



**KUNA PLANNING & ZONING COMMISSION
MINUTES**

Tuesday, October 13, 2020

Open to the Public

Per the Order issued by Central District Health on July 14, 2020, Social distancing and face masks will be required. Council chambers audience occupancy was 15.

Due to technical difficulties, the meeting was not available on Facebook Live.

1. CALL TO ORDER AND ROLL CALL: 6:01 PM

COMMISSIONERS:

Chairman Lee Young
Vice Chairman Dana Hennis
Commissioner Cathy Gealy
Commissioner Stephen Damron
Vacant

CITY STAFF PRESENT:

Wendy Howell, Planning & Zoning Director
Troy Behunin, Planner III
Doug Hanson, Planner
Jessica Reid, Planning & Zoning Staff

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

A. Planning and Zoning Commission Meeting Minutes

I. September 8, 2020

C/Gealy: I would like to break this into pieces, part A planning and zoning meeting minutes have been corrected to reflect 'minutes' in the title instead of 'agenda'.

B. Findings of Fact & Conclusions of Law

I. Case No. 20-18-DR (Design Review) Medical Office at Redhawk Square

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

Voting Aye: Chairman Lee Young, Commissioner Dana Hennis, Commissioner Cathy Gealy, and Commissioner Stephen Damron.

Voting No: None

Absent: 1 (Vacant Seat)

Motion carried: 4-0-1

3. PUBLIC HEARING:

A. Case No. 20-02-OA (Ordinance Amendment) Home Occupation – ACTION ITEM

Wendy Howell: Wendy Howell, Planning and Zoning Director, PO Box 13, Kuna, Idaho. This proposed code change is geared toward opening up more opportunities for Kuna's citizens to operate a home business with requirements that will keep the neighborhoods feeling and looking like a neighborhood, not a business district. The ordinance complies with and aligns itself with the goals and objectives of the Comprehensive Plan. The city attorney has reviewed and commented on this ordinance, his recommendations have been incorporated into the ordinance. **C/Young:** Are there any questions for Ms. Howell? **C/Hennis:** Not at this time. **C/Gealy:** I don't have any questions about the ordinance itself, but it did raise a question in my mind; because so many people are working from home right now, what is the

position from the city on those working from home? **WH:** Working from home is not the same as operating a business from their home. **C/Gealy:** It is not a home occupation? **WH:** Correct. **C/Gealy:** Thank you, no further questions. **C/Young:** Is there anyone present for the public hearing? **Jessica Reid:** There wasn't anyone signed up to testify. **C/Young:** Ok, I will officially open the public hearing at 6:07 PM. Seeing none, I will close the public hearing at 6:08 PM; that brings up our discussion. **C/Gealy:** I have no concerns. **C/Hennis:** I think it is a good clarification, I didn't see too much that was different. **C/Young:** The cleaned-up definitions are better. **C/Hennis:** I agree.

Commissioner Dana Hennis moved to recommend approval of Case No. 20-02-OA (Ordinance Amendment) for Home Occupation. Seconded by Commissioner Stephen Damron. Approved by the following roll call vote:

Voting Aye: Chairman Lee Young, Commissioner Dana Hennis, Commissioner Cathy Gealy, and Commissioner Stephen Damron.

Voting No: None

Absent: 1 (Vacant Seat)

Motion carried: 4-0-1

B. Case No.'s 20-07-S (Preliminary Plat) and 20-16-DR (Design Review) Memory Ranch No. 6 – 9 – **ACTION ITEM**

Doug Hanson: Good Evening Mr. Chairman, Members of the Commission, for the record Doug Hanson, Kuna Planning and Zoning Staff, 751 W 4th Street. The application before you this evening is proposing to subdivide approximately 67.5 acres into 281 total lots (259 buildable lots and 22 common lots). The property was originally annexed into Kuna City Limits with an R-6 (Medium Density Residential) zoning district as a part of the original Memory Ranch application approved in October of 2015. The applicant proposes 9.5% of the project be dedicated to useable open space, which is compliant with Kuna City Code. Included in the useable open space is a 4.4-acre park to include a picnic shelter, play structure and half basketball court. Pathways are provided throughout the subdivision to provide pedestrian connectivity. In addition to improvements to Lake Hazel Road the project will construct sections of two entirely new collector roads, Shayla Avenue and Butterfly Street. Shayla Avenue is proposed and a north south major collector and Butterfly Street is proposed as an east west major collector, conforming to the Street Circulation Map. Staff recommends that both roadways be constructed as half of a 36-foot street section plus 12 additional feet of pavement widening, with vertical curb, gutter and detached sidewalk installed in accordance with KCC 5-17-13 and 6-4-2 and ACHD Policy. Following review, staff has determined the preliminary plat and design review requests are within technical compliance of the Kuna City Code, Idaho State Code and the Kuna Comprehensive Plan. As a reminder, the preliminary plat is before you as a recommendation to the City Council, and the Design Review is seeking your decision this evening. If the Commission approves the design review and recommends approval of the pre plat, Staff would recommend that the applicant be subject to the conditions of approval listed in section "I" of your staff report, as well as any other additional conditions, this decision-making body decides to impose. **C/Young:** Are there any questions for staff at this time? **C/Gealy:** I did have one question with respect to the condition to include the see-through fencing on the pathways; I didn't see that specified in the conditions of approval, it's just listed that fencing within and around shall comply with Kuna City Code. Would that comply? **DH:** Yes, that would be under the purview of the greater City Code, however, it can be added as an additional condition if you would like to be more specific; it is covered under the applicable standards. **C/Gealy:** Thank you, that was the only question I had. **C/Young:**

