



KUNA PLANNING AND ZONING COMMISSION

Agenda for March 8, 2016

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

REGULAR MEETING

6:00 pm

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. Approval of the Planning and Zoning Commission meeting minutes for **February 23, 2016**.
- b. **Findings of Fact and Conclusions of Law:** 15-02-CPM, 15-04-ZC and 15-06 S; Mineral Springs - A Comp Plan Map designation change request for lot 2, block 6 within the Mineral Springs No. 2 Subdivision, from commercial to residential and to rezone approximately 6.50 acres (lot 2, block 6) from C-1 to R-4 and Preliminary Plat approval for 12 buildable lots.

3. PUBLIC HEARING

- a. **16-01-ZOA** (Zoning Ordinance Amendment) – A request by the City of Kuna to amend Kuna City Code (KCC), **Title 6- Subdivision regulations**, Chapter 4- Improvement Standards for street lights to require LED street lighting for increased energy efficiency within city limits.

4. ADJOURNMENT

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

**MEETING MINUTES
Tuesday, February 23, 2016**

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

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

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

1. CONSENT AGENDA

- a. Approve Planning and Zoning Meeting Minutes for February 9, 2016

*Commissioner Gealy motions to approve the consent agenda at **6:03 pm**; Commissioner Herther Seconds, all aye and motion carried 4-0.*

2. PUBLIC HEARING:

- a. **15-02-CPM** (Comprehensive Plan Map), **15-04-ZC** (Zone Change) and **15-06-S** (Subdivision); **Mineral Springs No. 3-** A request by P&F Development to change to the Comp Plan Map *designation* for lot 2, block 6 within the Mineral Springs No. 2 Subdivision, from commercial to residential. The applicant also requests to rezone approximately 6.50 acres (lot 2, block 6) from C-1 (Neighborhood Bus. Dist.) to R-4 (Low Density Residential) and Preliminary Plat approval for 12 buildable lots within the Mineral Springs Subdivision No. 2.

David Crawford: Commissioners, Chairman, my name is David Crawford with B&A Engineers. My address is 5505 W. Franklin Road in Boise. I am here representing the applicant, P&F Development for a new subdivision project called Mineral Springs Subdivision No. 3. I think the staff report highlights a lot of the details surrounding the project, but in general terms, it is an infill project that is intended to create or replace an idea for storage units that were in this project when it was originally platted in about 2005. Subsequent to that, there has been a large storage facility built just west of this project and the applicant has received a lot of interest in some larger lot homes, so our request is for a comprehensive plan modification, a zone change and approval of the preliminary plat. We have approximately six and a half acres or roughly thereabout if I am not mistaken, but in essence, we come up with about twelve half acre lots. So the lots are very large for this area; however, there has been quite a bit of interest in creating these larger lots for sale. We believe the zone change to be residential is consistent with surrounding properties and we believe that this project will fit well within the neighborhood. With that, I will stand for any questions that you may have.

C/Young: Ok. Are there any questions at this time.

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C/Hennis: No

C/Herther: I don't have anything.

C/Young: Ok. We'll have Troy come forward.

Troy Behunin: Good evening Commissioner Young and other Commissioners, for the record, Troy Behunin, Senior Planner for the City of Kuna. I believe the application before you tonight; 15-02-CPM modification request, 15-04-ZC zone change and 15-06-S subdivision. This request by David Crawford with B&A Engineering for P&F Development, which is Paul Beckman is for Mineral Springs Subdivision No. 3 which is a lot within the Mineral Springs No. 2 Subdivision. David Crawford has already touched on the major points surrounding this request and the reasons for it. I am here to tell you that the applicant has satisfied all of the noticing requirements including holding a neighborhood meeting with landowners within 300 feet. The site has been posted for tonight's meeting. They have turned all of the material that has been requested and they have even provided additional information and photos of the site which is included with your packet. Hopefully, you have had a chance to review everything. When this project actually started not too long ago, the question was raised: 'what about larger home lots in the subdivision rather than what is existing?' Right now, the owner of the property; P&F Development, if they wanted to, they could bring in any kind of permitted C-1 use which is a neighborhood commercial district. Originally it was planned to have storage facilities units there, but that was in 2007. Had that developed into storage facility, I don't think that we would experience some of the questions that we have from some of the people that do live in Mineral Springs right now. Staff has actually fielded a couple of phone calls from residents within this subdivision and also other neighboring subdivisions including Galiano Estates, which is Walnut Creek. Most of them are just curious as to what is happening, however, there have been a couple residents who have expressed that they were unaware that the lot was zoned C-1 when they purchased their lot and they may had thought a little longer about it, if they had known that.

