

Kuna Planning & Zoning Commission

July 10, 2007

NOTE: *These minutes are an unofficial record of this Planning & Zoning meeting until reviewed, corrected (if deemed appropriate), and formally approved by the Kuna Planning & Zoning Commission at a subsequent Planning & Zoning meeting.*

Those present:

Chairman Brian Stewart, Commissioner Holly Kerfoot, and Commissioner Stephanie Wierschem, Attorney Randy Grove, and Planner Tech Tracy Rushlow and Maranda Schindel. Vice-Chairman Justin Touchstone, Commissioner David Case were absent. The Kuna Planning & Zoning meeting was called to order by Chairman Stewart at 7:00 p.m., located at the Kuna City Hall, 763 W. Avalon, Kuna.

OLD BUSINESS

Chairman Stewart motion to amend agenda, move items B, C up and table until July 31, 2007 and move item A to the bottom. Commissioner Kerfoot second, all approved.

A. PUBLIC HEARING-07-07-ZC / 07-12-DA / SWAN FALLS STORAGE / TABELD FROM June 26, 2007 Maranda Schindel presented the application. The applicant is requesting a zone change from R-4 to M-1. the property is located on Swan Falls Road.

Dennis Durrant, 862 Old Farm Place, Nampa requested a zone change from R-4 to M-1 on approximately 5.5 acres which will be a self storage and RV storage. The access will have a security gate, office hours will be from 7am to 5 pm. Will construct in 2 phases. Phases 1 will consist of 30,000 square feet of enclosed self storage, office and places to store RV's and phase 2 will consist of 40,000 square feet of enclosed storage space plus RV's storage. Has a problem with proposed road on the south side of property, ½ mile roadway. If he has to construct this road it will be a financial hardship. Access was granted from ACHD from Swan Falls Road and has agreed to a 20 foot buffer on Swan Falls and on south side of property. There is a 500 foot easement in event of a road goes through and has a 40 foot buffer or easement for Kuna irrigation for pressurized irrigation. If the road is required will withdraw application. Believes that a self storage will be a good buffer between the Industrial area and the residential area. ACHD refused this access because of where it sits, and the other road already close it will not use it, does not want it.

Chairman Stewart; how wide is the width going to the east, applicant 120 feet wide and with 40 foot buffer gives it 80 feet, good for RV storage.

Chairman Stewart; Randy, should we hold off on Development Agreement until development when applicant has conceptual plans with elevations? City Attorney Randy Grove; It is a good idea, that is what we have been doing, making it a condition of approval.

Commissioner Kerfoot; What is the reason for the roadway, is there a concern for access?

City Attorney Grove; It was for mid-mile road, but there is Luker which is closer, the city owns the property, but it is not needed for any right of way and it does not make sense to put in a mid mile road there. Kuna policy reserves the right of way for mid mile and collectors, but since ACHD refused, do not even want it, it is not much use to anyone. If the city had money they maybe could put in trees and make like a landscaped buffer but that is pretty expensive.

Commissioner Wierschem; How far back will the gate be from the street? Applicant: about 65-70 feet from right of way.

Public Hearing : OPENED AT 7:26

Opposed: Kenneth Maylee W Tuluah Dr, Kuna. So far likes what he is hearing but is concerned that if the storage units do not go in and it is re-zoned to Industrial it will be sold and then some big huge monster factory or something will come in and that will not fit with what is in the neighborhood and would be to

close to residential.

Applicant: Would like it so that if the storage units do not go in for what ever reason it would revert back to original zoning of R-4, don't want another Best Bath 2 going in. But he cannot guarantee anything, especially if he is forced to construct that road to the east.

Close Public Hearing at 7:29

Commission Discussion:

Chairman Stewart wanted to address the Development Agreement, make it a condition that a Development Agreement be submitted with Design Review and development of the property. Believes that it will be a good buffer between the residential and industrial area.

Commissioner Wierschem was concerned about the road issue and ACHD. What will happen in the future, will they change their mind and require a road, can we get some paper from ACHD saying that they don't want it and will not require a road sometime in the future.

Commissioner Kerfoot, responded that ACHD has no interest, that it is a city issue and that the city comes first.

City Attorney Grove responded that ACHD does the traffic studies and makes comments and will try to make reasonable accommodations but in this case ACHD does not want this and will not take it. Ada County is different than most counties and cities in that they do not have the funds to build a road, and that ACHD is the deciding factor, and unless they are disbanded it will not happen.