Any other questions for staff at this time? **C/Hennis:** Not at this time. **C/Damron:** No. **C/Young:** Could the applicant please come forward and state your name and address for the record and tell us about your project. **Jane Suggs:** Good evening Commissioners, my name is Jane Suggs with Gem State Planning, 9840 W Overland Road, Boise, Idaho, 83709. I do not have much to add as Doug has explained it. This was annexed and zoned R-6 back in 2015, we have already pursued Memory Ranch phases 1 – 5; we are now completing phase 4 and next summer we will be in phase 5. That plat was 262 home on 67 acres and this is very close, with 259 homes on 67.5 acres; if the clerk could put up the map of the vicinity, it shows both Memory Ranch and Memory Ranch 6 – 9. On the map, everything showing east of the green Harris Lateral that runs through the property, is Memory Ranch already under construction, then everything to the west is Memory Ranch phases 6 – 9. You can see the connectivity at Salutation Drive will cross over Harris Lateral, and as Doug pointed out, we are going to be building a new street along the west boundary of Memory Ranch 6 – 9, and along the south boundary. The amenities, if the clerk could put up the landscape plan; there is a big park in the northern portion of the site which will include a picnic shelter, a play structure, and a half basketball court. We have a signature type of design now where we put pathways between blocks so that we can get people from one part of the neighborhood to another, and to give them great access to the park. To address the Commissioners request about fencing, we do have two types of fencing for the different areas, we show wrought iron fencing along Harris Lateral behind those homes, but there is also an option in City Code to allow for lower fencing when you are next to a pathway; in some of these locations we do show a 4-foot vinyl fence versus the 6-foot vinyl fence, it provides the same security where you can see over the fence. We do have in the original Memory Ranch, a tot lot, a picnic shelter and a parking area; we had a pre-construction or pre-con meeting on the pool and that will service the entire Memory Ranch community. The pre-con was held a few weeks ago, they have not started construction yet, but it will be operational next summer. I will stand for questions. **C/Young:** Are there any questions for the applicant at this time? **C/Gealy:** Ms. Suggs, we received this public testimony form this evening, did you receive it as well? **JS:** I received it a few moments ago when I walked in, and it does raise issues that I know the city is facing right now because Kuna is growing; roads, safety, electrical power, internet. One of the reasons that this was annexed in 2015 and not platted at that time was, Idaho Power didn't have the power to supply there; it is in their work plan for next year so that is why we are going through the process now. The rest of the items are larger issues than what one neighborhood can handle, but I think by using the existing zone that was approved in 2015, we are adding to that and creating a great community where people can live in a location where there are some recreation activities. That is all the response I had time to prepare for, but I do understand the concerns that people have; I believe the lady who wrote this lives on the north side of Lake Hazel, just where Shayla would come up, she lives close to this property on a larger lot. **C/Gealy:** Thank you. **C/Young:** Are there any other questions? **C/Hennis:** No. **C/Damron:** What is your proposed build out date or completion date on this? **JS:** If we get started next year in 2021, we say about 5 years, 2026. **C/Damron:** Ok, thank you. **C/Young:** I will open the public testimony at 6:17 PM. At the time we began, we did not have anyone signed up, is there anybody here that would like to testify on this application? Seeing none, I will close the public testimony at 6:18 PM. Bringing up are discussion, is there anyone who would like to go first? **C/Damron:** It looks like they are going to do the construction on the roads in 2023, so before the total builds out date is met, they will be working on that and getting it taken care of with a signal and widening for traffic flow. As far as power and internet, that is on the power company and the internet company. **C/Hennis:** And the power is set for next year, so that will be good. **C/Damron:** That will be mitigated. **C/Hennis:** More customers coming in is what is going to bring the internet service in there better; they're dropping fiber all over the place with the different groups that are now