Ron Herther: Welcome to reality.

Troy Behunin: So... for these reasons, and because it is in the comprehensive plan map designating this as commercial, the planning and zoning staff actually does support this request to turn this into a residential use rather than moving forward with a C-1 zone. Additionally, it was approved in 2007 and it has sat idle. We would rather see large lot homes collecting tax base rather than weeds growing and staff having to go out and take pictures and send the applicant letters, year after year to please spray or trim down your weeds. But all of that aside, we actually do support this. There is no reason why staff would have any questions or qualms about this change in use on the comp plan map, so we would also support the zone change and the subdivision that is presented. I will stand for any questions you have.

Troy Behunin: You know what; I don't know. The planning and zoning staff don't jump in the middle of whether it is two-story, single story, triple, basement, no basement... we don't get into that. The only event that would cause us to be involved is if it were a PUD (planned unit development) and a developer came to us and said: "look at all these wonderful houses that we are going to offer to potential home buyers". Then, we would say 'since you showed it to us, that is what you will be held to'. Other than that, we stay out of it.

C/Young: Any other questions for staff?

C/Gealy: I don't have any questions.

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C/Hennis: Nope.

C/Young: Ok. We'll open up the public testimony at 6:11 pm. I have listed under neutral to testify, Sharon Fisher.

Sharon Fisher: That would be me.

C/Young: Ok, please come forward and just state your name and address for the record.

Sharon Fisher: Yes, my name is Sharon Fisher; I live at 1432 W. Heartland which is in the Walnut Creek subdivision which is next to Mineral Springs, and before the applicant gets all nervous, I only put down neutral because that is all there is, I am in favor of the subdivision itself. The houses are nice. I don't have any problem with that, I have talked to the ... you know, we have toured the houses, we've talked to the developers, we are fine with that. What I am coming here to talk about is the Ardell and School Street collectors. I was reading in the packets that Ardell which is currently a single lane and is not, as far as I know, considered an actually a street and School Street, which right now, is an unstriped two lanes and not intended to be widened or anything as part of this project, and I think that's a missed opportunity. Ok, so in case you haven't been around there, I need to tell you something about what it is on Walnut Creek: our egress is on Ten Mile right? And right before us on Ten Mile, south of us, there is an irrigation ditch and so the road kind of goes over it, and so 4 billion people speeding down Ten Mile Road to get to the interstate every morning; you know they come over that hill and they can't really see us and it's kind of scary, especially if we are turning left. So if we are turning left, if we are heading downtown or if we are headed to Deer Flat or something like that, whether or not we are supposed to do it, we take that single lane of Ardell and cut through Mineral springs to Deer Flat and then go on to Deer Flat. Or we will go straight through School to go downtown and it goes the other way too, you there is people who come through off of Deer Flat and go through Mineral Springs and go to Walnut Creek. It may be that in the same way that the Walnut Creek people use a shortcut to get to School, the Mineral Springs people maybe using it as a shortcut to get to Ten Mile, I don't know. But all I am saying is that it is not unusual to see two or three cars there on that single lane extension at the time. In fact, I believe that the ... I don't know about for now, but at least at one point, the school buses were using that single lane of Ardell. So in any event, once these houses are built, there is going to be more development on School street itself... you know the northern part to get to Deer Flat. So if they are going to build out this parcel it seems like a wonderful opportunity to expand Ardell into a full two-lane road and then expand the School Street extension into a full striped two lanes. Right now it's kind of like two lanes wide; there is sidewalk, curb and gutter on one side but not on the other and then the same thing with Ardell; there is sidewalk, curb and gutter on one side and not on the other. But School Street isn't striped or anything, it is just pavement and especially since there is a parcel on the southwest corner now of School and Deer Flat that is coming up for development. I can't quite see what it is because the sign is really, really teeny and it's out in the middle of a field surrounded by barbed wire, but something is going on over there and I believe it is residential from when they had their last public hearing. So, what I would love to see aside from School being made into a full two-lane road and then Ardell getting two lanes and being made into a real street; I would love to see a dedicated left turn lane on both sides of School Street onto Deer Flat so that the people who are turning left don't block the traffic for everybody else. And what would be really cool is if there could be a smart Right... you know it stays green on Deer Flat all the time, but when people come up on School, it will turn green for them so that they can get onto Deer Flat safely. That would be really neat, in fact, since presumably, I would assume that the applicant is hoping that the nice big houses in his new parcel will attract families with kids, and since we are going to have more kids, I would love to see a crosswalk across Deer Flat. If you take School Street right up there and take it to Boise Street, that is the middle school. If you take Deer Flat and turn left, that takes you right down to the high school and so to get to the actual sidewalk on Deer Flat, you

