

**Kuna Planning & Zoning Commission Meeting  
February 10, 2009**

**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.*

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**Those present:**

Commissioner David Case, Commissioner Carl Trautman, Commissioner Wierschem, Commissioner Sanders, Commissioner James, City Attorney Grove, Zoning Director Steve Hasson, Planner II Troy Behunin, Planner Maranda Schindel and Planner Tracy Rushlow

Absent:

The Kuna Planning & Zoning meeting was called to order by Commissioner Case at 7:00 p.m., located at the Kuna City Hall, 763 W. Avalon, Kuna.

<b>Consent Agenda</b>
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Commissioner Case asks for a motion to amend the agenda, in order to select a new Chairman and Vice Chairman.

Commissioner Trautman motions to amend the agenda to add 1B, select new chairman and vice chairman. Commissioner Wierschem seconds, all approve, motion carries.

Commissioner Wierschem nominates Commissioner Case for new Chairman.

Commissioner Case accepts nomination.

Commissioner Sanders seconds, all approve, Commissioner Case is voted new Planning and Zoning Chairman.

Commissioner Wierschem nominates Commissioner Trautman for Vice Chairman.

Commissioner Trautman accepts nomination.

Commissioner Sanders seconds, all approve, Commissioner Trautman is voted new Planning and Zoning Vice Chairman.

Planning and Zoning minutes:

January 27, 2009

Vice Chairman Trautman motion to accept minutes from January 27, 2009

Chairman Case seconds, motion carries.

<b>OLD BUSINESS</b>
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**None**

<b>NEW BUSINESS</b>
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**08-14-SUP (Special Use Permit) – Les Schwab Tire Center:** Planner Maranda Schindel presented the application. The Developer is requesting design review approval for a 12,000 square foot commercial building to provide a retail and auto-service center for tires, wheels and related products, as well as front-end alignment, brakes and shock absorber services, (no engine repair, no oil changes). The site is part of a large development, Profile Ridge Subdivision, which includes commercial and residential land uses. The current zoning of the proposed site is Agriculture ("A"); however, until the final plat of the subdivision is recorded, the site will not receive its individual parcel number. Thus, the City Clerk could not record the rezone approved on April 1, 2008 by City Council through the Findings of Fact, Conclusions of Law.

On January 15, 2009 the Design Review Committee voted 5-0 **approving** file #08-14-DR/08-14-SN for the proposed Les Schwab Tire Center within Profile Ridge Subdivision, subject to the following conditions:

- *Increase width of split face band (located at 113'-0 AFF.) from 12" to 20" by adding one additional course of split face block.*

- *Meet all staff recommendations and requirements.*

Commissioner Sanders: There are a couple of questions that I would like to bring up. I drove by a couple of Les Schwab's this week and there are a couple of items that I would like address that I don't see in the report. One is exhibit 5; it says that used tires are regularly removed from the site. At the locations I went by this was especially done with an empty semi-trailer parked on the lot and filled with old tires. I do not see any place where a semi-trailer can be parked. And second each store seems to sell used tires as part of the way they do business. Those used tires are held in a chain link area with slats and I see no place on this lot where that could be placed so that is a concern. I did the math and if they expect to do 2 million dollars in the first year, which is roughly about 8 thousand tires a month and I see no way to dispose of those without a semi-trailer or enclosed area. And on one of the layouts they mentioned a future canopy, every one of the stores I went by had a canopy over an outside area, is this something that will come back and be approved later or was it approved already?

Commissioner Trautman: Concerning the sign on Chappell Street and Deer Flat, that is it required to be out of the sight triangle, but are street lights required to be out of the sight triangle? The preliminary sight plan looks like it is in the sight triangle. It looks like a 5 foot sidewalk.

Staff: The lights are not in the sight triangle. The City requires an 8 foot sidewalk; ACHD usually requires a 5 foot.

Commissioner Wierschem: I have a question about the landscaping on it talks about on 1.9.2.2.1: 30-foot wide buffer 1.9.2.2.2: N. Chappelle Road – 20-feet wide buffer why is there a difference and does one need to be reduced or one expanded? Has the City Forrester, has there been a report for them?

Staff: It goes on street frontage and they are only responsible for the actually street frontage for their lot not the whole street. And the City Forrester has commented on Profile ridge but not this particular lot.

Commissioner Trautman: I have a question on the trash enclosure? Is it to close to the property line or where it is going to be a problem?

Staff: I have talked to Chad for J&M Sanitation and it is fine where it is at, he reviewed the plans and did not have any issues for where it has been placed. It is not to close to the property lines and the next lot is zoned commercial also.