competing, I think it's one of those things where they aren't going to bring it in until they get the service requests. It's a double-edged sword. **C/Damron:** That's true. **C/Hennis:** I like the layout, it continues well with what they have, I like the open space they have provided; I know this has been in the works for several years and I like the amenities they are putting in. I don't have any issues at this point. **C/Gealy:** I have no concerns, it appears to be well designed, there's good connectivity with the neighboring phases. I do appreciate your responses to the concerns raised by this late addition, I do think it's important that we address the concerns that people raise. In reflecting on some of our hearings, sometimes we say things once and then assume they carry over from one hearing to another and that's not necessarily so. I would like to reiterate that traffic considerations are addressed by the Ada County Highway District, the electric power supply is addressed by Idaho Power, internet services are a competitive industry here and I would like to again so, as the demands go up, those competitors should be providing better and better internet services. I think the applicant has done a nice job in providing the parks and pathways and addressing the need for recreation in the development. **C/Young:** I agree, I think what they have done is appropriate. As far as traffic and traffic mitigation, between what they are going to be required to do and the other developments nearby will be required to do as they go in. As you see in areas that are closer into town, those are starting to come together with streets that are coming through and becoming the true collectors they were intended to be. **C/Damron:** I agree. **C/Young:** If there are no other questions, concerns or comments, I will stand for a motion. **C/Hennis:** We will have to break this down into two, in regards to the design review and the landscaping, was there any issues that anyone had? I didn't see anything; I think it matches the previous section of Memory Ranch 1 – 5. **C/Young:** I agree, things flow together, it all meets code and its requirements. **C/Hennis:** Ok.

Commissioner Dana Hennis moved to recommend approval for Case No. 20-07-S (Preliminary Plat) for Memory Ranch 6 – 9 with the conditions as outlined in the staff report. Seconded by Commissioner Stephen Damron. Approved by the following roll call vote:

Voting Aye: Chairman Lee Young, Commissioner Dana Hennis, Commissioner Cathy Gealy, and Commissioner Stephen Damron.

Voting No: None

Absent: 1 (Vacant Seat)

Motion carried: 4-0-1

Commissioner Dana Hennis moved to approve Case No. 20-16-DR (Design Review) for Memory Ranch 6 – 9 with the conditions as outlined in the staff report. Seconded by Commissioner Cathy Gealy. Approved by the following roll call vote:

Voting Aye: Chairman Lee Young, Commissioner Dana Hennis, Commissioner Cathy Gealy, and Commissioner Stephen Damron.

Voting No: None

Absent: 1 (Vacant Seat)

Motion Carried: 4-0-1

C. Case No. 20-04-ZC (Rezone) Durrant – ACTION ITEM

Doug Hanson: Good Evening, Mr. Chairman, members of the commission, for the record, Doug Hanson, Kuna Planning and Zoning staff 751 W 4th St, Kuna, ID 83634. The application before the evening is for the rezone for a property located near the NWC of Linder and Columbia Roads. The applicant is proposing to rezone the approximate 12.15-acre site from its current zoning classification of Agriculture to R-6 (Medium Density

Residential). There is no development associated with the proposed application. Following review, staff has determined the rezone request is within technical compliance of the Kuna City Code, Idaho State Code and the Kuna Comprehensive Plan. As a reminder, the rezone is before you as a recommendation to the City Council. If the Commission recommends approval of the rezone, Staff would recommend that the applicant be subject to the conditions of approval listed in section "I" of your staff report, as well as any other additional conditions, this decision-making body decides to impose. I will stand by for any questions.

C/Gealy: I have no questions. **C/Young:** Any questions for staff? **C/Damron:** I have no questions. **C/Hennis:** I had one question, it seemed like in the report it said something like although this was designated in the Comprehensive Plan as mixed use but R-6 is coming in; it said somewhere that is still ok? **DH:** The parcel and its surrounding parcels on the Future Land Use Map are made up of public, commercial, and medium density residential, so staff still views this as a mixed use area as well as the fact that the rezone is being done in preparation for a lot split that will occur in a following application. **C/Hennis:** Ok, so you view the area as mixed use. Thank you. **C/Young:** Anything else for staff at this time? Ok, if the applicant is here, please step forward and state your name and address for the record.

