

**KUNA PLANNING AND ZONING COMMISSION MEETING  
AGENDA  
September 30, 2008**

**KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON  
7:00 p.m. – REGULAR COMMISSION MEETING**

**1. CALL TO ORDER AND ROLL CALL**

Chairman Justin Touchstone  
Commissioner Holly Kerfoot  
Commissioner David Case  
Commissioner Stephanie Wierschem  
Commissioner Carl Trautman

**2. CONSENT AGENDA:**

**A. Approved Minutes:**

August 26, 2008

**B. Findings of Fact and Conclusions of Law:**

**Sunshine Preschool – 08-09-SUP**

**Durrant, David & Lydia – 08-12AN / 08-14-DA / 08-04-LLA**

**C. Time Extension: 08-07-TE: Pawnee Creek Subdivision - Preliminary Plat**

**D. Time Extension: 08-08-TE: Timbermist Subdivision-Preliminary Plat**

**E. Time Extension: 08-09-TE: Malaspina Ranch Subdivision-Preliminary Plat**

**3. OLD BUSINESS:**

**A.**

**4. NEW BUSINESS:**

**A: Public Hearing:** 08-01-S (Subdivision) / 08-15-DA (Development Agreement) – **Willow Glenn Subdivision Phases 3 and 4** - Applicant is seeking preliminary plat approval on Phases 3 and 4 of subdivision. The Willow Glenn Subdivision phases 1 and 2 received final plat approval in August of 2004 (Phase 1) and September of 2006 (Phase 2). The Developers had commenced construction of phase three under the preliminary plat process; however, the consent to plat entitlement expired because the Developer did not seek a time extension and noting a preliminary plat is only valid for one year without extension. All improvements have been installed in Phase 3 except the paving. Construction Plans had been approved back in 2006 for Phases 3 & 4; however, due to the expiration of the QLPE letter the City Engineer will review plans and issue an updated letter. No development activity occurred on phase four and likewise no effort was made to preserve its validity by seeking a time extension. City Code states if a Developer does not complete the preliminary plat conditions within the one year approval time period or seek a one year extension prior to the plat's expiration date the preliminary plat will divest. Because the Developer allowed subdivision phase 3 and 4 to expire they must be reactivated by filling out the necessary

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subdivision paperwork, paying the applicable fees and submit for new public hearings. A new subdivision application may be subject to new or changed conditions. The reason offered by the Developer for allowing the preliminary plat to expire is due to unforeseen circumstances.

The City has taken the position that all of the subdivision's development infrastructure that was installed, inspected and approved relative to phase three will be accepted as part of the resubmission process, unless some item or portion has been rendered substandard by the adoption of a new City rule of regulation or new rules and regulation have been installed. The preliminary plat resubmission, if accepted and approved, will apply to the new preliminary plat thus, phases 3 and 4 will each receive a new one year time period for development purpose from the time of Council approval.

**B: Public Hearing:** 08-08-ZC/ 08-18-DA/ Re-zone and Development Agreement/ Blacks Creek LTD. The applicant is requesting to rezone the property located at 987 E Kuna Road from R-6, Medium Resident to C-1, Light Commercial. The rezone is subject to a development agreement.

**C. Public Hearing:** 08-10-SUP (Special Use Permit) – **Naoma Babbitt: Loving Kids Daycare:** Property owner, Naoma Babbitt, at 1410 W Wheat Street is interesting in opening a home daycare within her residence and is requesting approval of a Special Use Permit to do so. Ms. Babbitt feels she can offer a valuable service to her community by providing child care service. Her home has adequate parking and access; neighbors are all aware of her interest in establishing a daycare within her residence. Ms. Babbitt wishes to provide a daycare that will accommodate up to six (6) children depending on age and she wishes to provide home child care in order to provide more personal attention, love and guidance in a small family setting not found in larger centers.

**5. REPORTS:**

P & Z DIRECTOR / STEVE HASSON  
CITY ATTORNEY / RANDY GROVE

**6. CHAIRMAN/ COMMISSIONER DISCUSSION**

**7. ADJOURNMENT**