Mike Oxben, 995 NE Elm Pineville Or.; I am a real estate manager for Les Schwab's Tires. Staff has been very helpful in this process. Thank you for the opportunity and staff has done a very good job. We are being very careful about where we are providing opportunities for our people. The profits from the store are split and about half of those profits go to the people in the store. We are a private, family owned company. We look at new opportunities very carefully and especially now with the market climate at this time. We have met with the design review committee and made some changes in elevation and those changes were made before coming here. I have brought up George Bunting along with me; he is in charge of the design elements.

In the past we would look at the property and say "let's build a building this big". Today we are working on an prototype building and that is new for us. In the past we had 2 acres and would build buildings that were 18,000 square feet, today we are willing to go on a site that is 70,000 square feet and build a building of about 12,000 square feet. We have to be able to sell enough tires and services to pay for the store. We are trying to build a building that works efficiently and grow within the building. Generally we have twice a week deliveries of new inventory. Generally we have outside storage area called a "bull pen" for used tires that can be resold. Generally old tires are out in a semi-trailer that when it is full it is then taken to a plant that recycles them. When we are not allowed to have a trailer on the property, which means that we put the tires inside the building; when the tire is removed the new tire goes out and the old tire goes in that spot. There were no restrictions on outside storage of tire in the report; it can be a condition of approval. We generate used tires and if it is safe enough and we can provide warranty on that tire we will sell it. At this time we want to keep things stored inside the building and keep things neat and clean.

Canopy. We wait until the store is producing before we add extra improvements like the canopy and a bull pen. I know that it will get hot out there during the summers, but the business has to prove itself before the extra improvements are done.

Commissioner Trautman: In regard to the Design Review's condition to screen all air tanks and mechanical devices. Were you aware of that and does that include the service area slab also? Also what

other services do you perform on the service slab? And what do you think about storing the tires in that area?

Applicant: No sir. They were concerned with mechanical equipment like the gas meter and electrical boxes, condenser and such. We built a mini fence around it to hide it. On the service slab, for example you have a tractor or RV, boat and trailer or a semi-trailer, it will not fit in the service bays and we have to get you out of the parking lot, we take you out back to the slab so we can service the vehicle. We are not going to store them in sight so that they can be stolen or unsightly. There either going to be stored inside the bays or somewhere else, but not just laying around outside.

Commissioner Sanders: Is it normal for a semi-trailer to be on site for the used tires and where do you plan on putting one at this site if you do have one?

Applicant: In the proximity of just north of the trash enclosure.

Commissioner Sanders: It would take about 5 parking spaces. Do you have enough space to take out that many parking spaces?

Applicant: If it takes up parking spaces and that's not going to work, then it's not going to work. Then we need to figure out an off site warehouse to store them it's as simple as that. Some of the stuff is self constraining.

Open public hearing at 7:39 pm.

Neutral: none

Oppose: none

Support: none

Close public hearing at 7:39pm

Commissioner Discussion: Commissioner Sanders; I have a bit of problem with the pick up of the old tires and storage. Is there room on the site for storage area? I'm not sure this site is big enough for a semi trailer on site or a enclosure on the site for tire storage. I believe that they will be a good neighbor and that we need a tire store here just some concerns.

Commissioner Trautman: I believe the applicant stated that they would store the tires inside for now and if they could not store them onsite that they would find an off site warehouse to keep them. I am very in favor of having them here. Maybe extend the property to the south for a little more room, just a option.

Commissioner Wierschem: I would like some clarification on if a semi-trailer was stored on site would it take away parking and how much parking would be lost?

Staff; they have 52 parking spaces with two of those ADA. They are only required 50 spaces so they have two spaces that can be used for additional storage, most likely an enclosed storage area.

George Monty, Les Schwab, Cooley Road, Bend Or.

Chairman Case: Trucks will be coming in twice a week to deliver tires; will those same trucks be picking up tires?

Applicant: That is normally how it happens. In some areas it is a bull pen, an enclosed area, they will drop off and pick up from the bull pen. If there is a semi trailer allowed, it is filled up first then removed when it is full. It really depends on what is selling, inventory levels, it wont happen on weekly basis.

Chairman Case: we could have them work with staff to work on an acceptable storage area that will work for them and the City.

Staff: If you look at the sight plan, the spot between the trash enclosure and the landscape island would be the best spot for an enclosed area.

Applicant: the enclosed area would be the same materials and colors of the main building. That is what we discussed with the Design Review Committee.

Commissioner Wierschem: Would you rather have a trailer or a bull-pen?

