

OFFICIALS

Lee Young, Chairman
Dana Hennis, Vice Chairman
Bryan Clark, Commissioner
Ginny Greger, Commissioner
Jim Main, Commissioner

CITY OF KUNA
City Hall Council Chambers
751 W 4th Street, Kuna, ID 83634



Planning & Zoning Commission
REGULAR MEETING AGENDA
Tuesday December 12, 2023, at 6:00 PM

For questions, please call Planning and Zoning at (208) 922-5274.
ALL AGENDA ITEMS ARE ACTION ITEMS UNLESS OTHERWISE NOTED.

1. CALL TO ORDER & ROLL CALL:

2. CONSENT AGENDA:

All items listed are routine and acted on with one (1) Motion by the Commission; there will be no separate discussion unless the Chairman, Commissioner, or Staff requests it be removed. Removed items will be placed under Business unless otherwise instructed.

1. Regular Commission Meeting Minutes Dated November 28, 2023
2. Findings of Fact & Conclusions of Law
None

Potential Motion:

- *Approve Consent agenda.*
- *Approve Consent agenda with amendments (i.e., correction to previous meeting minutes, etc.)*

3. PUBLIC HEARINGS:

- A. *Tabled from November 28, 2023, Case No. 23-01-OA (Ordinance Amendment) Kuna City Code Title 5 & 6 Rewrite – Doug Hanson, Director*

The City of Kuna requests consideration for an Ordinance Amendment to combine Title 5 Zoning Regulations, and Title 6 Subdivision Regulations, into one (1) Development Regulation Title.

- *Public hearing closed November 14, 2023.*
- *Staff directed to make changes at November 28, 2023, meeting & Case tabled to a date certain.*
- *Commission to review requested changes and continue deliberation.*

Potential Motions:

- *Motion to recommend approval to City Council.*
- *Motion to direct staff to make Commission recommended amendments and to table to a date certain.*
- *Motion to recommend Denial to City Council.*

- B. *Tabled from November 28, 2023, Case Nos. 23-03-AN (Annexation), 23-12-SUP (Special Use Permit), & 23-11-DR (Design Review) for 5610 S Ten Mile & Ten Mile Storage – Jessica Hall, Associate*

Applicant requests to Annex 10 acres into Kuna City Limits with a C-2 (Area Commercial) zone, and Special Use Permit approval to operate a self-storage facility located at 5610 S Ten Mile Road (APN: S1235325410); Section 35, Township 2 North, Range 1 West.

- *Public hearing closed November 28, 2023.*
- *Review Informational Memo resulting from Commission direction to staff at previous meeting and continue deliberation.*

Potential Motions 23-03-AN:

- *Recommend Approval to City Council with Conditions as listed in staff report (and additional Conditions imposed by the Commission if applicable).*
- *Recommend Denial to City Council.*

Potential Motions 23-12-SUP & 23-11-DR:

- *Approve with Conditions as listed in staff report (and any additional Conditions imposed by the Commission if applicable).*
- *Deny.*

5. BUSINESS ITEMS:

None

6. UPDATES & REPORTS: Non-Action Items

None

7. ADJOURNMENT:

OFFICIALS

Lee Young, Chairman
Dana Hennis, Vice Chairman
Bryan Clark, Commissioner
Ginny Greger, Commissioner
Jim Main, Commissioner

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City Hall Council Chambers
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Planning & Zoning Commission
REGULAR MEETING MINUTS
Tuesday November 28, 2023, at 6:00 PM

For questions, please call Planning and Zoning at (208) 922-5274.
ALL AGENDA ITEMS ARE ACTION ITEMS UNLESS OTHERWISE NOTED.

I. CALL TO ORDER & ROLL CALL:

(Timestamp 00:00:25)

Vice Chairman Hennis Okay, good evening. We are bringing to order the regular Planning and Zoning Commission meeting for Tuesday, November 28th, 2023. We'll start with roll call.

Associate Planner Jessica Hall Chairman Lee Young...Vice Chairman Dana Hennis.

Vice Chairman Dana Hennis Present.

Associate Planner Jessica Hall Commissioner Brian Clark.

Commissioner Brian Clark Present.

Associate Planner Jessica Hall Commissioner Ginny Greger.

Commissioner Ginny Greger Present

Associate Planner Jessica Hall Commissioner Jim Main.

Commissioner Jim Main Present

COMMISSIONERS PRESENT

Chairman Lee Young - Absent
Vice Chairman Dana Hennis - Present
Commissioner Bryan Clark - Present
Commissioner Ginny Greger - Present
Commissioner Jim Main -Present

CITY STAFF PRESENT

Doug Hanson, Director of Planning and Zoning
Jessica Hall, Associate Planner

2. CONSENT AGENDA:

All items listed are routine and acted on with one (1) Motion by the Commission; there will be no separate discussion unless the Chairman, Commissioner, or Staff requests it be removed. Removed items will be placed under Business unless otherwise instructed.

(Timestamp 00:00:50)

- 1.** Regular Commission Meeting Minutes Dated November 14, 2023
- 2.** Findings of Fact & Conclusions of Law
 - A.** Case No. 23-08-SUP for Virgie’s Childcare
 - B.** Case No. 23-05-AN for 5200 S Black Cat

Vice Chairman Hennis Okay, First off on the agenda is the consent agenda.

Commissioner Jim Maine Mr. Chairman, I move that we approve the consent agenda.

Commissioner Ginny Greger I'll second it.

Vice Chairman Hennis Thank you, all in favor?

All Commissioners Aye.

Vice Chairman Hennis Motion passes. Just to clarify, Jessica, is it on record that we closed the public hearing? Last meeting. We did, I believe, right? Yes. Okay, the reason I ask is the sign in sheet people have marked testify not to testify so.

(Timestamp 00:00:53)

Motion To: Approve the Consent Agenda.

Motion By: Commissioner Jim Main

Motion Seconded: Commissioner Ginny Greger

Further Discussion: None

Voting Aye: Commissioners Main, Clark, Hennis, Greger

Voting No: None

Absent: Chairman Young

Motion Passed 4-0-1

3. PUBLIC HEARINGS:

- A. *Tabled from November 14, 2023, Case No. 23-01-OA (Ordinance Amendment) Kuna City Code Title 5 & 6 Rewrite – Doug Hanson, Director*

(Timestamp 00:01:47)

Vice Chairman Hennis Okay, just want to make sure. I'm stalling to see if Lee will get here. Okay, so first item up on the agenda is tabled from November 14th, 2023, Case No. 23-O1-OA Ordinance Amendment for the Kuna City Code, Title 5 and 6 rewrite.

Kuna Planning and Zoning Director Doug Hanson Good evening, Commissioners. For the record, Doug Hanson, Kuna Planning and Zoning staff, 751 W 4th St. Kuna. The item before you this evening was tabled from November 14th, 2023, to allow the Commission additional time to review the code changes and the additionally submitted public testimony and to provide the opportunity for the Commission to provide staff with direction towards specific changes to be made to the proposed Kuna City Code changes before you, this evening. I will stand by for any questions.

Vice Chairman Hennis Thank you. Is there any questions from the Commission?

Commissioner Bryan Clark First and foremost, so my understanding is and I read through it and I just want a confirmation on this, the subdivision process requires sewer, there's no provision for onsite septic?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning staff. We do require the subdivisions hook up to city utilities depending on the size, there are certain extraordinary circumstances where we would allow for on onsite septic, but that's a case-by-case basis and that's up to the City Engineer and Public Works staff.

Commissioner Bryan Clark Okay.

Kuna Planning and Zoning Director Doug Hanson That's something they would support.

Vice Chairman Hennis And that's mainly if the utilities are available there, correct? Yeah, did you have any Jim?

Commissioner Jim Main Well, you bet. So, I've done a little research and looked up the definition of a lot split and the subdivision and in the lot split it's dividing an original lot tract or parcel and the lot split shall not create more than three new parcels from the original lot. The subdivision is the result of an act dividing an original lot tractor parcel into more than three parts for the purpose of transfer of ownership or development. With a lot split, the compliance includes sidewalks, sewer, and water if and when available within 300 feet; dedication of public right away; and all parcels shall meet KCC 5-1-6-2. As far as cost go, the... to comply the requirements of the subdivision, the documents and processes are substantially more cumbersome and costly. So, my thoughts on it, and after reviewing it is, I would like to see the lot split process remain separate from the subdivision process. However, I think we need to consider some things. One if water and sewer are not within 300 feet, I think a minimum lot size needs to be established. And then increase it to 1.5 acres and a lot split so you have adequate space to do a septic and a well and if the lot split is approved prior to water and sewer being within 300 feet connection to the water and sewer should not be required until such time as the well and septic fail, so those are my thoughts. I... personally I'd like to see the lot split remain separate from the subdivision.

Commissioner Bryan Clark Agreed. And you've itemized my thoughts. Thank you. Did a good job in mind reading there.

Commissioner Jim Main Thank you. Thanks for transmitting that.

Vice Chairman Hennis Well, it seems like we've gone into deliberations, as well. Like we're continuing from the last time, I tend to agree. I think with what I've seen on there, I'd like to keep provisions for the lot split for the at least for smaller parcels. I think if you're up into the 20-to-100-acre parcels, I think a lot split doesn't make sense. It, you know, it does to a subdivision, but if you've got a 5 acre or less, for say, the lot that you're subdividing into two or three family members or something, it would seem like that would be a lot more appropriate just to stay as a lot split.

Commissioner Bryan Clark So, are you proposing, potentially to put a cap on the original lot size so you don't qualify for lots? But if you're over 20 acres?

Vice Chairman Hennis Well, and that's kind of what that's saying in a nutshell too. It can be construed as such if you're only splitting it into...I mean, if you got 100-acre parcel and you go to split it to maximum three lots, it's 20-acre parcels plus 33.333, so it's, you know, it's not something you normally put a house for a child on, or an uncle, or family member or something. So, that's just kind of my thinking in the reviewing is maybe we put...one of the possible solutions is put a cap on a lot split or at least establish, like he was saying, establish some boundaries. I understand what the city is proposing to keep, like we talked last time, about sidewalks and continuation and continuity between, but if you've got a couple of acres that you're splitting out.

Commissioner Bryan Clark Yeah, those are those are there, yeah.

Vice Chairman Hennis But if you've got a couple of acres that you're splitting out, you know, into two little homes, you know. Some of what the people presently living, you know, myself included, within Kuna, like the agricultural aspect, which isn't just necessarily continuity across there. Maybe

you skip the sidewalk here or there, and a curb here or there, and you don't have streetlights in front of your house because you're only a 1 acre or 2 acre parcel. Is that a bad thing with the city? Of what we're trying to keep as kind of our history of the city? I don't think so, but that's my opinion. That's what I'm bringing to the deliberations.

Commissioner Bryan Clark Based on my reading, assuming that you know, the crossed-out portions that I read are the whole of it, sidewalks are required as part of the lot split process.

Vice Chairman Hennis Yeah, that's, yeah. Something. Yeah.

Commissioner Jim Main I didn't realize that.

Commissioner Bryan Clark That's what I caught too, so.

Kuna Planning and Zoning Director Doug Hanson Yeah. For the record, Doug Hanson, Kuna Planning and Zoning staff. It depends on the acreage of the splits. If it's greater than two acres, sidewalks are not required. If it's less than one acre, sidewalks are required. If it's between 1 and 2 acres, it's established on a case-by-case basis; you have to weigh in other factors.