Jarom Wagoner: Thank you Mr. Chairman, my name is Jarom Wagoner, address is 11846 Linden Road, Caldwell, I am here on behalf of Kent Brown Planning Services. This is a pretty simple request, my client is looking to do some lot line adjustments and lot splits, essentially what would happen without this rezone, you would have split zoning on that parcel. We spoke with staff and they recommended the zoning gets moved forward so that when those lot line adjustments and lot splits take place, the parcel is completely comprised of the same zone; you won't have a little piece here and a little piece there. No development is planned at this time, it is just basically a request to help things move forward in the future. We are good with all conditions and have no issues in that regard. I will stand for any questions. **C/Hennis:** No questions. **C/Gealy:** I have no questions. **C/Damron:** No questions. **C/Young:** Thank you, before you sit down, could you please put your information down on the sign-up sheet? I'll open the public testimony at 6:27 PM, I didn't see anyone on the sheet so I want to make sure if there is anybody here to testify on this application. Seeing none, I will close the public testimony at 6:28 PM, that brings us to our discussion. It seems pretty simple to me, the parcels to the north are residential, the large parcel next to it is the high school, I think it all fits with the surrounding area. **C/Hennis:** I'm kind of overthinking this, but with that shape of a lot off of Columbia, if they lot split that, isn't it going to be hard to have access? **DH:** For the record, Doug Hanson. As a quick correction, it is actually for a future lot line adjustment application, I apologize. **C/Hennis:** Ok, I understand, that makes more sense. I think it's appropriate. **C/Young:** Any other thoughts? **C/Gealy:** I have no concerns. **C/Damron:** No concerns.

Commissioner Dana Hennis moved to recommend approval for Case No. 20-04-ZC (Rezone) for Durrant rezone with the conditions as outlined in the staff report. Seconded by Commissioner Stephen Damron. Approved by the following roll call vote: Voting Aye: Chairman Lee Young, Commissioner Dana Hennis, Commissioner Cathy Gealy, and Commissioner Stephen Damron.

Voting No: None

Absent: 1 (Vacant Seat)

Motion carried: 4-0-1

D. Case No.'s 20-02-AN (Annexation), 20-04-S (Preliminary Plat) and 20-08-DR (Design Review) Rising Sun Commons – ACTION ITEM

Troy Behunin: Thank you Chairman Young and fellow Commissioners. Good evening, for the record, Troy Behunin, Planner III, 751 W 4th Street, Kuna. The applications before you tonight, 20-02-AN (Annexation) and 20-04-S (Pre Plat) are presented for you to recommend approval, conditional approval or denial to City Council, and 20-08-DR (Design Review) is before you for your approval, conditional approval or denial; the application materials have been assembled and presented as a packet for your consideration. The applicant seeks annexation of approximately 11.74 acres into Kuna City Limits with an R-6 Medium Density Residential zone, the zoning meets the Future Land Use Map (FLUM) designation. Currently, part of the property is zoned M-2 which is an Industrial zoning within the County, however, the County does not have the ability to provide services and the zoning does not align with the FLUM. This project is known as the Rising Sun Commons Subdivision and is located near the southwest corner of Kuna and Stroebel Roads, and is directly adjacent to the Rising Sun Estates which was approved in 2017. This project has significant frontage along Kuna Road and does propose access in two separate places, one on Kuna Road and a connection to a stub street within the neighboring Rising Sun Estates. Staff recommends that the applicant be conditioned to follow Kuna City guidelines for road widening and improvements which includes curb; gutter; sidewalk; street lights; and all of those things, along all of the streets including Kuna Road. Kuna Road is a classified roadway and the site touches Kuna City Limits on all four sides of the project, thus qualifying for annexation into the city. The applicant has proposed a preliminary plat for up to 43 buildable lots and 10 common lots, for a total of 53 lots; here are three proposed shared driveways. The applicant has submitted their subdivision landscape design review and staff has no concerns with the proposed landscaping. The applicant will be required to extend all public utilities to the site which will yield the 43 buildable lots; the Gross Density is proposed at 3.66 Dwelling Units (DU) per acre and with the 10 common lots there is approximately 1.26 acres of Open Space, or 10.7% of this site. The developer has acquired Rising Sun Estates which borders the south and east sides of this site, and this subdivision will be an extension of Rising Sun Estates. As such, the developer has also committed to extending and fully developing the pathway and two park ends of the pathway along Indian Creek in Rising Sun Estates; the developer has been working with the Parks and Rec Department and has committed to not only improve it, but to expand it. Thus, there will be some reduction in Rising Sun Estates in order to accommodate this expansion. The expansion of the area will be in concert with the Parks and Rec Department needs, and it will be a turn-key park dedicated to the city; there will be a put-in at Stroebel Road for the tubing activities of our citizens. With the commitment of expanding an already approved public amenity, coupled with making Rising Sun Commons an extension or Rising Sun Estates, staff does view this proposal coincide with the FLUM, Comprehensive Plan, and its goals, and Kuna City Code. I will receive any questions you may have.