Applicant: Outside storage is not allowed unless it is concealed according to the CCR's; the preference will be a bull pen or outside area and it will be matching the main building.

Commissioner Sanders: I assume that it would have to go through design review for the canopy.

Commissioner Wierschem: Would it come back before us again after design review for the canopy?

Staff: You can send it back to design review if you like. But you are only hearing the tire store part. It would not come back before you just for design review.

Chairman Case: So we are only addressing the special use permit not he design review?

Staff: That is correct, just the use is all you are deciding on.

Commissioner Wierschem: I just want to make sure that everything will fit where it is suppose to be, the sign, canopy whatever so it does not have to come back with a variance like the sign one we just heard.

Commissioner Trautman: I think that we should give them some general perimeter conditions for guidelines regarding the special use permit.

Planner Director Hasson: It is within your powers that you can give some guidance, for example the bull pen, as a condition of approval of the special use permit in addition to the standards before design review and commission, that you have a additional design review for the bull pen of a similar material of the main building and of a certain height and the tires be disposed of on a certain bases and the tires cannot exceed a certain height or above the storage area, so to does not have to go back before design review again. For the canopy, say they have to put a canopy and the time was up to their discretion or you can say that they have to have it up on a time certain.

Chairman Case: It is in the staff report that when they put up the canopy it has to go through design review. So what we need to decide is about the bull pen. I believe that when they put up the bull pen it needs to go through design review.

Vice Chairman Trautman motion to approve 08-14-SUP (Special Use Permit) for Les Schwab Tire Center with the following conditions:

- *Add: 1:15:1: No outside storage permitted; except inside an enclosure of design approved by Design Review Committee.*
  - *Meet all staff and agency recommendations and requirements*
- Commissioner Wierschem seconds the motion, all approve,

## REPORTS

**Planner Director Hasson:** We re in the final stages of the comprehensive plan update. We started the comp plan update in the fall of 2007, had a consultant in early 2008, and have been working diligently working on it. The plan should be updated about every 5 years so it is time for that update. We have go through a lot of changes and the document is going to be about 250-300 pages. There is a large component of the comp plan that are maps. Couple things important about the map, Kuna is about 16 square miles of land, and our planning are is the areas in color, and it looks like a big area to plan for, and it is, but Kuna is growing fast. In 2000 we had about 5000 people and today we over 16,000 we have triple in size. In 2004 we had 2.4 square miles and with the 16 square miles now that is an increase of 600 percent. Meridian had about 8000 in 1990 to almost 70,000 today, so we are double the size of Meridian was 18 years ago, and if you look at our growth pattern we are growing at twice the rate that Meridian did. If you do a time line of what Kuna will look in 2020 or 2025 we are looking at between 60,000 to 70,000 people. That is why we are really paying attention to the comp plan update, we are planning beyond our boundaries and we are trying to determine where the sewer, water, roads, some kind of neighborhood patterns, just about everything that we can to help plan for the future.

Some where a around 30 days after the last meeting we will notice it and have it back for you to review and if you adopted it will go to Council, once Council adopts it, it will go to the County Commission and we will ask them to adopt and approve our area of city impact.

Our building activity was down in January, but we still have activity it is just down.

**City Attorney Grove:** No report

## CHAIRMAN DISCUSSION

Chairman Case: Is there an ordinance in place about our meeting place and time. The reason I asked is I have a conflict with the second Tuesday of the month since I am on the school board it is at the same time.

Planner Director Hasson: couldn't find it but the City Clerk, Lynda, said that yes there was a codified ordinance in place for that. We would have to amend the text to change it.

Commissioner Wierschem: We had a few joint meeting in the past with the Council to just discuss the changes in the City or anything going on. At first it ws sporadic, then every other month, but we have new members and I wonder if we are going to have any more joint Council and Commission meetings to discuss the general way the City is going?

Planner Director Hasson: There is always the issue of exparte. Decisions come before and free of discussions of other legislature bodies, being the Council, so always when you meet with them it has to be of general nature not specific to any land use application and I would never encourage the Council to come and be a party to your conversations or input. Clearly those matters that arise to their consideration would be influenced already by their presence here. We try to keep you a part in the normal process to keep the integrity in the decision process because you are both decision makers and neither body should be influenced

by the other. We need to steer clear of any land use application and this includes parties that you may have with applicants that have questions, they need to have those discussions here in a public meeting or hearing.

<b>ADJOURNMENT</b>
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Chairman Case motions to adjourn at 8:48 pm  
Vice Chairman Trautman seconds, all approve, motion carries.

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David Case, Chairman

ATTEST:

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Tracy Rushlow Planner Technician