Commissioner Bryan Clark No, I think it makes sense to establish a minimum lot size for a lot, split the utility lot split. I think what they're trying to do there, it makes perfect sense. There's no minimum size for utility lot split that makes total sense to me, but there should still be a separate Ordinance for lot split and we should establish a minimum so that we don't get somebody who, I don't know, carves off 2,5000 square foot lots for giggles. I don't think that's appropriate, considering what we're talking about. They would only be able to split off two lots and maintain the third lot based on the way the code is written. But I think if you're, if that's your goal, you need to go through subdivision process and there needs to be a final plat, right? So that's one of the big things and that's one of the documents we're talking about that's not required as part of a lot split. I mean surveyors charge an arm on the leg for a final plot. A legal description for a lot split is not a big deal, it's a couple grand. So, I mean up front, just from the filing process alone it's Ordinances or it's not Ordinances, I'm sorry...

Vice Chairman Hennis It's cumbersome.

Commissioner Bryan Clark Yeah. It's costly.

Vice Chairman Hennis Yeah and as Jim succinctly said yeah, for a lot split for like what some of the comments we've had, it's, I don't think it's necessarily appropriate to go through the whole subdivision process, but we have to give them direction as to how to how to fix that.

Commissioner Bryan Clark Right.

Commissioner Ginny Greger I'm good with the conversation and agree.

Commissioner Jim Main I don't think that we can set a total acreage number on it. I think that it needs a remainder the lot split. It's basically creating three lots out of one. If it's 120 acres and you create two 1 1/2 acre lots and you have a you know, 118-acre lot, I don't see an issue with that. I think it's just basically creating three lots, but there should be a minimum size on those lots and based on if they may have septic and water, that should probably be in the area of an acre and 1/2.

Vice Chairman Hennis Yeah, I mean that would seem appropriate because you kind of need that space.

Commissioner Jim Main We have to have separation between a well and a septic system and...

Vice Chairman Hennis Yeah, I mean, I'm probably Okay with that, it's... I just. I'm trying to think if there's any, if there's any issues with them. The maximum or anything.

Commissioner Bryan Clark No, I wouldn't see establishing a maximum as a as... In the spirit of the lot split lot process because again like he was talking about if you got 128 parcel... 120-acre parcel and you want to split it an acre or two off for the kids, or 10 acres or whatever the case may be, you're not going to find a... If you established 100-acre maximum on that, you're now you're pushing one of these farms back into the subdivision process, because a lot of these farms are 160 acres plus.

Vice Chairman Hennis Yeah, that's true.

Commissioner Bryan Clark Because I think 160 acres is a typical section, yes? So, and a lot of these farms are a whole section, if not multiple sections. So, I think it makes... it would be appropriate to retain but establish a minimum.

Vice Chairman Hennis Okay, yeah, I mean I don't see an issue with that.

Commissioner Bryan Clark Real quick, Doug, can you direct me in the red line document to the approving bodies table?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson Kuna Planning and Zoning just give me one second.

Commissioner Bryan Clark No problem, I'm also looking. There was some concern brought up by another commenter regarding the approving body changes and transparency in the city. I just want to give that due.

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning staff. I would actually point you towards Exhibit 2.14 and Exhibit 2.15 of your packet. Those actually show the changes that were requested at the City Council meetings to make the change after Planning and Zoning Commission initially recommended approval. The changes proposed in Exhibit 2.14 change the threshold of the Council to reopen a public hearing, just requiring 1 Council Member to choose to reopen it, and then the changes proposed from Exhibit 2.15 show that it will be mandatory for the Council to hold the second public hearing.

Commissioner Bryan Clark Okay.

Kuna Planning and Zoning Director Doug Hanson For those particular items, yes.

Commissioner Bryan Clark Okay, very good. Thank you. That addresses that letter. Okay very good.

Commissioner Jim Main At this point, Doug, there's no is there a minimum lot size for a lot split?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning staff. There is no minimum lot size for a lot split at this point in time.

Commissioner Jim Main Okay. And how are those established?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hansen, Kuna Planning and Zoning staff. Right now, a minimum lot size would be established based upon the zoning district that the lot split was occurring through the official height and area standards table. But we could separately set up a minimum lot size through the code, just stating that the minimum lot size for a lot split would be whatever that size the Commission decides upon to recommend to Council.

Commissioner Jim Main Typically, or do lot splits have water and sewer available to them?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning staff. We require that if a lot split occurs within 300 feet of available city utilities that they do hook into the sewer, water, and irrigation system. Generally, the characteristics of the types of lots we see for lot splits are more rural in nature, so generally city services are not available within 300 feet of those properties.

Commissioner Jim Main Right.

Vice Chairman Hennis I tend to agree with you Jim, that seems to be... that kind of condition would seem to be more of a rural nature. So, we do need to, kind of, think about that and...

Commissioner Bryan Clark Well, as far as that's concerned. I'm not 1000% sure how I feel about that it. If a utility is existing in your frontage, it's already a \$10,000 cost. Typically for a hookup, because there's, you know, because it's traffic control plans, engineering plans, all that kind of fun stuff. So, I mean, that's already at onus and that's if it's sitting in your front yard. Adding an additional 300 lineal feet of 8 inch water main, 12 inch water main, whatever the case may be and all the studies that are required through engineering. And that's a big burden too, especially if we're talking about 300 feet. 300 feet of 8-inch piping ain't something to laugh at.

Vice Chairman Hennis Not anymore.

Commissioner Bryan Clark No. So, is there an opportunity right now to potentially amend that and get it to be Okay if it's in your frontage, you got to take it? Or... but I mean...I...

Vice Chairman Hennis But that's always been city code.

Commissioner Ginny Greger Yeah.

Vice Chairman Hennis That's the problem. That's in every spot if it's available. Because I know that's presently in the in any of the septic systems. If you've got an existing septic system and it fails if utilities are within 300 feet, you're required to hook up if you if it isn't available, then like Jim had said is you can. As long as everything else works, okay, you can put a septic in and then you don't have to tie in until that fails. So, there's already those provisions in the code and have been there for quite a while. So, I think to try to rewrite the code for that would be really, really tough.

Commissioner Bryan Clark That's fair.

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning staff. So, you are aware in order to get the septic, you still need sign off from the Central District Health Department and just because we allow for a lot split or some type of land division does not necessarily mean that Central District Health will sign off on putting a septic on that piece of property. A significant portion of Kuna is located in the nitrate priority area, which makes those septic and wastewater requirements much stricter.

Vice Chairman Hennis Yeah, I mean, everything else still has to go that way. They can't lot split and have it easy so it's they still got to maintain all the regular hoops that we have to jump through as we add structures on properties.

Commissioner Bryan Clark Fair enough.

Commissioner Jim Main And I think it is currently written, the 300-foot distance for sewer and water is in the current lot split code, so we wouldn't be changing that necessarily. Any thoughts on a minimum lot size?

Vice Chairman Hennis Well, I mean, depending on the area that you, you know, everything else. You can probably get at least one septic and well and probably an acre parcel.

Commissioner Bryan Clark One acre works.

Vice Chairman Hennis I mean if you were looking down the road and had to. You're up your septic 30 years down from now. It might be something. You'd need another space, but.

Commissioner Bryan Clark Actually need to review the of the health code again, I haven't looked that in a while.

Vice Chairman Hennis I think the well.

Commissioner Bryan Clark I know they've worked in the past but.

Vice Chairman Hennis I think the wall has to be at least 50 feet from.

Commissioner Jim Main Drain fields.

Vice Chairman Hennis We have it on an acre and 1/3. And we've had two placements of it over the years. So an acre and 1/2 may be a bit large. We could probably state and keep it at an acre. And still, engineering wise, be able to get it to work. But that's my thought.

Commissioner Jim Main Right.

Vice Chairman Hennis that's granted. How big is the house? Where is the house? What other outbuildings do you have? You know.

Commissioner Bryan Clark You got to fit it at the end of the day so. I mean, you have to have your septic tank, your leach field, 100% expansion and still be able to fit your well all on there so that's going to dictate the size of your House depending on the shape of your property. So, I think establishing a 1 acre minimum is reasonable and go from there so that we retain the lot split and just establish a minimum. I think the way the rest of the code is written as far as the requirements for improvements I think are reasonable.

Vice Chairman Hennis So, do we have any other concerns on the document?

Commissioner Bryan Clark That's what I was going through was revisiting the...

Vice Chairman Hennis And then how do we approach these revisions? Do we? How do you guys want to do that present? Them with requirements to do changes prior to City Council. Do we want to see it on the way back before it goes to Council?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning staff. What you would want to do is you would want to make in your motion this evening to let staff know the specific changes that you would like to see. Table this item to a date certain and then we would bring those changes back before you and then you could make a recommendation.

Commissioner Bryan Clark Okay.

Commissioner Jim Main Okay.

Vice Chairman Hennis Now. Again, back to... are there other areas in the document that... I mean, I think everything else seems to be kind of addressed. This was the kind of the area that I had concerns with, was just the subdivision lot split process. But I want to make sure.

Commissioner Jim Main Right. I think the main concern was just combining the two. As long as we keep those two separate processes, the lot split similar to what it is currently that there shouldn't be an issue.

Commissioner Bryan Clark I think the only question I had, and I noticed this and I didn't dig into it too much. Can I get a brief overview of the density bonus concept? For the subdivision is that's part of the that's part of the PUD?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson., Kuna Planning Zoning staff. The density phoning provision has always been a part of Kuna City Code. We just clarified it within the PUD code. We tried to make it more simple and easier to understand. The reason for that density bonus. It would obviously have to be recommended by the Planning and Zoning Commission and approved by the City Council. The reasoning for that is for the purposes when a development comes forward with a mixture of uses or there are odd-shaped lots, things like that, so that we are able to utilize the unique characteristics of certain pieces of property and incentivizing the development of those. A lot of the... what you'll see in code is most of the majority of the time those development bonuses come from, whether it be a land donation to a public entity, just circumstances like that.

Commissioner Bryan Clark Okay. Yeah. No, I Okay. I've dealt with it fast, alright. Okay. No, that's good then. I think that I have no other concerns at this point.

Vice Chairman Hennis With that, I would stand for some recommendations or motion.

Commissioner Jim Main First Doug could you read back the specific changes that we've agreed on here tonight?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning staff. At this point, the one definitive that has been discussed is establishing a 1 acre minimum. Do you want us to pursue any other types of changes specifically?

Vice Chairman Hennis and just retaining the lot split portion.

Kuna Planning and Zoning Director Doug Hanson Yeah, we yeah, we would retain the lot split portion of code. We would establish a 1 acre minimum and then are there any other changes you would like, like tweaks you would like to see in that portion of code? The lot split code?

Vice Chairman Hennis I didn't have any other ones.

Commissioner Bryan Clark No, establish a 1 acre minimum and return code. Separate from the lots from the utility lot split.

Kuna Planning and Zoning Director Doug Hanson Okay. And if I may, since it was brought up this evening, we discussed the Central District Health permitting and the nitrate priority area, right now there is no requirement for an applicant to prove that they could get a septic tank approved on a proposed lot, something that staff was discussing was that they would talk to Central District Health first and established that they could be permitted a septic on one of these proposed lots so that the city isn't then approving these lot splits because that and then going, they're going to Central District health and their septic is being denied. We would like some more work to be done on the front end so that we're not creating lots that can't be serviced.