C/Gealy: I do have some questions, but for the time being, and please correct my memory as I have not gone back to research; I seem to recall that we approved a plat for Rising Sun Estates. **TB:** Correct. **C/Gealy:** I remember having a conversation about the park along the creek, and there was going to be a park at the far west end of the development and nothing on the east end. **TB:** Correct. **C/Gealy:** Even though that is a popular put in spot for Indian Creek, but there would be a pathway or a trail. Will we be seeing a different plat for Rising Sun Commons to reflect a new park on the east end of the development? **TB:** All of which

you have stated is correct, yes, there is a trail, yes, there was a west side pocket park; the developer has been meeting with the Parks Department for a number of months. The trail will remain in place, there will be an expanded park on the west side, there will be an additional park on the east side against Stroebel Road; I don't want to steal his thunder, he will tell you the details but I can tell you that there will be an additional open space provided in addition to what was approved with the approved preliminary plat that you are recalling. There will be a slight change in the phasing as it comes through with Rising Sun Estates coming through, but it will be a reduction or at least a match for the approved plat. They have the opportunity to do all that without going through the pre plat process again. **C/Gealy:** Ok, thank you. Perhaps we should hear from the applicant before any other questions arise; I just wanted to make sure I remembered correctly. **TB:** Yes, you remembered correctly. **C/Young:** Any other questions for staff at this time? **C/Damron:** I'm not sure if this is a question for staff or for the developer; since we are putting in the access to the creek for people to float, what is our parking? Lots of people park on the road there so are they providing parking for that, because people will end up parking in the subdivision and that would be my concern due to the access point. **TB:** Yes, I think the applicant will expand on that. **C/Young:** Will the applicant come forward and state their name and address for the record? **Mark Tate:** Mark Tate, for the record, M3 Companies, 1087 W River Street, Suite 310, Boise, Idaho, 83072. Great questions, and I do have some images to show what is going on with the previous phase. The property is along Stroebel and Kuna Roads; Rising Sun Estates is the portion that borders Indian Creek on the south, this piece is the hole of the donut and fills in the preliminary plat that came before you not too long ago. At the time, the person that presented the application, wasn't going to acquire the piece in the middle; we are since in the process of buying the property and felt it was important to have the piece in the middle to make it efficient and make the layout work. Troy is correct, we do plan to make it and develop it as one community. This shows the approved preliminary plat and we have highlighted in red the piece we are presenting tonight; that is the only piece we will really be talking about tonight but I thought, for sake of memory, I would refresh your memory. There are generally large lots, there's 91 in total in the preliminary plat; the two park areas that we are making modifications to have been highlighted in green, where they are located. We do plan to keep the preliminary plat for this area at 91 units, it's not an increase or decrease in units, the lots still fit within the dimensional guidelines of the zone. We have talked with staff and the Parks Department; the road network stays the same and we thought that was an ok thing to do under the preliminary plat. Indian Creek here, as you are all aware, people put in here as it is a fun section of the creek; parts of the property sit a good amount above the creek, and even have some views south over the creek and towards the Owyhee's. Particularly, the point on the west corner is a really spectacular little spot; the preliminary plat did call for a pocket park on about half of that, we are suggesting making all of that a public park. We would be getting rid of one of the best lots in the City of Kuna if we put one right on that point but, I grew up in Boise and remember as they were building out the greenbelt system and how important that really was to the city; while this doesn't necessarily connect every square foot today, this is how it starts here. Here is the actual preliminary plat with the layout modifications; you can see the street layout is essentially exactly the same. We have squared off the property and added some connectivity through the park project, they made it work off of the same road network there. This does complete the road frontage along Kuna Road where there would have been a gap in development there; I think this will make it look nice. In this picture, starting on the west side we have a generally open area for what we call a ramada; we still