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have to cross the street. So I would love to see a crosswalk across Deer Flat and then a HAWK pedestrian crossing. You know, one of those lit ones that will alert traffic so that kids crossing the street can walk or bike to the middle school or walk or bike to the high school. School Street is actually designated as a bike route if you go to the northwest corner of School Street and Deer Flat, there is one of those way-finding signs that is for bikes that it is so many miles to downtown and so many miles to the school. So it seems like if we are trying to encourage people in that area to ride their bikes, it would be nice to make it safe for them and the neat thing about this is if it is about kids walking to school, there is funding called safe routes to schools that could actually even pay for it and the city and ACHD wouldn't have to pay for it. Now, I actually walk from Walnut Creek to downtown; I walked it tonight, and I have to say even when you are a relatively spry adult crossing Deer Flat, you are kind of taking your life into your hands and yeah, I would hate to wait for there to be a tragedy before we actually took any steps on that. So, that is my neutral position, and I don't have any problem with the subdivision itself. Thank you for your consideration. Do you have any questions?

C/Young: Thank you. Maybe I will just quickly respond to a couple of your points. As far as a crosswalk is concerned, left turn lanes, widening and that all the items except for widening the School Street, are ACHD driven projects which we don't have control of here at the Planning and Zoning. And as far as the widening of School Street goes, the developer has met the requirements for developing from the centerline of that street over, and when parcels on the east side of School Street develop, then that will be in-filled at that time. But we can't put the onus on this developer for a future developer's work.

Sharon Fisher: Right. I am not saying that the developer has to do it. I was surprised when I read the ACHD report on this that said they did not feel that any sort of widening was necessary and I also saw that they didn't even bother to do a traffic count and I thought well maybe ACHD doesn't know that people are using this road that we are not supposed to use. You know, so maybe they just weren't aware of it. And yes, I know that you're P&Z and I know they are ACHD and I do know the difference; but I also know that the city of Kuna tells ACHD the sorts of projects that they would like to see and puts them on the priority list, and I also know that the schools also tell ACHD what projects they would like to see and if several agencies get together and say: 'hey, we would all like to have a crosswalk going across Deer Flat Road'... then it has a lot more effect on ACHD than a single citizen.

C/Young: That is true. Well thank you very much. And seeing nobody else is signed up to testify, we will go ahead and ask the applicant if he wants to come up if he has any response.

David Crawford: Chairman, Commissioners, again David Crawford for the record representing the applicant, P & F Development. I think all those insights offered by Ms. Fisher; there is certainly a lot to be said about that and I have been involved in a lot of projects and many created Ardell including Walnut Creek, and one thing I can say is that there is a plan currently in place to finish the construction and widening of School Street. It has recently been proposed with the Ardell Estates subdivision, which is also another one that I am working on that will eventually throughout its development process, abut School Street and finish the widening over there. So I think when it comes to a funding mechanism, I think everybody would be more than happy to let the developer finish that when he gets there instead of spending tax dollars to do it. Ardell Street will also be improved with Ardell Estates subdivision on the south side much as we see it in this particular development, but we also have Arbor Ridge which exists immediately north and east of this development, which is also slated to construct the north side of Ardell and it will actually make a connection out to Linder Road, which would be a miracle and it is what this road really needs. Many years after we built Mineral Springs, we built that half of it and Walnut Creek came along and built its other half of the right of way and a very small portion of Ardell, so it is fully constructed to a collector width along a very small portion, but until the neighbor to the north of Mineral Springs here comes in and develops in one way, shape or form; then that half probably won't be developed.