Vice Chairman Hennis I would agree with that.

Commissioner Bryan Clark Well, are there other purposes for which a lot split would be used that wouldn't require sewer or water at all?

Vice Chairman Hennis Well, I think we could... You can establish that as well in a condition and have that, right, read in. You know, if they're going to propose a residence on there, then they have to do due diligence ahead to prove that it's capable on that site that they're proposing.

Commissioner Bryan Clark Right, so that's where things get a little more complicated because if you tie the lot split directly to you just universally tie it to a, it wouldn't be a will serve letter, it would just be. So a soil analysis and a suitability for septic. No, actually, I think I kind of do like that because there's no, there's no guaranteeing that the lot wouldn't be sold off for residential in the future anyway. So no, I think that's actually fair.

Vice Chairman Hennis And there's always provisions of the code for various oddball type usage to, you know, relook at that on a one to one-on-one type basis. But I think is a general code item or ordinance item that I think, right, I think it's a good idea.

Commissioner Bryan Clark To protect the applicant as well, I mean because that throws a whole 'nother wrench into things. Yeah. Again, there's costs associated with it, and you know, I don't want to throw more money at things if I don't have to, but I actually agree. It's not a lot of costs involved in that one compared to filing everything ahead. So as long as they know they can do it, then they can proceed, but they pay the littler amount to figure out if it's. Possible or not, they'll find out the cheaper way I agree.

Commissioner Bryan Clark I agree. So yeah, I mean having provisions to get a septic test. I'm looking at you.

Commissioner Jim Main Okay. So, I'll shoot out a motion here and you guys can criticize it if you like.

Commissioner Jim Main Mr. Chairman, I move that we direct staff to maintain the lot split portion of the code as well as the subdivision portion of the code and to modify the lot split to include a minimum lot size of one acre and I'd like to table to a date certain of December 12th, 2023 with the public hearing open to receive testimony. Limited to the changes requested this evening by the condition only.

Vice Chairman Hennis And we'd want the condition for site suitability, septic suitability. Prior to Applicant or application, correct?

Commissioner Jim Main Did you get that?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson Kuna Planning and Zoning staff. We could... staff could either make those changes and present them to you on a date certain on December 12th, and you can decide upon them or if you want to reopen the public hearing, you can. But that would actually have to be tabled to a date uncertain and staff would need to re-notice. But if you are comfortable with us proposing those changes to at the next meeting and making your decision, we can bring that forward in that manner.

Vice Chairman Hennis Yeah because we're not really presenting new information. It's just rewrites, right?

Commissioner Jim Main Correct.

Vice Chairman Hennis So I would stand for a revised motion. I'm glad Lee's not here.

[Laughter]

Commissioner Jim Main Yeah, me too. Okay, Mr. Chairman, I move that we direct staff to make the requested changes to the lot split portion of the code, to set a minimum lot size to one acre and to do a site suitability study for septic and well. And I move that we table the presentation by staff to a date certain of December 12th with the public hearing to receive testimony limited to those changes only.

Commissioner Ginny Greger No public hearing.

Commissioner Jim Main No public hearing?

Vice Chairman Hennis They'd have to re-notice, so we can't do it to a date certain.

Commissioner Jim Main Okay.

Vice Chairman Hennis Are you wanting public testimony on... this is the information we received it on already.

Commissioner Bryan Clark Yeah. So, at this point, we're acting on public testimony.

Vice Chairman Hennis We're acting on the information that they've already.

Commissioner Jim Main Yeah, I'm trying to get my head around this because we're making changes to the lot split code. So, wouldn't we need to have staff present that and then have...

Kuna Planning and Zoning Director Doug Hanson Yeah. So, for the record, Doug Hanson, Kuna Planning and Zoning staff. As a point of clarification. There's no requirement to reopen the public hearing. The public hearing has been held. We received the testimony, staff has direction to make the specific changes and just as to add it to the record, there will still be an additional public hearing before the City Council after you've made a recommendation that will be noticed. So, there will still be opportunities to provide public testimony in the future on this item.

Vice Chairman Hennis Good point. Thank you.

Commissioner Jim Main Okay. Do you want me to try again?

[Laughter]

Commissioner Ginny Greger Yes.

Commissioner Bryan Clark Third times the charm.

Commissioner Jim Main So we don't want a public hearing at the next... We want to move it to a date. uncertain.

Kuna Planning and Zoning Director Doug Hanson So for the record, Doug Hanson, Kuna Planning and Zoning staff. I think what we would want to see is a motion to establish that one acre minimum, require the site suitability test for a septic, and table to a date certain of December, December 12th.

Commissioner Bryan Clark No public hearing.

Commissioner Jim Main No public hearing. Okay. Mr. Chairman, last time. I move that we direct staff to make the changes as requested to the lot split portion of the code, to change to a minimum lot size of one acre and perform a site suitability study, and table to a date certain of December 12th, 2023.

Commissioner Bryan Clark Seconded.

Vice Chairman Hennis All in favor?

All Commissioners Aye.

Commissioner Jim Main Thank you.

Commissioner Bryan Clark Thank you, Jim.

Vice Chairman Hennis Getting good practice.

Commissioner Jim Main It's your job.

(Timestamp 00:33:10)

Motion To: Direct staff to make the changes as requested to the lot split portion of the code, to change to a minimum lot size of one acre and perform a site suitability study, and table to a date certain of December 12th, 2023.

Motion By: Commissioner Jim Main

Motion Seconded: Commissioner Bryan Clark

Further Discussion: None

Voting Aye: Commissioners Main, Clark, Hennis, Greger

Voting No: None

Absent: Chairman Young

Motion Passed 4-0-1

- B.** Case Nos. 23-03-AN (Annexation), 23-12-SUP (Special Use Permit), & 23-11-DR (Design Review) for 5610 S Ten Mile & Ten Mile Storage – Jessica Hall, Associate

(Timestamp 00:33:47)

Vice Chairman Hennis Okay. So next item on the agenda is Case No. 23-03-AN (Annexation) and 23-12-SUP (Special Use Permit) and 23-11-DR (Design Review) for the Ten Mile Storage.

Associate Planner Jessica Hall Good Evening, Chairman and Commissioners for the record, Associate Planner Jessica Hall, 751 W 4th St. Kuna. The applicant requests a recommendation of approval to the Council for annexation of 10 acres located at 5610 S Ten Mile in Kuna City limits with the C-2 area commercial zone. The applicant also requests the Commission's approval of special use permit and design review applications for the development of an interior exterior self-storage facility with associated parking lot and landscaping. The comprehensive plan, future land use map, or FLUM, designates the subject site and the parcels to the North and South as Mixed-Use. As Ten Mile road is a secondary entryway and commercial corridor for the city, Staff finds the proposed commercial zone along Ten Mile, especially as the parcels to the northeast, east, and southeast are designated as medium density residential, in which future development can be designed to offer a proper transition between the two uses, thus meeting a mixed use designation for the area. That was a mouthful. Hopefully, it made sense.

The official schedule of district regulations found in Kuna City Code 533 requires all storage facilities to acquire a special use permit, regardless of the proposed size or zone. While the Design Review Overlay District found in Kuna City Code 54 requires any commercial development to undergo a design approval process for the building facades, landscaping, and overall site layout. The proposed site plan and landscape plan shown in exhibits 2.11 and 2.13 show a large stormwater retention area on the southwest corner of the site and a large climate controlled indoor storage building, which will also house an office. This main structure, Building A, located on the northwest corner, provides a facade with varied textures, colors, and materials which offer a pleasing aesthetic along that commercial corridor or entryway corridor. The remaining storage buildings provide color variation and are located on the north-northeast portion of the site. An open-air storage area is proposed to be located on the south-southeast portion of the site and offers approximately 239 paved and striped stalls. The entire site is bordered by landscape buffering with substantial planting. Fencing is proposed around the perimeter of the open-air storage area and 9 storage buildings. Fencing materials were not specifically called out, as such, staff will note that fencing will comply or shall comply, excuse me, with Kuna City Code 555 fences, walls, and hedges.

The applicant proposes the site utilize a private septic system as the closest sewer connection point is located over 300 feet away. Staff notes when sewer service comes within 300 feet of the site and the septic system fails. The project shall be required to connect at the time. The closest potable water and pressurized irrigation connection points are located within Ten Mile Road. As such, the applicant shall be required to construct 12 inch main for each within Ballard Lane. Based on this information, the City Engineer and Public Works staff can support approval of the request. As a result of the proposed development, Ada County Highway District is requiring the applicant to dedicate additional right-of-way on Ten Mile road, to total 50 feet from the center line as well as installation of an 8-foot detached sidewalk. As Ballard Lane on the north is classified as a collector roadway, the applicant is required to construct it as half of a 36-foot Street section with curb gutter and eight-foot sidewalk. Staff would note that though ACHD notes an attached sidewalk. Kuna City code 517 landscaping requirements requires that the 8-foot sidewalk be detached, located fully within the right-of-way, and have a 4 to 8 irrigated and landscape planners strip. ACHD will also require the existing driveway, located on Ten Mile Road to be closed and the two proposed driveways into the site to be constructed on Ballard Lane. Upon review of the application materials by city staff and other affected agencies, staff finds this application to be compliant with Kuna City Code Title 5, the Comprehensive Plan, Idaho Code 50-222 annexations, and Idaho Code 67-65 Local Land Use Planning Act. With that I will answer any additional questions you have.

Vice Chairman Hennis Thank you, Jessica. Any questions from the Commission?

Commissioner Bryan Clark No, she answered all mine.

Vice Chairman Hennis Do we have the applicant present? If you'd like to come up. And please state your name and address for the record and press the bottom of the mic to where it goes green. There you go.

Ben Semple Mr. Chair, members of the Commission, Ben Semple, with Rodney Evans and Partners, 1450 W Bannock St. Boise, ID 83702. I want to thank Jessica first of all, for the presentation as well as the assistance during the application process for this project. We've looked at it a couple different ways and ultimately feel like this would be a great addition to this area especially knowing that this is a mixed-use land use and there's really not any facilities like this in that area. But a lot of single family homes going up. So we feel like there's a lot of users for this type of product there. Yeah, so first of all, also we're in agreement with the staff report and the conditions of approval contained there within and really what I wanted to discuss with some of the public comment received regarding the project. The first one that I wanted to talk about was the pavement widening. There was some concerns about a differentiation of elevation of the pavement widening along Ballard Lane and per ACHD's requirements, they'll be engineered drawings that are prepared and submitted to them. We will have to match the existing pavement elevation where the cut line is for any expansion of that, and this will lead to a wider pavement section on Ballard Lane then currently exists, and it will also place curb, gutter, and sidewalk on the South side as opposed to the borrowed ditch that's currently there. And then any irrigation facilities that run along the South side of Ballard Lane will either be retained in place or redevelop to ensure continued delivery of irrigation water to every downstream user because there is a drain that comes through the site and the developer is well aware of that and intends to reroute that probably through some piping through the site that will still be accessible to be maintained in perpetuity.