have the greenbelt pathway along the entirety of the creek and then on the east side is a more active park. There are four pickle ball courts, a playground, a bocci ball court and parking; we were approached by city staff because, as you said, because it was approved without a park on the east side. They asked us if it was possible and we said we think it would be a good thing for not only this area but for the community so, we tried to really maximize the parking there knowing how popular that is. We have something like 56 parking spots in that location, which I think is good for a while; and with the pickle ball courts, and bocci. You can see we actually are looking at doing a put in like Barber Park, they put an amphitheater type put in on the side of the river; we're looking at imitating something like that with tiers where people can sit along the water there, and an area to put in tubes. We're planning on a space for a future building that the city can build at a later date, that will have utility stubs and water stubs; they talked about a potential recreation center or a rental shack or food service, something like that. The swimming pool that you see across the street is part of the private HOA and will be for the Rising Sun Commons and Rising Sun Estates residence. Up along Kuna Road, this piece really fixes the entry and now we can have a lot of landscaping along that main entry off of Kuna Road; entry monuments, signage, that sort of thing. One thing that is a little bit different is we show the pond for pressurized irrigation water next to the park, but that is actually going to be up closer to Kuna Road and a street stub; the two lots in the northwest corner becomes a private drive with two lots and the pressurized irrigation pond and access for the city, in that location. This is zoomed in on the park, like I said, pickle ball, playground, ramada for picnic gatherings, bocci, parking and the future building there. One thing I do want to note is I have been working with the Parks Department for a while, I'm still waiting on the final agreement, it would be sort of a posturing agreement between us and the city where there would be some impact fee credits and cost sharing; we won't be all reimbursed for it but we'll get a piece of reimbursement. I do need to get that finalized before all of this totally set in stone, I would say that is the one caveat to these pretty parks is that we still need to get that agreement done. This is the point up there, like I said, it looks over the creek, one thing that we are going to try to add on there, and I think it will be possible, is put in a sandy beach head along the creek on the west side; people could get out, have a picnic next to the water. I do have one request; there is a condition in the staff report, No. 17 "The applicant shall keep the subdivision name as presented and may not change it for marketing purposes unless approved by Council.", we didn't name it, Rising Sun isn't the worst name in the world, but we would rather name it something different from a marketing standpoint. We know it can lead to a little bit of confusion sometimes when plat names are different than marketing names, but it does seem to be the norm when there are plat names you can't repeat and you get into really weird plat names in some cases; we would hope that you could remove that are suggest that the City Council remove that as part of your recommendation. That's all I have for your, I will stand for any questions. **C/Gealy:** I have one question on the park here, I understand it's preliminary and nothings been approved, but vehicle access will come from Stroebel? **MT:** Correct. **C/Gealy:** Will there be vehicle access from withing the subdivision? **MT:** There would not, just pedestrian access from the subdivision; we wouldn't make it to where the parking lot would go through into the subdivision, so we hopefully wouldn't have cross traffic. **C/Gealy:** Thank you. **C/Young:** Any other questions for the applicant? **C/Damron:** I have no questions at this time. **C/Young:** Ok, Mr. Tate, if you could please sign in on the sheet here and while he is doing that, I will open the public hearing at 6:48 PM. I do not see anyone on the sign in sheet, is there anybody here that would like to testify on this application who is not signed in? Seeing none, I will close the public hearing at

6:49 PM. That will bring up our discussion. **C/Hennis:** I think it lays out really well, we were waiting for this piece to come in and tie it all together; I remember when we were looking at this before, I really like what they've done with the parks and providing an entry into Indian Creek and I know the neighbors are going to be excited about that one. I think it provides some amenities there that are tremendous, we haven't had offers like that with a lot of our subdivisions; that's not only what we were excited about before but multiplied now, it is a lot more than what we were expecting last time. I like what they are doing, it's great. **C/Young:** Any other thoughts? **C/Damron:** This will be nice to keep the traffic off Stroebel. **C/Young:** I think the layout is appropriate, the smaller lots are up against Kuna Road and the little bit larger on the back side somewhat aligns with the other subdivision. I think the pathways are all appropriate, and blending in some of the design review, the landscaping all seems in alignment with what we want. I can echo others with a much needed relief with what happens out on Stroebel, I'm looking forward to that. **C/Hennis:** As it's gotten more and more popular, I'm surprised we haven't had more accidents out there. I think this will provide something much, much needed. **C/Gealy:** I am very pleased to see the proposed park on Stroebel and recognizing that there needs to be an agreement before that can go forward, I did have some concerns that I think are somewhat mitigated by the park. I'm concerned about the three shared driveways and also the R-6 designation, primarily because of the location to the center of town; this is across Meridian Road, a state highway, from town. I know we do have some R-6 up at Deer Flat, but there is an intersection with a traffic light; maybe someday there will be a traffic light at Kuna Road, I don't know, but it seems this is better suited to R-4 which is what the Rising Sun Estates was. Absent the park, my preference would be to see an R-4 designation for the entire area and to see if there wouldn't be some way to resolve those three shared driveways. I guess I'm thinking out loud, I think the problem with that though is that, and staff can correct me, it would require a re-plat if they were to go back and try to create better connectivity between the Commons and the Estates because the Estates plat has been approved. **TB:** To answer your question, it would depend on what connectivity you are seeking. **C/Gealy:** For instance.... I hesitate to say anything because I am so excited to see the park, but at the same time, there's a shared driveway where it says 19, 20, 21; why wouldn't that be a road? And likewise, with 29, 30, 31, why would that not go through as a road rather than a shared driveway? It's curious to me that the higher density lots are on the inside as opposed to on the corner; those are just some concerns that I have. **TB:** You have very valid concerns and very good questions; city staff is always concerned with connectivity, especially with stub streets, providing them and connecting to them. Staff did not recommend street connectivity to because, one, that would be an additional street and with the added changes on top of the ones they have already made, it would push it beyond what could reasonably be done without a re-plat; so yes, they would have to go through a re-plat in order to make connections that way. Only because it was part of the conversation before about the R-6 designation, directly north of this is a Kuna School District property where there will very likely be a school or two in the future. **C/Young:** Maybe to help, at least in my mind, as far as what you are looking for with the connectivity between the two subdivisions; to me it works out well because with the park going in on the east side, if there was too much connectivity between those two, I could see a lot more traffic coming off of Kuna Road and through the subdivision trying to get to the park. This forces traffic to go to Stroebel without potentially putting too much pressure on the subdivisions, with traffic to the park; they would have to come in off of Kuna Road, travel south then west then south again, before they get out to Stroebel road. Breaking all that up forces traffic patterns out to