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But who knows what will happen in the future? So, I agree that there is definitely at least some investigation that needs to be done for lighting and crosswalks and safe routes to school may very well be a great place to secure some additional funding. Of course, with a very small development that we have here, we certainly couldn't share the load of putting in a street light down there. Anyway, I will stand for any questions you might have.

C/Young: Ok. Anyone have anything?

C/Hennis: No, I think it has been pretty well covered.

C/Young: Ok, thank you. Then we will close the public hearing at 6:22 pm, and then that brings up our discussion and ...

C/Hennis: I don't seem to have any issues with it. I think it is pretty well laid out. I think it is bigger lots that people have been wanting. It's not going to crowd things and like he said, as these others come in then that is going to widen the streets and such but we really don't have any control over anything there to help the situation even though we might agree with it.

C/Young: I think that it fits in and I think the neighborhood will be happier with half acre lost versus a storage facility next door so I am ok with this application as it is. I don't if anyone has any thoughts or...

C/Gealy: I just have one clarification on the preliminary plat where it says "existing entrance to be removed"; I am just assuming they'll adjust the landscaping when you remove that?

David Crawford: Commissioner Gealy, is it?

C/Gealy: Gealy.

David Crawford: Gealy, excuse me. Yes, what we intend to do there is of course remove the existing concrete curb radius' and place curb and gutter in there and extend the sidewalk through to remove that connection that provided and yes it will be landscaped with grass and probably a tree or two.

C/Gealy: Thank you.

C/Young: Ok, anything else?

Commissioner Hennis motions to recommend approval of 15-02-CPM, 15-04-ZC and 15-06-S with the conditions of approval as outlined in the staff report; Commissioner Herther Seconds, all aye and motion carried 4-0.

C/Gealy: I have a question with regard to the concerns that Ms. Fisher has brought before us, especially with respect to a crosswalk on Deer Flat and probably one on School and Ardell as well; what would be the approach we would take?

Troy Behunin: What we should do is we should talk with City Council and we should try and get it ... what Sharon Fisher actually said was correct; we need to get that on the priority list as a project from ACHD and we can get the school involved. There might be some funds out there with safe routes to school; they can also help fund

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some of these things. It is difficult to get lights, especially crossing lights, but it's not impossible. Projects like a crosswalk or other improvements; yeah, those would need to go through ACHD and be on the request list that the city sends to ACHD annually.

C/Gealy: And can we affect that?

Troy Behunin: We can affect it.

C/Gealy: And we will?

Troy Behunin: We will.

C/Gealy: Thank you.

Troy Behunin: There is a lot more going on here in this area than there was when Mineral Springs was originally approved, so we are going to have a lot more homes in this area in the next five or six years, which is good. But with that, we will also have improved access like David said.

C/Gealy: Ok, I don't have any other questions.

3. ADJOURNMENT:

Commissioner Gealy motions to adjourn at 6:27 pm; 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



City of Kuna

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Findings of Fact & Conclusions of Law – P&Z

To: **Planning and Zoning Commission**

File Numbers: **15-02-CPM** (Comprehensive Plan Map Modification)
15-04-ZC (Zone Change)
15-06-S (Subdivision)

Location: SWC of Ardell Road & School Avenue
Kuna, Idaho

Planner: Troy Behunin, Senior Planner

Hearing date: February 23, 2016

Findings of Fact: **March 8, 2016**

Applicant: **P & F Development (STKR Invest.)**
Paul Beckman
3585 W. State St.
Eagle, ID 83616

Representative: **B & A Engineers, Inc.**
David Crawford
5505 W. Franklin Rd.
Boise, ID 83705
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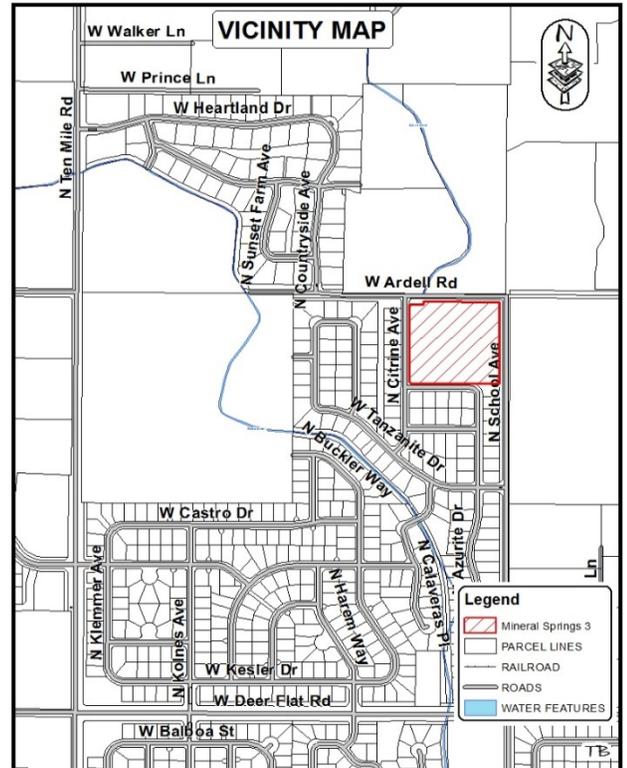


