure that the landscape buffer complies with the revitalization effort and work with the City Engineer to make sure the appropriate existing drainage system is capped or relocated. Commissioner Gealy Seconds; Motion carried 2-0.*

### 3. COMMISSION REPORTS

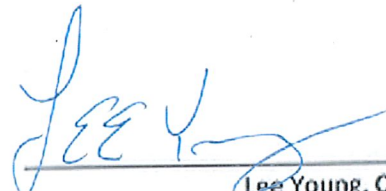
### 4. ADJOURNMENT

**CITY OF KUNA  
PLANNING & ZONING COMMISSION**


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**MEETING MINUTES  
Tuesday, October 9, 2018**

*Commissioner Gealy motions to adjourn; Commissioner Hennis Seconds, all aye and motion carried 4-0.*

  
\_\_\_\_\_  
Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:

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