Stroebel. That is my thinking on that. **C/Gealy:** What is your thinking on the shared driveways? **C/Young:** In this case, I think given what the size of the subdivision is and the layout and the fact they are short, it doesn't exceed anything that the Fire Department would want with that shared drive and those accesses; some of the additional landscaping that goes on either side of those shared driveways creates a nicer small boulevard look or effect in those areas. **C/Hennis:** It's not like some of them that we've had in the past where they try to feed off of both sides, its primarily just one side; I echo what Lee is looking at. **C/Gealy:** Ok, those were my only concerns. I feel like they are mitigated by the potential of a park, to a large extent. That's quite an amenity for the neighborhood and the community. Another question that I would have is, do we need to include some sort of a condition that this approval is contingent on the agreement with the Parks Department. **C/Young:** To finalize the agreement with the Parks Department? **C/Gealy:** Yes. **C/Hennis:** How do we condition that? **C/Young:** I'm not sure, if that's part of the other subdivision; that's a question for staff. That additional park on the east is a modification to the existing subdivision. **TB:** Correct, however, there are several key things that are tied to this subdivision that are connected to the original subdivision. For example, the expansion of the park and adding more open space to that; it's tied to this subdivision and it's going to be one subdivision, the developer is in control of both of them. It doesn't have to be a very comprehensive condition, you could say to finalize the agreement with the city Parks and Rec Department or this is predicated on that; I understand that they are very close to the agreement, it's just a matter of just one more review, you may want to ask Mark for specific details. **Wendy Howell:** The city attorney has it in his hands right now and is reviewing it. **C/Young:** Does that alleviate any of your fears? **C/Gealy:** This small piece here, Rising Sun Commons, has very little open space associated with it, and the understanding is the open space that would normally be attributed to this part of the subdivision is going to be down on the creek. I think because of that we really do need to make sure that if this agreement doesn't work out that there are some other open space amenities available. **MT:** Mark Tate again, for the record. I do appreciate your questions about the agreement and I was thinking about it, the subdivision does have 10% open space by itself so I don't think we need to condition the open space or not but one thing I think could be beneficial to us and City Council, maybe as part of your recommendation, would be to recommend that the city do enter into the park agreement at their next council meeting. **C/Gealy:** Thank you. **C/Hennis:** Thank you. **C/Young:** I don't think we can necessarily dictate anything on the council's agenda but we could ask them to be expeditious in the review of the agreement. **C/Hennis:** I think it could be something requested, that the recommendation is they look at this to finalize the agreement. I think the only other thing that was in there was the question by the applicant about recommending we remove the condition for the naming sake, which I'm not sure why that is a big item for them, but I don't know how we voice that; maybe we could have them review condition 18. **C/Gealy:** Does staff have anything to add? Do you know why that condition was included where they can't change their name? **TB:** The reason staff included it with this application is because we currently have eight or nine subdivisions that have an application name and they have a marketing name, and Public Works; fire department; police department; ACHD; Idaho Power; staff and city, including the people that live there, are getting used to a different name. The Public Works Department and City Engineer have all reviewed it as one name, then it gets inspected under the same name, then it gets built under a different name; once there is an emergency, and I understand it has already happened, where I was the only one who knew within City Hall that the subdivision was known by a different name. **C/Gealy:** Does it