Let's see. The other... there was some comment about building out the full street section. ACHD's policy requires half of the street section to be built with this property or this project. There's also some concerns that expanding the road to the North may impact some of the neighbors along the north. Some fencing in the borrowed ditch along there that currently functions, you know as a rural road section. If there's some pavement that is damaged along there that needs to be repaved or resurfaced in some way, I'm sure that the applicant will have conversations with ACHD about that, just to make sure that it's a nice smooth roadway along the entire north edge of this property. I will want to... I do want to call out that that 12-inch main line is being extended from the for water is being extended from the intersection of Ten Mile and Ballard to the east property boundary. It's a pretty substantial water main project, but you know with the redevelopment of the site like this that the developers wear that cost. The traffic and headlights were some other comments that were submitted from the public. You know, and the developer. I've had a chance to talk with him. He is not here tonight. He has the flu and felt like it would be better for him to not be here. And exposing that to other people. But we had a very long conversation about this and he's going to work directly with the neighbor immediately to the north, that's closest to the entry into this project to talk about some fencing and/or a combination of that with some landscaping to make sure that there aren't any impacts to their home from people exiting this project. Obviously, with the exiting of this project, it's the furthest west that ACHD has approved the entry into here and traffic will be turning west there's no connection to the east on Ballard Lane, that dead ends into some other larger residential properties right now. But we are looking at installing some dead-end signs. And you know, 'No thru traffic' signs, whatever we can do to make sure that users of this project understand that there is no thru traffic that goes east of the entry. The eastern most entry or driveway that goes on to Ballard is an emergency only access as required by the fire department. We have that a little bit further east and the fire Department asked us to move that to the western boundary just for additional distance between those for safety of emergency vehicles. There was some question about potentially putting speed bumps on Ballard; ACHD, and I believe the City of Kuna do not allow those to be placed on a roadway that's classified as a collector roadway. Some experience I've had with the fire department. They also don't really like them because they can create some maintenance issues with the suspension systems in their larger apparatus and potentially extend response times of emergency vehicles and knowing that there will be signing this roadway is, you know, dead end and stuff. It will probably put something to the effect of you will not be able to turn your trailer around down here if you go past this entrance as well, just to make sure that people are well aware of where they should not be driving.

The... Let's see... We did explore potentially moving the entrance a little further west towards Ten Mile and there was some concerns about stacking for users turning into this project that, you know traffic could potentially back up to Ten Mile. We obviously don't want to do that. And again, ACHD did approve the location of the entrance. Another question we had was about the facility hours. This will not be a 24/7 facility for self-storage. I'm talking to a couple different... These operators of self-storage facilities for this we anticipate this to be something in the 7:00 AM to 7:00 PM range of operations. There will be a manager slash maintenance person that is on the site periodically. A lot of these storage units, they operate with some automated kiosks and stuff for when you sign up for your unit... and... but there will be someone that is on site, at least, a couple of times a week, making sure that there aren't any issues there and absolutely will be some sort of security system; probably consisting of sensors and cameras and everything else to make sure that the facility is safe and secure, not only for the users of the project but or the neighbors, adjacent.

There was some talk about trash. You know, with storage unit facilities, putting in trash enclosures for dumpsters invites people that use them to put large, you know, couches they don't want other stuff that they don't want in their storage unit or can't fit into those. And then it becomes a problem for solid waste removing them. So. There will be an office on the site and we'll have some rollout. You know, the standard residential type carts for office use there. There will be a restroom facility for office use and that is tied into a septic system on the site. It exist, there was an existing home on the site. And so, we anticipate going through Central District Health and getting, you know, some more information about the existing septic and how to rehab that, move it to a better location for the office use, and that will be used until the time that the sewer is extended past this site. I believe it's 1100 feet away right now, although there is potable water, so the, again, developers well aware that they will need to hook into the sewer when that main gets brought by. Also knowing that the Kuna sewer treatment plant needs some pretty significant upgrades before really anything of substance gets connected to it. And I guess one last thing about the entrance into this site, it is about 135 feet west of the driveway entrance of the house immediately to the north. It's going to, you know, immediately north of the western-most part of the site, I guess. Although we do understand that the yard and the way that the House is oriented, there could be a potential impact. But we feel very good about the fact that traffic will be turning west out of the entrance when they leave and coming in they're obviously turning south. So hopefully with the addition of some landscape and fencing coordinated with that owner, we can mitigate any negative impacts on their property. So with that I think I'd stand for any additional questions that you may have.

Vice Chairman Hennis Thank you. I don't have any at this point. Does anyone?

Commissioner Jim Main No, not yet.

Vice Chairman Hennis Thank you. That actually answered quite a bit so.

Ben Semple All right, great. Thanks.

Vice Chairman Hennis Okay, so with that, I'll open up the public testimony at 6:48. And is there anybody present that has not signed up already? Okay. Would you mind coming up and signing in? In favor neutral or in opposition. Thank you. Okay. And so just to remind everybody, it's everybody gets 3 minutes to present their testimony and we'll go in just basically by the list, so the first we'll have up in favor is Robbie Reno.

Robbie Reno Robbie Reno, Kuna School District, 711 E Porter St. Kuna, Idaho. Unfortunately, this is not fall in the Kuna School District, but we support any commercial development that comes to Kuna because it takes away from the homeowners tax and it increases the commercial tax, that we know is very limited in Kuna, but, unfortunately this does not reside in that Kuna School District but we would support it if it was. Thank you.

Vice Chairman Hennis Thank you. Okay, next on the list, in the neutral category, I have Robert Sickish. Kelch, sorry.

Jenny Kelch Jenny Kelch, Robert's wife. So, we reside at 3188 W Ballard Lane.

Vice Chairman Hennis Could you come closer to it?

Jenny Kelch Is that better?

Vice Chairman Hennis Yeah. There you go.

Jenny Kelch So we are we reside at 3188 Ballard Lane. So, we are directly across from the storage unit. A couple of things have already been addressed. It sounds like, but you know considerations that we have are increased traffic on our lane. Obviously, there's only two homeowners on the lane now, so it's going to be a huge impact to us and Ballard Lane will be the input to the storage and that storage unit driveway is about 100 feet from our private driveway. So, you know, concerns the public may use our driveway to potentially turn around and Ballard lanes about 1/3 of a mile long. And there's no posted speeds and it's a dead end. But it there's no designation of it being a dead end. So, you know, some concerns that they think they'll be an outlet down Ballard Lane to get out. And so, they'll just be like, constant traffic going back and forth. Yeah. So, we had concerns with, you know, kids, you know, we have grandchildren, we have, you know, barn cats that live outside and things like that. So, we talked about posting some signs potentially we talked about the security. Our house will directly face the traffic coming out of the driveway. So, every car that comes out is going to shine lights onto our house. So that was a concern as well. Streetlights are going to be placed. I don't know where they're going to be replaced, but they could potentially be shining into our home as well. And then we have a horse pasture fencing right along Ballard Lane. And so, you know, concerned just for public wanting to cross the street and pet our horses. Or, you know, just come onto our property. Because we're right there, you know, so. That was that talked about security cameras and then the lane, the paving of the lane. Only half of the width. And we have some concerns just on the gravel road and how it's going to all match and we have farm equipment coming down the road, you know, all season long, but you know could impact that roadway. So that was our other concern. That's it.

Vice Chairman Hennis Thank you. I have a couple of questions real quick. So what gravel road are you indicating? Is it the Ballard Lane itself?

Jenny Kelch So Ballard, yeah, it's.

Robert Kelch It's called... it's recycled asphalt. And it's got a bunch of potholes in it and it's not in very good shape. And so we're thinking if the road only gets developed half of it, the other half is just going to deteriorate really bad.

Vice Chairman Hennis Okay. And is your driveways down, Ballard Lane?

Jenny Kelch Yes.

Vice Chairman Hennis A little further down. Okay, but the house is.

Jenny Kelch Yeah, 100 feet or something than the house that's in towards Ten Mile if that makes sense.

Vice Chairman Hennis Okay, gotcha. I'm just trying to get that in my mind where that is. Okay, thank you. Okay, next on the list. Michael Thompson, Tomkinson.

Michael Tomkinson My name is Michael Tomkinson. We live at 2824 Ballard Lane. We're neighbors next to Jenny and Robert, who just previously spoke. We have a number of concerns, as comes with development. Obviously, you're not going to stop development and what is currently there to what could be there sounds better. Along that note, we do have some of the same concerns that the previous Jenny and Roberts spoke about, and that is the asphalt driveway. They talked about

coming in. But people got to come out. And they're going to tear that other half of the road up, leaving, because they when we met with the original proposal, when we had the onsite meeting, I'm sorry, I don't know what that's called. I'm not recalling it right now, but, neighborhood meeting? and we went over that. They were only going to do like 12 1/2 feet. But it's 20, 25 feet wide. And they are going to put that entrance. So people come in, got a new paved road. but people that come out are going to drive down our road. And that's going to take some extra wear and tear. And we would like to see that to wherever their entrance is. Completed the full width. We've got a little question on how that's going to work out because it's a little blurry. ACHD The... two years ago, roughly. Took that right away back from us. So, it's their job to maintain it. But where does that fall into development and where does that fall into Who's going to own the correction of that? And so, we would like that answered, obviously I share... We have three neighbors, basically. One is Dave Berryman here? Jenny and Robert and we're all, again, willing to see it developed were neutral on it. At least I am, but, Again, neighborhood meetings first thing. They talked about two sides. There's two other sides, and those two other sides of a fenced in property. What do those look like? The front two sides look like stone and vinyl fence, and they look good, but the other side. When we talked at the neighborhood meeting were just chain-link and I think maybe a privacy chain link, at least, like something to block off the items that are stored in there just so it doesn't look like a parking lot. That's really all I have on that. And then we would like signs post as you talked about. Just the, you know, dead end, don't turn around. Our driveway is not a turn around. I mean, it's going to get old, real quick. And then we also have one are there question and that is we're a mid-mile marker road. So, we're right in the middle. And they developed it the other way going east to west. Is there not an availability to have the entrance off of Ten Mile? Because Ten Mile is widening road right there, they're working their way down here. Making it four lanes.

Vice Chairman Hennis I'm going to have to stop you there. We've got you 3 minutes. So, I was trying to get that question out. So, we'll see what we can do to answer that. Thank you.

Michael Tomkinson Okay. No, you're all right.

Vice Chairman Hennis Thank You. Okay, next up is Da- Excuse me, Dave Berryman.

Dave Berryman. David Berryman, 2705 W Berryman Lane. I support the idea; I like it way better than 40 homes. That way less traffic. I think there's going to won't be constant. And I know Robert's and Jenny's concerns, as well as Mikes, but I'm my properties on the south side of the project. And I think we've talked about the fencing; I believe it's going to be a like a privacy fence, and I've talked to them about putting a berm up and putting the fence on top of that so that we don't have as much visibility of the parking area. So, I'm all for it.

Vice Chairman Hennis Thank you. Okay. And last one up on the list tonight is Beverly Wolf.

Beverly Wolf Beverly Wolf, 3420 W Commemoration. I'm only against this kind of stuff because where's the other commercial there? I'm just asking and can you tell me for sure that this piece of commercial development is actually going to fund the taxes because everything I've read about commercial incentives gives them breaks in their property taxes 50 to 100% for up to five years. So how exactly does that help the City of Kuna and me as a taxpayer? Berryman is the access to this; however, everybody still has to come down Ten Mile to get in and out bumper to bumper. I see it all day long and all night long. How busy that gets during peak hours so the traffic's still going to go up, the wear and tear on the road is still going to go up and who pays for the road repair? These poor people are going to lose their beautiful rural area. Some of them have different reasons that they're

willing to support it, but I'm guessing they're feeling overwhelmed by a developer because the developers seem to win the most here. How would you like it if the two neighbors across the street from you got plowed down and paved with a parking lot? I'm just asking.