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A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), states that Comprehensive Plan Map Modifications, Rezones 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 5, 2015 (Three persons attended) |
| ii. Agency Comment Request | January 4, 2016 |

- iii. 300' Property Owners February 8, 2016
- iv. Kuna, Melba Newspaper February 3, 2016
- v. Site Posted February 11, 2016

B. Applicants Request:

1. Request:

A request by P & F Development to change to the Comprehensive Plan Map (Comp Plan) *designation* for lot 2, block 6 within the Mineral Springs No. 2 Subdivision, from commercial to residential. The applicant also requests to rezone approximately 6.50 acres (lot 2, block 6) from C-1 (Neighborhood Business District) to R-4 (Low Density Residential) and Preliminary Plat approval for 12 buildable lots within the previously constructed Mineral Springs Subdivision No. 2. The site is located at the southwest corner (SWC) of Ardell Road and School Avenue.

C. Aerial Map:



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D. Site History:

This site was approved in 2005, as a residential and commercial mixed-use PUD. It included approximately 48 acres for single family units and approximately 4.50 acres of commercial area as a whole. In April 2007, the final plat for Mineral Springs No. 2 recorded with the Ada County Recorder's office. Since its construction in 2006/07, Lot 2, Block 6 has remained a vacant field.

E. General Projects Facts:

1. **Legal Description:** Lot 2, block 6, Mineral Springs No. 2.

2. **Surrounding Land Uses:**

North	R-4, RR	Low Density Residential - Kuna City; Rural Residential – Ada County
South	R-6	Medium Density Residential – Kuna City
East	R-6	Medium Density Residential – Kuna City
West	R-6	Medium Density Residential – Kuna City

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

- Parcel Size: 6.50 acres (approximately)
- Zoning: Neighborhood Commercial District; (C-1).
- Parcel #: R5741281000

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 are no structures on site. Vegetation on site is generally associated with an open field.

6. **Transportation / Connectivity:**

The site is the south west corner (SWC) of School Avenue and Ardell Road. The site does not touch either frontage. Access will not be granted to/from School or Ardell Roads. A common lot is between this lot and the public rights-of-way.

7. **Environmental Issues:**

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

8. **Comprehensive Future Land Use Map:**

The site is identified as Commercial on Kuna’s Comp Plan Map. Staff views this proposed land use request to be consistent with the surrounding area land uses and although it does not match the approved Comp Plan Map designation, the proposed use matches the current surrounding uses.

9. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.) page 23, ACHD (Dawn Battles) page 27, Boise Project Board of Control (Tom Ritthaler) page 29, Central Dist. Health Dept. (form letter) page 31, (Idaho Transportation Department (ITD) page 32. The responding agency comments are included with this case file and are included with this report.

F. Staff Analysis:

When this project was originally approved by Council in 2005 it was established as a Planned Unit Development (PUD) which allowed for a commercial zoning for this lot. The applicant’s original intention was to develop this lot into storage units, a commercial use. Since 2007, the lot has been vacant with little interest from the developing community to place storage units. Additionally, staff has fielded multiple phone calls (since 2008) from residents within Mineral Springs concerned about the placement of storage units.