Commissioner Kerfoot asked is there is anything we can do to alleviate this problem of if it is not going to be a storage unit that another commercial entity can come in?

City Attorney Grove responded no. In the Design Review can make conditions, that if it is not going to be a self storage unit the rezone will be revoked and it will go back to previous zoning.

Chairman Stewart had a though on the road since it is not going to be developed by ACHD that Kuna not require it for right of way and maybe decide to let it be absorbed into other lots so it is taken care of instead of being a weed lot. Since there is no future for it.

Motion:

Commissioner Kerfott moved to approve 07-07-ZC / 07-12-DA / SWAN FALLS STORAGE with conditions that at time of Design Review a Development Agreement be submitted, if the property is not going to be developed as a self storage unit, the rezone will be revoked and returned to R-4 and not to require the right-of-way road along the east side of the property. Commissioner Weirschem seconded, all approved, motion carried.

B. PUBLIC HEARING / 07-01-ZOA / ZONING ORDINANCE AMENDMENT / COMMON DRIVEWAYS / PRIVATE STREETS / Tabled to July 31, 2007

C. NOT PUBLIC HEARING – ALREADY CLOSED – COMMISSION DISCUSSION & DECISION ONLY / PUD ORDINANCE / Tabled to July 31, 2007

NEW BUSINESS

A. PUBLIC HEARING / 07-02-AN / 07-04-DA / 07-06-S MANUELLE HEIGHTS SUBDIVISION, S ASH AVE

City Attorney Grove responded that there was a problem with the noticing on Manuelle Heights and the proper amount of time was not given, suggested that it be tabled until July 31, 2007

Commissioner Kerfoot made the motion to table until July 31, 2007, Commissioner Wierschem second all approved, motion carried.

B. PUBLIC HEARING / 07-03-AN/07-05-DA/ 07-07-S / SOUTHROCK RANCH SUBDIVISION, S. ASH AVE

City Attorney Grove suggests that Southrock Ranch also be tabled since Manuelle Heights was to be the contiguous property needed in order for Southrock Ranch to be annexed in.

Chairman motioned to table to July 31, 2007 Commissioner Kerfoot seconded all approved, motion carried.

REPORTS

PLANNING & ZONING DIRECTOR: New Director hired, name is Steve Hasson from McCall, will be here on Fridays starting July 20, 2007 for 30 days, that is how long the notice he is giving McCall, then will be here full time.

CITY ATTORNEY RANDY GROVE: Just the new director hired for Planning and Zoning, and since he has been City Attorney, this person has the most education and experience of any one in that position in Planning and Zoning and hopes it will be a great asset to the City.

MINUTES

June 12, 2007 Kuna Planning & Zoning Commission Meeting Minutes:

Chairman Stewart moved to approve the Planning and Zoning Commission meeting minutes for June 26, 2007

Commissioner Kerfoot seconded the motion and it passed unanimously.

FINDINGS OF FACTS/CONCLUSIONS OF LAW

1. 07-08-ZC/ 07-09-DA/DON YOUNG CONSTRUCTION: Commissioner Kerfoot moved to approve Facts and Finding and Conclusion of Law. Commissioner Weischem seconded, all approved.

CHAIRMAN DISCUSSION

Chairman Stewart mention that he will not be here for the July 31, 2007 meeting, Commissioner Wierschem also stated that she would not be able to attend the July 31, 2007 meeting. Commissioner Wierschem asked about the Shipley Daycare and the pool. Planner Technician Maranda Schindel responded that they health and welfare and state have no regulations, but the state has building codes regulating pools and whether they need to be fenced off at certain heights and/or covered and ways of entry removed for pools that can be put up and taken down like this one is. A letter has already been sent and Maranda is still looking into the issue. Chairman Stewart also requested if a meeting could be set up with city council and maybe the new director to discuss several things. Can e-mail them for agenda items, staff and city attorney responded that they would talk to city clerk to see about setting up this meeting. Commissioner Kerfoot asked about the size of signs for posting of property, don't they all have to be big or is there different signs. Planner Technician Maranda Schindell responded that it depends on the size of the property. If smaller like 3 acres do not have to have the larger sign. Chairman Stewart said for a while Nampa was letting them post it regular paper size, every some many feet.

ADJOURNMENT

Commissioner Kerfoot moved to adjourn the meeting.

Chairman Stewart seconded the motion and it passed unanimously.

Chairman Stewart adjourned the meeting at 8:06 p.m.

Brian Stewart, P & Z Chairman

ATTEST:

Tracy Rushlow
Planner Technician