Vice Chairman Hennis Thank you. With that, that's everybody on the list. So, if the applicant would like to come back, answer some of the questions.

Ben Semple Mr. Chair, members of the Commission, again, Ben Semple, 1450 W Bannock St. Boise. Yeah, very sensitive to, you know, the impacts that development makes on neighbors. And I unfortunately can't speak to how the tax code works in Kuna and how commercial tax base versus residential. I do know that typically in other jurisdictions, commercial tax base ends up being higher than residential and helps offset some of those costs. Regarding traffic, yeah, we're, as I stated, the developer, my client is really working with ACHD regarding dead end through signs, don't turn your trailer around down here. If we, you know, we'll talk to them about speed limit signs, whatever that needs to be that they feel is appropriate here. Again, they've identified this as a future collector roadway because it is on the mid mile there. So, the half of a 36-foot road section so from center line to back of curb, 18 feet. It's approximately 16 feet of pavement from the center line of that road. I'll definitely talk to ACHD and my client about rehabbing the northern section of that road from Ten Mile to, you know, the east side of the entry with, you know, a rural road section in other projects have done, you know, they've done half the road section, then 12 feet of pavement on the Northside of the center line of, you know that would give them 28 feet of pavement there, which I think would help, you know, alleviate some of the issues that were brought up by the neighbors.

So, we don't have streetlights shown along Ballard. I haven't seen anything from the city requiring streetlights or ACHD requiring streetlights along that section of Ballard. Because it is a dead end, and while ACHD has designated a certain way, it's probably going to be quite a while before that gets extended. You know, we're not going to propose them, so unless it's conditioned by the city or another jurisdiction, we would like to not install those. We're also avoiding putting any lighting on the north side of those buildings to again help alleviate some of the issues with the light intrusion. There is a landscape buffer between the buildings and the sidewalk, as well as between the sidewalk and the roadway, so we also feel like the addition of substantial landscape. I'm also the landscape architect on the project, so I've really worked hard at incorporating evergreens and you know some larger shade trees along there, as well as the other. Boundaries, including the west, south and east sides as well.

Let's see the fencing. We'll definitely meet Kuna standards. You know, we'll do a privacy fence, whether that's a chain link with slats or a wood privacy vinyl privacy, you know, whatever is conditioned for that to be to help, you know, block as much. Yeah, a berm fencing and landscaping. It seems totally appropriate around that outdoor storage area the buildings themselves on the north side will really be attractive on the north. They're pretty standard on the south side. So, they're going to be mostly roll up doors and then that... The main building out in the front that climate controlled is really going to be finished the same way all the way around stucco. Some metal panel, you know, as conditioned with either hidden fasteners or painted fasteners as again we're in agreement with and the stormwater area in the southwest portion of that site. We're also going to incorporate a lot of other landscaping in there, kind of create just a nice, naturalized area in that space. Excuse me. And then the one last thing about the access to Ten Mile, ACHD, anytime you develop, requires access from the lesser classified roadway, which in this case is Ballard Lane. They've actually told us they will not approve a direct access to Ten Mile, which is why we have to close the current driveway onto there. We are improving Ten Mile, as well. A little bit of additional pavement and then sidewalk

along there also, so. Think, I've addressed everything that I can at this time, so I'd stand any stand for any additional questions you might have.

Vice Chairman Hennis Thank you. This is a point of clarification, if indeed. Some agency requires streetlights out there. We still have Dark Skies Ordinance in the city, so it would not be polluting into the neighbor's yards, just as a requirement. So just to let the neighbors know, did anybody else have questions for the applicant?

Commissioner Jim Main You bet. So, you're proposing a 7:00 AM to 7:00 PM operation hours?

Ben Semple I mean, that's what I've discussed with my client. They're talking to some other operators, and I know some are, you know, 8:00 AM to 6:00 PM there's, you know, times that all I know is that it's not going to be a 24/7 facility, which, I think...

Commissioner Jim Main So there shouldn't be a problem with headlights...

Ben Semple Correct.

Commissioner Jim Main Coming down the lane.

Ben Semple I mean at this time of year possibly, because of daylight savings time, but you know.

Commissioner Jim Main Yeah, we're...

Ben Semple Most people avoid the colder months when they're moving anyway, so.

Commissioner Jim Main Yeah, I'm looking at the half section on Ballard Lane. To me it seems that we should at least provide a full section from the entry to Ten Mile.

Commissioner Bryan Clark Half plus 12. As he was saying, is usually, yeah, that's very standard in a lot of areas and that's providing a full drive lane on the North End. I'm sorry. So westbound traffic would provide, it would be given a full drive lane.

Commissioner Jim Main You're looking at 1/2 plus 12? Okay. Additionally, we can put all the signs up. We want to say no turnaround don't come down here. But people are going to go down there, and you know they're going to forget their code and they're going to do this or that and they're going to drive to the end of the lane and try to figure out how to turn around. I'd really like to see some way to mitigate that. Some way within the facility to turn a vehicle around.

Vice Chairman Hennis And to clarify that, Jim, I mean there's plenty of opportunity inside to turn around, but if they forgot their code, then what do you mean by that?

Commissioner Jim Main Well, if they forgot their code. They're going to drive in with the trailer. They can't get into the facility. Right. How do they turn around?

Vice Chairman Hennis Right. That's kind of what I was asking. So, you finished your statement with a provision to turn around in the facility?

Commissioner Jim Main I think that.

Vice Chairman Hennis Prior to an access point.

Commissioner Jim Main Now I think there needs to be some way that the facility provides a way for vehicles to turn around.

Ben Semple Mr. Chair and Commissioner Main if I may. So, there is a requirement that the entry gate be set a minimum of 30 feet in from the edge of the pavement of the travel lane of Ballard, which in you know my experience, unless you're hauling something really big that would allow you to back out, you know, towards the east and then leave westerly. I don't know how else we can. I mean, putting a big, paved cul-de-sac there at the entry, maybe a little challenging. We can look at where we can move that entry gate if we can push it further in. But it starts impacting some of the storage buildings and stuff, but I feel like it people will have the opportunity to be able to back out and go without going east down the lane.

Commissioner Bryan Clark Question on that point. The gate on that Western access drive. Would that be Because this access driveway is open to the public during operating hours, yes.

Ben Semple Mr. Chair, Commissioner Clark. Yeah, that's true. During only during business hours...

Commissioner Bryan Clark Okay so, is coded access going to be available at the gate outside of business hours?

Ben Semple No.

Commissioner Bryan Clark Okay. So that gate would just be normally closed off hours. So, Jim, I think what I'm getting at here is this entire driveway access leading up to the parking lot just south of the building is open to the public during operating hours.

Commissioner Jim Main So, is that correct?

Ben Semple That could be made that way.

Commissioner Jim Main I mean, so the gate could be open from 7:00 AM to 7:00 PM so an access code wouldn't be required.

Commissioner Bryan Clark Yeah because there are additional gates, there are additional fences and gates. There are a couple of them sitting here from what I can tell, one at the west edge of building 2, building 4 and then one caddy corner from the southwest corner of building 4. Is that correct?

Ben Semple Correct.

Commissioner Bryan Clark Is that what I'm saying?

Ben Semple Yes. And Mr. Chair and Commissioners also the building in the front, the Northwest most building is secured Interior space so you could park in the parking lot if you have a small unit inside that climate controlled building that then you could walk up to punch in the code to access into that building. But the parking lot could. Yeah, it would be accessible by the public.

Commissioner Jim Main Okay.

Ben Semple If that's how you want to condition it, then we can definitely make that happen.

Commissioner Jim Main Yes, that sounds good and I'd like to see some signage to the east of that first entry. That says, you know, "Don't go past this point" Basically, you turn in here and you come out here and you go out.

Ben Semple Yeah, Mr. Chair and Commissioner Mani Yeah, we'll will have a sign that says entry. The only entry is here. You know, the other one is an emergency, only access. So, there's no opportunity for anyone to go down there and get in any way. And we'll make that very clear with signage.

Commissioner Jim Main Okay. And then my final thing is on fencing, because there's it really doesn't tell us what the fencing is. You just say you're going to comply with the Kuna City code. Maybe I need to know what the Kuna City Code is going to require you to put in for fencing.

Ben Semple Mr. Chair, Commissioner Main. Yeah, I think we're open to, you know, if it's six-foot vinyl, six-foot wood, six-foot chain link with slats, I think that there's a couple of different options. I'm obviously looking at something that's cost effective, but still does the job, you know, and then with the combination of landscaping. You feel like you know it's not going to be an open vision chain link only fence. That's a definite right is there.

Commissioner Jim Main Is there an opportunity to actually berm part of that on the south and east sides and put the fence on top of the berm?

Ben Semple Mr. Chair and Commissioner Main, yes, on the South, definitely around the outdoor storage area, that was the intent. The buildings themselves create a pretty good buffer along the Northeast and the north part of the site. So, but yeah, we would and we can do that.

Commissioner Jim Main Alright, thank you.

Associate Planner Jessica Hall Commissioners, I would refer you to Section 6.6 of the staff report. It gives specifically the Kuna City Code 5-5-5-E where it states fencing adjacent to residential area shall be sight obscuring. Then there is also additional detail of what could be used. It could be coniferous trees, vines, some kind of mesh fencing, privacy, slat, something that is still attractive but does not create a severe maintenance concern or issue and then there are some height allowances depending if that's like a security fencing with some type of barbed or razor wire above it. That definitely could be worked with the applicant to update their landscape plan to reflect that.

Vice Chairman Hennis Any other questions?

Commissioner Ginny Greger Jim covered them.

Ben Semple Thank you.

Vice Chairman Hennis Thank you. And with that, I'll close the public testimony at 7:14. And that leads to our deliberation.

Commissioner Bryan Clark My only big concern at the end of the day would be to make sure that half plus 12 would be very reasonable for that situation, especially since it's an older, you know, it needs to be an actual roadway section to support traffic. It sounds like the existing road today is just recovered asphalt. It's DG that's not really conducive to public traffic. So, that's my biggest concern. I think the project lighting looks good. Exterior lighting doesn't look excessive and it's all downward

pointing. Looking at building one, there is exterior lighting along the north edge. But again, that looks like it's all facing down landscape lighting. So, I don't think that's of any major concern. And all the on-site lighting looks to be contained within the bounce height wise of the building itself. So, I don't see that as being a large concern for the neighbors, potentially.

Commissioner Ginny Greger No, I think if they go half plus 12 on the road.

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson Kuna Planning and Zoning staff. Just to touch on that, to be clear, the Ballard Lane is public right of way. It's outside of our jurisdictional authority. And especially in this case with we can't be making conditions. To make improvements north of Centerline, we can work with ACH's policies to instill changes South of. Line, but in this instance, the north of Centerline is outside of our jurisdictional authority. We would need to rely on ACHD to make recommended proposals to the policy. It would have to be fitting within their policy if they're not recommending that we make any changes to the north of Centerline on Ballard Lane, that's not within our jurisdictional authority to establish. That might be something we can work with ACHD and bring up, but it's not really in our purview to make requirements north of Centerline at that point. If ACHD is not requiring it.