change the name on their signage? **TB:** Yes. **C/Gealy:** That would be the marketing name? **TB:** Correct. **C/Damron:** And then all legal understanding to that property was on the name given on the plat that we approved? **TB:** Yes, everyone at the city and emergency services understands it as one name and residents of the subdivision know it as another. **C/Gealy:** Because that is the name on the sign? **TB:** Correct. **C/Damron:** Would we have to go back and change all the names and legally change all the names on the plat? **TB:** No, nothing requires changing. **C/Damron:** Ok. **WH:** A suggestion may be, if they change the name, that they do it now rather than later. **C/Damron:** Yes. **C/Hennis:** Ok. **C/Damron:** Wendy, would you suggest them doing that at City Council or here? **WH:** Preferably before City Council, so that we can change our reports; worst case scenario would be before the Final Plat is submitted. **C/Gealy:** This is a condition that requires City Council approval to change, right? **WH:** Not necessarily. **C/Gealy:** Can we change that condition or does City Council need to change that condition? **TB:** You can recommend changing the condition. **C/Hennis:** Somehow, I didn't think that would be the hard part on this one. **C/Gealy:** Again, I'm very pleased with the amenities and the proposed park; and you did say you are still going to have 91 lots, so the lots that are taken by that second park and the one for the park on the west, will be melded in. So, we'll see smaller lots surrounding these, it will probably look more like R-6. **MT:** Yes, on the rendering, the layout already shows it. **C/Gealy:** It was already done? **MT:** Yes. **C/Gealy:** Ok, thank you. One last comment I had was on streetlights; can we add that they meet the Dark Skies provisions? **TB:** That is already part of Code. **C/Gealy:** Ok. **C/Hennis:** I was looking at the staff report and he made two recommendations for conditions, but then they are within the conditions of approval. **C/Gealy:** Streetlights and landscaping, but sometimes they conditions include verbiage on Dark Sky provisions, but that is part of the Code as well. Ok, thank you. **C/Hennis:** Right, then the two recommendations that they work with the Kuna Rural Fire District and EMS for signage, and then also when to put the second access is; that's all in there.

Commissioner Dana Hennis moved to recommend approval for Case Nos. 20-02-AN (Annexation), 20-04-S (Preliminary Plat) for the Rising Sun Commons Subdivision with the conditions as outlined in the staff report and the additional conditions the applicant work with staff to finalize the agreement with the Parks and Recreation Department on the additional park revisions to present to City Council at the next City Council Public Hearing; and to recommend that City Council review Condition No. 18 and have the applicant and staff present options on a name change prior to submission of Final Plat. Seconded by Commissioner Stephen Damron. Approved by the following roll call vote:

Voting Aye: Chairman Lee Young, Commissioner Dana Hennis, Commissioner Cathy Gealy, and Commissioner Stephen Damron.

Voting No: None

Absent: 1 (Vacant Seat)

Motion carried: 4-0-1

Commissioner Dana Hennis moved to approve Case No. 20-08-DR (Design Review) for Rising Sun Commons Subdivision with the conditions as outlined in the staff report with the additional conditions the applicant work with staff to finalize the agreement with the Parks and Recreation Department on the additional park revisions to present to City Council at the next City Council Public Hearing; and to recommend that City

Council review Condition No. 18 and have the applicant and staff present options on a name change prior to submission of Final Plat. Seconded by Commissioner Stephen Damron. Approved by the following roll call vote:

Voting Aye: Chairman Lee Young, Commissioner Dana Hennis, Commissioner Cathy Gealy, and Commissioner Stephen Damron.

Voting No: None

Absent: 1 (Vacant Seat)

4. BUSINESS ITEMS:

C/Young: Are there any other matters to report? **Wendy Howell:** I have a meeting with a potential Commissioner on Friday morning, I will notify the Commission once a decision has been made. **C/Hennis:** Ok. **C/Gealy:** Thank you.

5. ADJOURNMENT:

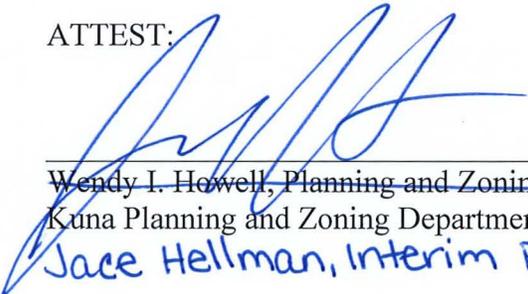
Commissioner Dana Hennis moved to adjourn. Seconded by Commissioner Stephen Damron. Approved by the following roll call vote:

Voting Aye: Chairman Lee Young, Commissioner Dana Hennis, Commissioner Cathy Gealy and Commissioner Stephen Damron.

Voting No: None

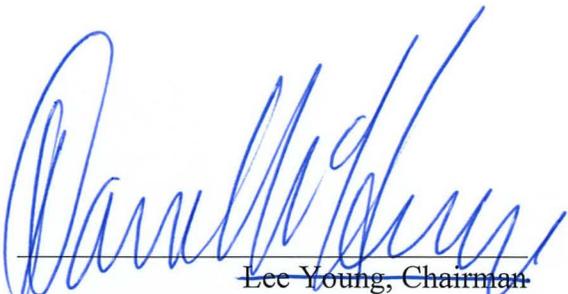
Absent: 1 (Vacant Seat)

ATTEST:



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

Jace Hellman, Interim Planning & Zoning Director



Lee Young, Chairman
Kuna Planning and Zoning Commission
Dana Hennis, Vice Chair