Since 2007, other adjacent projects have developed or recently received approvals supporting a desire for residential use in the area. While the Comp Plan Map (CPM) calls for a commercial use for this lot, staff believes this CPM change and rezone request to be in harmony with adjacent uses and current zoning.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case # 15-02-CPM, 15-04-ZC and 15-06-S subject to the recommended conditions of approval listed in section ‘N’ of this report.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230
2. City of Kuna Comprehensive Plan
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

H. Procedural Background:

On February 23, 2016, Commission considered the project, including the application, agency comments, staff's report, application exhibits and public testimony presented or given. The Planning and Zoning Commission recommended approval to City Council by voting 4-0 in favor, with the following conditions:

- Approve project according to the information outlined in the staff report and specifically the recommended conditions of approval.

I. Findings of Fact for Commissions Approval:

1. **15-02-CPM, 15-02-ZC and 15-06-S:** Based on the record contained in Case No.s 15-02-CPM, 15-04-ZC and 15-06-S, including the exhibits, staff's report and the public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *approves/denies* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 15-02-CPM, 15-04-ZC and 15-06-S, Comp Plan Map Change, rezone and preliminary plat.
2. The Kuna Commission accepts the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.

Comment: *The Kuna Commission held a public hearing on the subject applications on February 23, 2016 to hear from the City staff and the applicant and to accept public testimony. The decision by the Commission is based on the application, staff report and public testimony, both oral and written.*

3. Based on the evidence contained in Case No.'s 15-02-CPM, 15-04-ZC and 15-06-S, this proposal appears to generally comply with the Comprehensive Plan and Comp Plan Map.

Comment: *The Comp Plan Map designates the approximately 6.50 acres (subject property) as commercial. The proposed project is planned to be 1.85 dwelling units per acres, which conforms with adjacent residential uses.*

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

Comment: *On February 23, 2016, Kuna Commission will vote to recommend approval or denial of applications 15-02-CPM, 15-04-ZC and 15-06-S.*

5. 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 February 23, 2016.*

J. Factual Summary:

This site is located near the southwest corner (SWC) of Ardell Road and School Avenue. Applicant has proposed a Comp Plan Map change for approximately 6.50 acres in City limits and requested to rezone (approximately) 6.50 acres from C-1 (Neighborhood Commercial District) to R-4 (Low Density Residential).

The site will take access from the established internal road network (Smokey Quartz) within Mineral Springs No.2.

Applicant proposed a 12 lot residential subdivision known as the Mineral Springs No. 3 Subdivision.

The applicant seeks an R-4 (Low Density Residential) zone for the subdivision. Applicant proposes a single phase of development.

K. Comprehensive Plan Analysis:

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

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

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.

Comment: The proposed application complies with the comprehensive plan by providing 12 lots of mixed lot sizes to meet this goal.

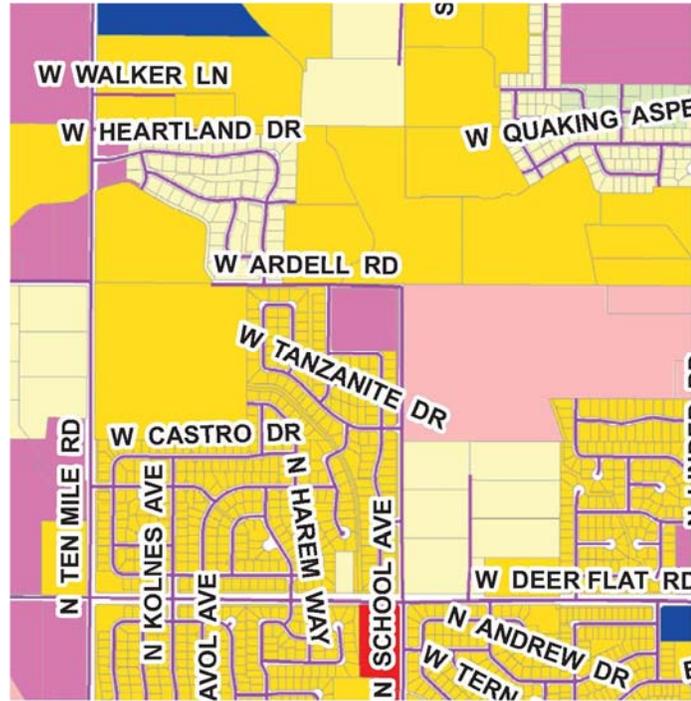
Land Use Goals and Objectives - Section 6 - Summary:

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.

Comment: The project complies with the land use plan as adopted by the City by incorporating the following; varied housing densities and types and promotes a desirable character and high quality neighborhood.

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.