Vice Chairman Hennis But if it's not good roadway. Then how do we mitigate that? Those concerns that it might damage that existing quote, "no pavement", but it's really not pavement.

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning staff. Any damages that would occur as a result of construction would obviously need to be corrected and fixed.

Vice Chairman Hennis Well, we're not talking construction, we're talking just normal usage. If it's indeed just reclaimed blacktop, then that doesn't seem that that's within their roadway specifications anyhow. So, I'm confused as to what the road condition actually is or, you know, if it's ACHD, it can't be reclaimed pavement in that area.

Kuna Planning and Zoning Director Doug Hanson and if this is a large area of concern... for the record, Doug Hanson Kuna Planning and Zoning. Staff would perhaps recommend tabling this item to acquire additional information from ACHD to enter it into the record. With what we have in front of us, it may be difficult to make this decision this evening. We're happy to get additional information in regard to Ballard Lane and the state of the pavement and we can see if ACHD would be willing to expand on their requirements of the applicant to make changes to the north half of Ballard Lane. But that's just not what's before us this evening, the north of the center line. I'm sorry.

Vice Chairman Hennis Okay, thank you. In your experience, what... because you deal with civil a lot more than I do on that.

Commissioner Bryan Clark in a different world, keep in mind.

Vice Chairman Hennis right? But. Closer than my world, I mean.

Commissioner Bryan Clark Fair enough.

Vice Chairman Hennis How do we try to help this situation? It doesn't seem... I mean.

Commissioner Bryan Clark At this point, it seems like the prudent course would be to push it back to ACHD and see if there's an opportunity to include that additional... sounds like the developers willing to work with that condition. but they can't just put pavement in without approval from ACHD, obviously, so this would have to be something that would be within the bounds. I mean, ACHD is just a whole different animal I'm used to. I'm used to paving within the city so.

Vice Chairman Hennis I'm just not sure if we can Table at one session and get any information from ACHD. I mean that's it's like pulling teeth from an elephant.

Commissioner Bryan Clark So at that point, would we want to table to a date uncertain if we were to go that direction?

Associate Planner Jessica Hall For the record, Jessica Hall, Associate Planner, 751 W 4th St. Staff would request that you give us the opportunity to attempt to make that call to ACHD. I've worked a couple projects specifically within the last three or four months where I was able to contact the individual who wrote this staff report themselves and get a pretty quick answer. ACHD actually has a full staff now, so they tend to be a little bit quicker than they have in the past.

Vice Chairman Hennis Okay.

Associate Planner Jessica Hall So, I would request it be tabled to a date certain of December 12th, 2023. Of course, that is at your discretion, but that would be what we would prefer.

Commissioner Bryan Clark I think that's reasonable.

Commissioner Ginny Greger I do too.

Vice Chairman Hennis Okay. Well then, I stand for motion.

Commissioner Bryan Clark Go for it. I haven't. Gotten there yet.

Commissioner Jim Main Mr. Chairman, I move that we table Case Nos. 23-O3-AN, 23-12-SUP and 23-11-D R for 5610 S Ten Mile/Ten Mile Storage to a date certain of December 12, 2023, so staff may contact ACHD to inquire about additional paving on the lane.

Commissioner Bryan Clark Seconded.

Vice Chairman Hennis All in favor, aye.

All Commissioners Aye.

Vice Chairman Hennis Thank you. And with that, I see no other items on the agenda. Is there anything from staff to include tonight?

(Timestamp 01:19:13)

Motion To: Table Case Nos. 23-O3-AN, 23-12-SUP and 23-11-D R for 5610 S Ten Mile/Ten Mile Storage to a date certain of December 12, 2023.

Motion By: Commissioner Jim Main

Motion Seconded: Commissioner Bryan Clark

Further Discussion: None

Voting Aye: Commissioners Main, Clark, Hennis, Greger

Voting No: None

Absent: Chairman Young
Motion Passed 4-0-1

5. BUSINESS ITEMS:

None

6. UPDATES & REPORTS: Non-Action Items

None

7. ADJOURNMENT:

Commissioner Ginny Greger I move, we adjourn.

Commissioner Bryan Clark Seconded.

Vice Chairman Hennis All in favor?

All Commissioners Aye.

Commissioner Bryan Clark Thank you.

(Timestamp 01:20:05)

Motion To: Adjourn

Motion By: Commissioner Ginny Greger

Motion Seconded: Commissioner Bryan Clark

Further Discussion: None

Voting Aye: Commissioners Main, Clark, Hennis, Greger

Voting No: None

Absent: Chairman Young

Motion Passed 4-0-1

Dana Hennis, Vice Chairman

ATTEST:

Doug Hanson, Director

Minutes prepared by Garrett Michaelson, Kuna City Clerk's Office.



Commission Public Hearing Sign-in Sheet November 28, 2023

Case No(s): 23-03-AN (Annexation) & 23-12-SUP (Special Use Permit)

Case Name: 5610 S Ten Mile – Ten Mile Storage

IN FAVOR	NEUTRAL	OPPOSITION
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify <u>Robbie Reed (KSD)</u> Name <u>711 E Porter</u> Address <u>Kuna, ID 83634</u> City, State, Zip	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name Address City, State, Zip	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify <u>Beverly Wolf</u> Name <u>3420 W. Comm</u> Address <u>Kuna, ID 83634</u> City, State, Zip
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name Address City, State, Zip	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify <u>Robert Keisch</u> Name <u>388 W. BALLARD LN</u> Address <u>Meridian ID</u> City, State, Zip <u>83642</u>	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name Address City, State, Zip
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name Address City, State, Zip	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify <u>Michael Tomkinson</u> Name <u>2824 Ballard Ln</u> Address <u>Meridian ID 83642</u> City, State, Zip	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name Address City, State, Zip
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name Address City, State, Zip	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify <u>DAVE BERRYMAN</u> Name <u>BERRYMAN LANE</u> Address <u>Meridian ID</u> City, State, Zip <u>83642</u>	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name Address City, State, Zip



CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

MEMO

Date: December 12, 2023
From: Doug Hanson, Planning & Zoning Director
To: Kuna Planning and Zoning Commission
RE: Case No. 23-01-OA (Ordinance Amendment)

Commissioners,

Case No. 23-01-OA (Ordinance Amendment) has been changed to reflect the changes requested to the Lot Split section by the Planning & Zoning Commission on November 28, 2023. Those changes can be viewed as Exhibits 2.22A and 2.22B below.

Thank you,

A handwritten signature in blue ink, appearing to read 'Doug Hanson'.

Doug Hanson
Planning & Zoning Director
dhanson@kunaid.gov
208-287-1771

Exhibit List

<i>DESCRIPTION OF EVIDENCE</i>	<i>Withdrawn</i>	<i>Refused</i>	<i>Admitted</i>
1.12 P&Z COMMISSION MEMO			X
1.1 STAFF REPORT.pdf			X
1.2 P&Z COMISSION SIGN IN SHEETS.pdf			X
1.3 P&Z COMMISSION FCO'S.pdf			X
1.4 P&Z COMMISSION MINUTES.pdf			X
1.5 STAFF MEMO 09.05.2023.pdf			X
1.6 STAFF MEMO 09.16.2023.pdf			X
1.7 STAFF MEMO 10.17.2023.pdf			X
1.8 CC MINUTES.pdf			X
1.9 CC SIGN IN SHEETS.pdf			X
1.10 P&Z COMMISSION MEMO.pdf			X
1.11 SIGN IN SHEET 11.14.2023.pdf			X
2.1 P&Z APPLICATION COVERSHEET.pdf			X
2.2 ORDINANCE AMENDMENT APPLICATION.pdf			X
2.3A KCC TITLE 5 & 6 REWRITE DRAFT REDLINES.pdf			X
2.3B KCC TITLE 5 & 6 REWRITE DRAFT.pdf			X
2.4 OPEN HOUSE MATERIALS AND COMMENTS.pdf			X
2.5 EAST KUNA INDUSTRIAL OVERLAY DISTRICT.pdf			X
2.6 DOWNTOWN OVERLAY DISTRICT.pdf			X
2.7 CITY OF KUNA DOWNTOWN DESIGN STANDARDS.pdf			X
2.12 COMMISSION PROPOSED CHANGES.pdf			X
2.14 COUNCIL PROPOSED CHANGES.pdf			X
2.15 COUNCIL REQUESTED CHANGES 9.19.2023.pdf			X
2.19A KCC TITLE 5 & 6 REWRITE DRAFT REDLINES 10.17.2023.pdf			X
2.19B KCC TITLE 5 & 6 REWRITE DRAFT 10.17.2023.pdf			X
2.21A KCC TITLE 5 & 6 REWRITE DRAFT REDLINES 12.12.2023.pdf			X
2.21B KCC TITLE 5 & 6 REWRITE DRAFT 12.12.2023.pdf			X
2.22A COMISSION REQUESTED LOT SPLIT CHANGES REDLINES 12.12.2023.pdf			X
2.22B COMISSION REQUESTED LOT SPLIT CHANGES 12.12.2023.pdf			X
2.9 AGENCY TRANSMITTAL.pdf			X
2.10 P&Z COMISSION KUNA MELBA NEWS.pdf			X
2.13 CC KUNA MELBA NEWS.pdf			X
2.8 GARRETT MICHAELSON COMMENT.pdf			X
2.11 CINDY GIESEN COMMENT.pdf			X
2.17 BOYD ANDERSON COMMENT.pdf			X
2.18 BEN DECKER COMMENT.pdf			X
2.20 CINDY GEISEN COMMENT 11.08.2023.pdf			X



MEMO

Date: December 12, 2023

From: Jessica Hall, Associate Planner

To: Kuna Planning & Zoning Commission

RE: Case Nos. 23-03-AN (Annexation), 23-12-SUP (Special Use Permit) & 23-11-DR (Design Review) regarding additional paving North of centerline on W Ballard Lane.

Commissioners,

At the regular meeting held November 28, 2023, the Commission Motioned to table the Case to a date certain of December 12, 2023, pending additional information regarding additional paving of W Ballard Lane north of centerline.

Applicant Representative Ben Semple contacted Karaleigh Troyer of Ada County Highway District (ACHD) to discuss neighbors concerns with the required ½ of a 36 FT street section not being adequate as it would result in additional degradation of the road surface North of centerline. In response, ACHD stated that Collector roadways are improved through adjacent development and that ACHD Policy allowed for the city to request additional Conditions for development.

As a result, Mr. Semple determined he and the Applicant propose to provide an additional portion of pavement totaling 28 FT wide from N Ten Mile Road to East of the driveway (approximately 266 FT in length).

Based on staff review of the information provided by ACHD and the Applicant's proposal, staff is in support of the Applicant providing an additional 12 FT of pavement North of centerline on W Ballard Lane, from N Ten Mile Road to East of the driveway.

Sincerely,

A handwritten signature in blue ink, appearing to be "Jessica Hall", written over a light blue horizontal line.

Jessica Hall
Associate Planner

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATIONS OF) **Case Nos. 23-03-AN, 23-12-SUP & 23-11-DR**
)
Rowe Sanderson)
)
 For Annexation of 5610 S Ten Mile, and Special) **STAFF REPORT FOR ANNEXATION, SPECIAL**
 Use Permit & Design Review for Ten Mile) **USE PERMIT & DESIGN REVIEW**
 Storage.) **APPLICATIONS.**

TABLE OF CONTENTS

1. Exhibit List
2. Project Summary
3. Applicants Request
4. Process & Noticing
5. General Project Facts
6. Staff Analysis
7. Proposed Findings of Fact
8. Commission’s Proposed Recommendation



**I
EXHIBIT LIST**

The exhibits of the above-referenced matter consist of the following, to-wit:

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>	Withdrawn	Refused	Admitted
1.1 STAFF REPORT			X
2.34 BEN SEMPLE - ACHD ADDITIONAL PAVING EMAIL.pdf			X
1.2 INFORMATIONAL MEMO.pdf			X
2.35 APPLICANT STATEMENT - ADDITIONAL PAVING.pdf			X
2.1 P&Z APPLICATION COVERSHEET.pdf			X
2.2 ANNEXATION & ZONING APPLICATION.pdf			X
2.3 SPECIAL USE PERMIT APPLICATION.pdf			X
2.4 DESIGN REVIEW - COMMERCIAL.pdf			X
2.5 NARRATIVE.pdf			X

2.6 AERIAL MAP.pdf			X
2.7 VICINITY MAP.pdf			X
2.8 WARRANTY DEED.pdf			X
2.9 AFFIDAVIT OF LEGAL INTEREST.pdf			X
2.10 LEGAL DESCRIPTION.pdf			X
2.11 PRELIMINARY SITE PLAN.pdf			X
2.12 PRELIMINARY GRADING PLAN.pdf			X
2.13 PRELIMINARY LANDSCAPE PLAN.pdf			X
2.14 ELEVATIONS.pdf			X
2.15 LIGHTING PLAN & PHOTOMETRICS.pdf			X
2.16 NEIGHBORHOOD MEETING CERTIFICATION.pdf			X
2.17 COMMITMENT TO PROPERTY POSTING.pdf			X
2.18 AGENCY TRANSMITTAL.pdf			X
2.19 UPDATED AGENCY TRANSMITTAL.pdf			X
2.20 IDAHO TRANSPORTATION DEPARTMENT.pdf			X
2.21 CENTRAL DISTRICT HEALTH DEPARTMENT.pdf			X
2.22 NAMPA MERIDIAN IRRIGATION DISTRICT.pdf			X
2.23 MERIDIAN FIRE DEPARTMENT.pdf			X
2.24 ADA COUNTY DEVELOPMENT SERVICES.pdf			X
2.25 ADA COUNTY HIGHWAY DISTRICT.pdf			X
2.26 BOISE PROJECT BOARD OF CONTROL.pdf			X
2.31 CITY ENGINEERS MEMO.pdf			X
2.27 WEBSITE NOTICE.pdf			X
2.28 KMN PUBLICATION PROOF.pdf			X
2.29 300 FT PROPERTY OWNERS NOTICE.pdf			X
2.30 PROOF OF PROPERTY POSTING.pdf			X
2.32 ROBERT & GINNY KELSCH.pdf			X
2.33 MICHAEL TOMKINSON.pdf			X

II PROJECT SUMMARY

2.1 Subject Site & General Project Details

Description	Details
Acreage	10
Existing Land Use	RUT (Rural Urban Transition)
Future Land Use Designation	Mixed Use
Proposed Land Use	C-2 (Area Commercial)
Lots (No. & Type)	N/A
Number of Residential Units	N/A
Number of Phases	N/A
Gross Density (Dwelling Units per Acre)	N/A

2.2 Surrounding Land Uses

Direction	Current Zone	Future Land Use Map Designation	Development	Jurisdiction
North	RUT (Rural Urban Transition)	Mixed Use	Single-family homes with Agriculture fields	Ada County

South	RUT (Rural Urban Transition)	Mixed Use	Single-family home with Agriculture fields	Ada County
	R-6 (Medium Density Residential)	Mixed Use, Medium Density Residential	Caspian Subdivision No. 1	Kuna
East	RUT (Rural Urban Transition)	Medium Density Residential	Agriculture Fields	Ada County
West	RUT (Rural Urban Transition)	Mixed Use	Single-family home with Agriculture field	Ada County
	R-4 (Medium Density Residential)	Medium Density Residential	Gran Prado Subdivision No. 2	Kuna

III APPLICANTS REQUEST

- 3.1** Applicant requests to 10 acres into Kuna City Limits with a C-2 (Area Commercial) zone, as well as Special Use Permit and Design Review to construct and interior/exterior self-storage facility, associated parking lot, and landscaping; APN: S1236325410, Section 35, Township 3 North, Range 1 West.

IV PROCESS AND NOTICING

- 4.1** In accordance with Kuna City Code ([KCC](#)) 1-14-3, Annexations are designated as a public hearing, with the Commission as a recommending body and Council as the decision-making body, and Special Use Permits designated as a public hearing with the Commission as the decision-making body. These land use applications were given proper public notice and followed the requirements set forth in [Idaho Code §67-65](#) Local Land Use Planning Act. Design Reviews are designated as public meetings before the Commission and do not require public noticing.
- A. Neighborhood Meeting: May 31, 2023 (8 attendees).
 - B. Agency Transmittal: September 8, 2023
 - C. Updated Agency Transmittal: October 16, 2023
 - C. City Website: November 1, 2023
 - D. Kuna Melba News: November 8, 2023
 - E. 300 FT Property Owners Notice: November 8, 2023
 - F. Site Posted: November 17, 2023

V GENERAL PROJECT FACTS

5.1 Site History & Features

- A. The subject site is zoned site is zoned RUT (Rural Urban Transition) within unincorporated Ada County and has historically served as a single-family residence with pastureland.
- B. The Comprehensive Plan Future Land Use Map (FLUM) serves as a guide and is not the actual zone; the subject site is designated as Mixed Use.

- C. The subject site has an estimated slope of 0 – 4%, and according to the USDA Soil Survey for Ada County, bedrock depth is estimated to be 20 – 40 inches.
- D. Staff is not aware of any environmental, health or safety issues beyond the subject site being within the Nitrate Priority Area. The Idaho Department of Environmental Quality (DEQ) provides recommendations for surface and groundwater protection practices and requirements for development of the site.

VI STAFF ANALYSIS

6.1 Idaho Transportation Department (ITD)

- A. ITD had no concerns as they determine that storage units do not generally generate enough traffic to cause a major impact to Hwy 69/Meridian Road.

6.2 Ada County Highway District (ACHD)

- A. ACHD will require an additional right-of-way dedication of 50 FT from centerline on Ten Mile Road for the length of the site. It is also noted an eight (8) FT detached sidewalk is required along N Ten Mile Road and for it to be located 43 FT from centerline.
- B. Ballard Lane is required to be constructed as half of a 36 FT wide Collector street section with curb, gutter, and an eight (8) FT attached sidewalk; however, [KCC 5-17-13\(B.4\)](#) requires said sidewalk to be *detached* and to be located fully within the right-of-way, and to have a 4 – 8 FT irrigated and landscaped planter strip.
- C. ACHD requires the existing driveway on N Ten Mile Road be closed with sidewalk and construct two (2) new 25 FT wide curb return type driveways on Ballard Lane, located 258 FT and 528 FT East of N Ten Mile Road.
- D. Direct access to N Ten Mile Road and Ballard Lane is prohibited in locations other than what has been specially approved with this application.

6.2 Dimensional Standards & Site Layout

- A. As the project is proposed to be constructed on a single parcel, the minimum lot size for the C-2 zone is well exceeded.
- B. Upon review of the proposed site plan, the project is in compliance with the zero (0) FT setbacks as found in [KCC 5-3-3](#) for the C-2 zone; the proposed structure heights are also in compliance.
- C. Ten structures are proposed for the project and are on the North half of the property, one (1) large main structure providing climate controlled indoor storage and an office, then nine (9) building providing typical self-storage garages.
- D. An open air storage area is proposed on the South portion of the subject site and will be fully paved and striped.

6.3 Elevations

- A. The main structure provides West and South elevations which nearly mirror each other. A storefront window system surrounded by a stucco finish in Extra White is proposed for the office while an overhang is provided in a contrasting wood plank cladding in Walnut; it is this contrasting overhang on which future business signage is proposed. The remaining expanse of these elevations alternate

between a stucco finish in Extra White, and vertical metal wall panels in Charcoal Grey that have windows and metal awnings in Coal Black.

- B.** The North elevation of the main building provides alternating stucco and vertical metal wall panels with windows and awnings in the colors previously stated. The largest expanse of stucco finish is broken up with an additional business signage area.
- C.** The East elevation provides a stucco finish in Extra White on the upper portion, while the lower is to be vertical metal wall panels in Charcoal Grey with 19 overhead doors in White, as well as a double man-door in White.
- D.** Buildings B and C:
 - 1.** The North elevation provides alternating vertical metal wall panels in Charcoal Grey and Solar White.
 - 2.** The South elevation provides overhead doors in White for the self-storage lockers, with the surrounding wall being vertical metal wall panels in Charcoal Grey.
 - 3.** The East elevation provides vertical metal wall panels in Solar White while the West elevation provides the same panels in Charcoal Grey.
- E.** Buildings D through J:
 - 1.** The North and South elevations are proposed to have vertical metal wall panels in Solar White while both the East and West elevations provide overhead doors in White for the self-storage lockers, with the surrounding wall being vertical metal wall panels in Charcoal Grey.
- F.** All buildings are proposed to have Black gutter and parapet caps, as well as metal panel roofing in Solar White.
- G.** Staff notes all metal panels are required to have a concealed fastener system, or at least color-matched fasteners; roofing is required to be standing seam unless otherwise approved.
- H.** The Applicant proposes use of tip carts for trash collection at the office as dumpsters encourage self-storage users to throw away large or unpermitted items.

6.4 Open Space & Pathways

- A.** The section of N Ten Mile Road North of W Lake Hazel Road and South of W Amity Road is indicated as a future trail on the city's Pathways Master Plan; upon review, staff finds the existing and future sidewalks within this section meet intent of the Pathways Master Plan.

6.5 Landscaping

- A.** Applicant proposes an approximately 25 FT wide barrow ditch with hydroseed, eight (8) FT attached sidewalk, and 20 FT or larger landscape buffer along the entire N Ten Mile frontage.
- B.** A significant stormwater retention area is proposed to be located within the southwest corner of the site behind the N Ten Mile Road landscape buffer. This retention area is proposed to have sod as well as have planting areas on the north and northeast sides.
- C.** Along Ballard Lane, the Applicant proposes an eight (8) FT irrigated and landscaped planter strip, eight (8) FT sidewalk, and 12 FT landscape buffer. Landscaping within the planter strip is proposed to contain sod, deciduous trees, shrubs, and perennials.

- D. As there is an easement on the subject site for Berryman Lane to the South, the 10 FT landscape buffer begins just off said easement; a 10 FT or larger landscape buffer is also proposed along the East property line.
- E. A large landscape island is proposed to provide separation between the drive aisle along the storage buildings and the openair storage area.
- F. The proposed plantings for the overall site include sod; coniferous, deciduous, and flowering trees; various shrubs; ornamental grasses and perennials; and one (1) IN minus rock mulch.