Comment: Applicant has proposed 12 lots which will contribute to high quality lots of varied sizes in a logical and orderly manner.

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.

Comment: The application incorporates sound community design.

L. Kuna City Code Analysis:

1. This request appears to be consistent and in compliance with all Kuna City Code (KCC).

Comment: The proposed project meets the land use and area standards in Chapter 3, Title 5 of the KCC. Staff also finds that the proposed project meets all applicable requirements of Title 6 of the KCC.

2. The site is physically suitable for a subdivision.

Comment: The 6.50 acre (Approximate) subdivision includes a mix of large lot sizes.

3. 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 subdivided is an empty lot within an existing subdivision and is not used as wildlife habitat. Roads, homes 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.

4. The Subdivision application is not likely to cause adverse public health problems.

Comment: The subdivision of the property requires a zoning designation per Kuna Code 5-13-9. The low density zoning designation requires connection to public sewer and water, therefore eliminating the occurrence of adverse public health problems.

5. 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 Comp Plan Map change, rezone and subdivision did consider the location of the property and adjacent uses. The subject property is located within an existing subdivision and will be connected to the public sewer and potable water systems. The adjacent uses are both farmland (for now) and residential – that are also designated as future residential uses in the Kuna Comprehensive Plan Map.

6. 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.

M. Conclusions of Law:

1. Based on the evidence contained in Case No.s 15-02 CPM, 15-04-ZC and 15-06-S, Commission finds Case No.s 15-02 CPM, 15-04-ZC and 15-06-S complies with Kuna City Code.
2. Based on the evidence contained in Case No.s 15-02 CPM, 15-04-ZC and 15-06-S, Commission finds Case No.s 15-02 CPM, 15-04-ZC and 15-06-S are generally consistent with Kuna's Comprehensive 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

N. Recommended Conditions of Approval:

15-02 CPM, 15-04-ZC and 15-06-S, Note: *This proposed motion is to approve, conditionally approve, or deny these requests. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

On February 23, 2016, the Planning and Zoning Commission voted to recommend *approval/denial* for Case No.s 15-02 CPM, 15-04-ZC and 15-06-S, based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends approval/denial for Case No.s 15-02 CPM, 15-04-ZC and 15-06-S, a Comp Plan Map change, Rezone and Subdivision request from David Crawford (B&A Engineers) and Paul Beckman (P & F Development), with the following conditions of approval to Council:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- With development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. Street lights within the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.

7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage within/for the project shall comply with Kuna City Code.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
12. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
13. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED this 8th, day of March, 2016

Lee Young - Chairman
Planning & Zoning Commission

ATTEST:

Troy Behunin
Senior Planner
Kuna Planning and Zoning Dept.



CITY OF KUNA
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Bob Bachman, BOC 1, IBC
Facilities Director
City of Kuna

MEMO

Date: February 23, 2016
From: Bob Bachman, Facilities Director
To: **Planning and Zoning Commission**
RE: **Proposed Street Light Ordinance Amendment**

Planning and Zoning Commission,

The City of Kuna would like to make changes to the current street light ordinance. The purpose of the ordinance amendment is to move the City to a more energy efficient street light program. The proposed ordinance change would be in line with what other cities are moving towards. These new light standards are the same as ACHD's. Currently, we have 100 watt and 250 high pressure sodium lights. If you notice on the attached street light ordinance amendment, we would be saving a significant amount of wattage, while at the same time increasing the quality of light.

Thanks for your consideration.

Bob Bachman
Facilities Director

**RESOLUTION NO. R
KUNA, IDAHO**

A RESOLUTION OF THE CITY COUNCIL, KUNA, IDAHO ADOPTING THE LED LIGHTING FIXTURES- APPROVED PART NUMBER LISTING FOR THE CITY OF KUNA, IDAHO STREET LIGHTING IN ACCORDANCE WITH KUNA, IDAHO ORDINANCE NO.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho that the APPROVED PART NUMBER LISTING FOR CITY OF KUNA STREET LIGHTING, attached hereto as **Exhibit A**, is hereby adopted as the required LED Lighting Fixture Standards for the City of Kuna, Idaho, in accordance with KUNA, IDAHO ORDINANCE NO. .

PASSED BY THE COUNCIL of Kuna, Idaho this ____ day of February 2016.

APPROVED BY THE MAYOR of Kuna, Idaho this ____ day of February 2016.