6.6 Fencing

- A. Security fencing is proposed to surround the subject site, but fence details were not provided. Staff notes that [KCC 5-5-5\(E\)](#) states fencing adjacent to residential areas shall be site obscuring.
- B. [KCC 5-5-5\(G\)](#) also notes that fencing required for site obstruction shall be of dense coniferous plantings or climbing varieties of non-deciduous vines on permanently installed aluminum mesh fencing; other solid non-vision fencing materials that retain their attractiveness with minimal maintenance are also permitted.
- C. If security fencing is to be utilized in a commercial zone, it shall not exceed eight (8) FT in height; if barbed wire is to be utilized, the eight (8) FT height limit may be exceeded up to 30 IN by the barbed wire; otherwise, open vision fencing not utilizing barbed wire is permitted to be six (6) FT in height.

6.7 Central District Health Department (CDHD)

- A. CDHD notes that if restroom or plumbing facilities are to be installed, connection to city services if available or a sewage system installed to meet Idaho State Sewage Regulations are to be installed.

6.8 Meridian Fire

- A. Deputy Chief Bongiorno notes no concerns with the access for this proposed project.

6.9 Nampa & Meridian Irrigation District (NMID)

- A. If all storm drainage is retained on-site, there will be no impact to NMID.
- B. NMID states all private laterals and wasteways must be protected and the Developer comply with [Idaho Code §31-3805](#).

6.10 Boise Project Board of Control (BPBC)

- A. BPBC states there are no BPBC or NMID facilities located on the subject site & the site does possess a valid water right.

6.11 Ada County Development Services (ACDS)

- A. ACDS has provided their support of the requested Annexation and Zoning of the subject site.

6.12 Public Works

- A. The City Engineer's memo states Public Works can support approval of this application.
- B. The Applicant intends on utilizing a septic system at this time as the closest sewer connection is over 300 FT away; however, when applicable, the project shall connect to city sewer.

- C. The closest potable water connection is within Ten Mile Road, as such, the Applicant shall be required to construct a 12 IN water main within W Ballard Lane.
- D. The closest pressurized irrigation connection is also within Ten Mile Road and the Applicant shall be required to construct a 12 IN main within W Ballard Lane.

6.13 Comprehensive Plan

- A. Goal Area 1: Kuna will be economically diverse and vibrant.
 - 1. Goal 1.A.: Ensure land use in Kuna will support economic development.
 - Objective 1.A.2.: Create commercial nodes and corridors that support economic opportunities that do not compete with downtown revitalization efforts.
 - Policy 1.A.2.c.: Focus on development of commercial uses that will not compete with downtown Kuna’s business and character.
 - Policy 1.A.2.d.: Designate a sufficient quantity of land on the Future Land Use Map for commercial use.

Analysis: *The Comprehensive Plan Future Land Use Map (FLUM) provides large areas along the city’s main entryway corridors that are designated as commercial and/or Mixed Use. Since storage facilities are not permitted within the CBD (Central Business District) of downtown Kuna, no competition is present.*

- B. Goal Area 3: Kuna’s land uses will support a desirable, distinctive, and well-designed community.
 - 1. Goal 3.A.: Ensure community design directs growth and implement sustainable land use patterns.
 - Objective 3.A.1.: Use the Future Land Use Map and land use regulations to direct development, encourage complementary and compatible land uses, and achieve good community design.
 - Policy 3.A.1.d.: Use design standards such as facades, streetscaping, building orientation, setbacks, buffers, and parking requirements to encourage pedestrian friendly environments and improve connectivity.
 - 2. Goal 3.G.: Respect and protect private property rights.
 - Objective 3.G.1.: Ensure land use policies, restrictions, and fees do not violate private property rights.

Analysis: *The FLUM serves as a guide for the development of the city and this proposed Annexation of the subject site with a C-2 zone though the subject site is designated as Mixed Use, purely commercial development of the site minimizes the strain that typical Mixed Use developments put on city infrastructure. As there is a lack of commercial development within the Northern area of Kuna, construction of a storage facility within the area provides residents of the surrounding subdivisions to access a service they would otherwise be required to travel over two (2) miles to utilize. [KCC 5-4](#) provides requirements for the design and aesthetic character of commercial development and by requiring adequate buffering and sight obscuring fencing, it reduces the clash between the competing uses of commercial and residential. The Official Schedule of District Regulations found in [KCC 5-3-2](#) guides Applicants on uses allowed within each of the city’s zoning designations which provides a springboard for conversation with staff who then equip the Applicant with the required application processes used to meet their goals.*

6.10 Conclusion: Upon review, staff finds this Annexation and Zoning, Special Use Permit, and Design Review request to be compliant with [KCC 5](#), the Comprehensive Plan, and Idaho Code [§50-222](#) and [§67-65](#).

VII PROPOSED FINDINGS OF FACT

Based upon the record contained in Case Nos. 23-03-AN, 23-12-SUP, and 23-11-DR including the Comprehensive Plan, Kuna City Code, Staff's Memorandum, the exhibits, and testimony during the Public Hearing, the Commission hereby recommends *Approval/Conditional Approval/Denial* to Council of Case No. 23-03-AN and *Approves/Conditionally Approves/Denies* Case Nos. 23-12-SUP and 23-11-DR, a request for Annexation and Zoning of 5610 S Ten Mile Road, and to operate a self-storage facility.

If the Commission wishes to Approve, Conditionally Approve, Deny, or modify specific parts of the Findings of Fact and Conclusions of Law as detailed below, those changes must be specified.

- 7.1** Does the Annexation and Zoning, Special Use Permit, and Design Review applications contain the necessary requirements listed in [KCC 5](#), [Idaho Code §50-222](#), and [§67-65](#)?
- A.** The Applicant has submitted a complete application and following staff review of technical compliance, the request is compliant and is a Category A Annexation. (+)
- 7.2** Does the proposed storage facility use constitute a Special Use Permit?
- A.** As established in [KCC 5-3-2](#), a Special Use Permit is required for any and all storage facilities within Kuna City Limits. (+)
- 7.3** Was a Neighborhood Meeting conducted and were public noticing requirements met in accordance with Idaho Code and city Ordinances?
- A.** The Applicant held a Neighborhood Meeting May 31, 2023; there were eight (8) attendees.
- B.** Notice was posted on the city website November 1, 2023, was published in the Kuna Melba News November 8, 2023, and was mailed to all known and affected property owners within 300 FT of the subject site on November 8, 2023.
- C.** The Applicant posted a sign onsite containing the public hearing information on November 17, 2023, and the Proof of Property posting was provided to staff November 20, 2023.
- 7.4** Does this proposal comply with the Comprehensive Plan Future Land Use Map (FLUM), and is the site selection appropriate for the proposed project?
- A.** The FLUM is intended to serve as a guide for future development and designates the subject site as Mixed Use; based on the Applicants request for a C-2 (Area Commercial) zone and its location on the city's secondary main entry corridor, the request is compliant with the city's FLUM. (+)
- B.** Based upon site layout, design, and the proposed use, the subject site appears appropriate. (+)
- 7.5** Does the availability of existing and proposed public services and infrastructure accommodate the proposed development?
- A.** Per the Idaho Transportation Department, this project is not expected to affect the state highway system. (+)
- B.** Ada County Highway District has provided requirements for dedication of additional right-of-way and roadway improvements that will mitigate the effect on area roadways. (+)

- C. As the project is to utilize a septic system as well as construct necessary potable and pressurized irrigation lines to service the project, the existing and future Developer installed infrastructure can service this proposed project. (+)
- 7.6 Does the proposed application constitute orderly development?
- A. The subject site has a contiguous touch to Kuna City Limits on its Northwest corner, Gran Prado Subdivision, and would constitute orderly development. (+)
- 7.7 The Applicant and/or Owner of the property have the right to request a written regulatory taking analysis.
- A. Pursuant to [Idaho Code §67-8003](#), the owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk. Not more that twenty-eight (28) days after the final decision concerning the matter at issue, the City shall prepare a written taking analysis concerning the action if requested.

VIII COMMISSIONS PROPOSED ORDER OF DECISION

Based on the facts outlined in staff's report, documentation contained in the case file, and the public testimony as presented at the hearing, the Commission hereby recommends *Approval/Conditional Approval/Denial* of Case No. 23-03-AN to Council, and Approves/Conditionally Approves/Denies Case Nos. 23-12-SUP and 23-11-DR, subject to the following Conditions:

8.1 Staff Recommended Conditions: None

8.2 Site Layout & Dimensional Standards

- A. Developer/Owner/Applicant is hereby notified the submitted Site Plan is a binding Site Plan; if any changes are proposed, Developer/Owner/Applicant shall submit changes to staff for review and approval.

8.3 Pathways & Trails Master Plan: None

8.4 Open Space & Pathways: None

8.5 Landscaping

- A. Developer/Owner/Applicant shall abide by the submitted Landscape Plan. This is a binding Landscape Plan, if any changes are proposed, Developer/Owner/Applicant shall submit changes to staff for review and approval.

8.6 Fencing

- A. Provide fencing details, including height and material, for staff review and approval prior to Annexation Ordinance going before Council.

8.7 Ada County Highway District

- A. Developer/Owner/Applicant shall dedicate additional right-of-way to total 50 FT from centerline of N Ten Mile Road for the entire section abutting the site.
- B. Developer/Owner/Applicant shall construct an 8 FT concrete detached sidewalk on N Ten Mile Road, located 43 FT from centerline; if located outside of the dedicated right-of-way, provide a permanent right-of-way easement.

- E. Developer/Owner/Applicant shall construct Ballard Lane as half of a 36 FT Collector with curb, gutter, 8 FT detached sidewalk located within the right-of-way, and a sidewalk to be *detached* and to be located fully within the right-of-way, and 8 FT irrigated and landscaped planter strip.
- C. Developer/Owner/Applicant shall construct two (2) 25 FT paved curb return type driveways from the site onto Ballard Lane located 258 FT and 528 FT East of N Ten Mile Road.
- D. Direct access to N Ten Mile Road and Ballard Lane is prohibited unless specifically approved.
- E. Developer/Owner/Applicant shall comply with the ACHD Standard Conditions of Approval.

8.8 Nampa-Meridian Irrigation District & Boise Project Board of Control

- A. All NMID, BPBC, and private laterals and wasteways shall be protected.
- B. Developer/Owner/Applicant shall comply with [Idaho Code §31-3805](#).

8.9 Public Works

- A. Developer/Owner/Applicant shall construct a 12 IN potable water main and a 12 IN pressurized irrigation main within W Ballard Lane to service the project.
- B. When the sewer connection comes within 300 FT of the subject site, and when applicable, the subject site shall connect to city sewer services.

8.10 General

- A. The Developer/Owner/Applicant 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:
 1. The City Engineer shall approve the sewer connections.
 2. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 3. 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."
 4. The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.
 5. The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 6. Approval from Ada County Highway District (ACHD) shall be obtained, and Impact Fees must be paid prior to issuance of any building permit(s).
 7. All public rights-of-way shall be dedicated and constructed to the standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.

- B.** 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.
- C.** 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.
- D.** 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 request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).
- E.** It is the responsibility of the Developer or his Engineer to coordinate and design for the stricter requirement between agencies and the City of Kuna standards for the entire development.
- F.** The Developer/Owner/Applicant, and/or 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.
- G.** Developer/Owner/Applicant shall follow staff, City Engineers and other agency recommended requirements as applicable.
- H.** Developer/Owner/Applicant shall comply with all local, state, and federal laws.

DATED this 28th day of November 2023.