Joe Stear, Mayor

ATTEST:

Chris Engels, City Clerk

Shoebox:

APPROVED PART NUMBER LISTING FOR CITY OF KUNA STREET LIGHTING

Watt Class Version eff. DEC. 1, 2015

The following is an approved part number listing for the City of Kuna public street lighting. All lighting projects within the City of Kuna shall use these products or an approved equal. Contact the City of Kuna Street Light Office at (208) 577-8794 to seek approval for products not listed below (approved equal).

Part numbers listed for fixtures are basic and may not indicate the correct color or other features you need. Please verify part numbers with the vendors to ensure you are getting what you want to include the correct mounting hardware and color for your application.

Street light requirements including type, wattage, and pole height will be established by City of Kuna Street Light staff.

STANDARD LIGHT FIXTURES -SHOEBOX

All lighting to meet ANSI C136.15-2011 For Field Wattage Identification and must have a label attached from an OSHA accredited Nationally Recognized Testing Lab.

- 50 Watt Class – Equal to or greater than 4400 Lumens
- 90 Watt Class – Equal to or greater than 9100 Lumens

Manufacturer	Output	Part Number
Cooper Streetworks RDG Ridgeview (B bar only)	50 Watt class - 4534 Lumens 51 watt 89 lpw 90 Watt class - 8885 Lumens 95 watt 93 lpw	RDG- B02-LED-E-U-T3A-BZ-4 RDG- B04-LED-E-U-T3A-BZ-4
	Leotek Arieta LED	50 Watt class – 4807 Lumens 51 watt 94 lpw 90 Watt class - 9679 Lumens 95 watt 100 lpw
Lithonia Lighting Contour Series KAD LED	50 Watt class - 4807 Lumens 46 watt 100 lpw	KADLED20C70040KR3MVOLTSP D04DDBXD
	90 Watt class - 8942 Lumens 81 watt 111 lpw	KADLED40C70040

Cobra Fixture:

APPROVED PART NUMBER LISTING FOR CITY OF KUNA STREET LIGHTING

Watt Class Version eff. Jan.??2016

STANDARD LIGHT FIXTURES -COBRA HEAD

The following is an approved part number listing for the City of Kuna public street lighting. All lighting projects within the City of Kuna shall use these products or an approved equal. Contact the City of Kuna Street Light Office at (208) 577-8794 to seek approval for products not listed below (approved equal).

Part numbers listed for fixtures are basic and may not indicate the correct color or other features you need. Please verify part numbers with the vendors to ensure you are getting what you want to include the correct mounting hardware and color for your application.

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•50 Watt Class – Equal to or greater than 4400 Lumens

•90 Watt Class – Equal to or greater than 9100 Lumens

Manufacturer	Output	Part Number
Autobahn Series ATBO	50 Watt class - 4807 Lumens 49 watt 98 lpw	ATBO 20BLED70 MVOLT R3 NL
Autobahn Series ATB2	90 Watt class - 9259 Lumens 94 watt 99 lpw	ATB2 40BLED70 MVOLT R3 NL
Autobahn Series ATBM	50 Watt class - 90 Watt class - 8942 Lumens 81 watt 111 lpw	None ATBM C MVOLT R3 4B NL
Cooper Street Works OVH & OVF	50 Watt class – 4625 Lumens 51 watt 91 lpw	OVHB02LEDEUT3AP4 OVHB04LEDEUT3 AP4
Cooper Street Works NVN Navion (AE LED chip only)	50 Watt class - 90 Watt class - 9122 Lumens 80 watt 114 lpw	None NVN-AE-03-E-U-T3-10K-530-4- BK

LEOTEK GCJ2 Green Cobra	50 Watt class - 4400 Lumens 48 watt 92 lpw	GCJ2 20G MV NW 3 GY 700 W
LEOTEK GC1 Green Cobra	50 Watt class – 4600 Lumens 47 watt 98 lpw	GC1 20F MV NW 3 GY 700 WL GC1 40F MV NW 3 GY 700 WL
LEOTEK EC ECobra-head LED Light	50 Watt class – 5000 Lumens 54 watt 93 lpw 90 Watt class - 11700 Lumens 130 watt 90 lpw	EC1-6M-MV-NW-3-GY-700-WL EC4-14M-MV-NW-3-GY-700- WL