

**Kuna Planning & Zoning Commission Meeting  
June 23, 2010**

**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 David Case, Vice Chairman Carl Trautman, Commissioner Stan Sanders, Director Steve Hasson, Planner II Troy Behunin, and Planner Tracy Rushlow,

Absent: Commissioner Curt James, Commissioner Stephanie Wierschem, City Attorney Richard Johnson

The Kuna Planning & Zoning meeting was called to order by Chairman Case at 6:00 p.m., located at the Kuna City Hall, 763 W. Avalon, Kuna.

<b>Consent Agenda</b>
-----------------------

Chairman Case opened the meeting at 6:00 pm

Consent Agenda:

Planning and Zoning minutes:  
June 9 , 2010

**Facts and Findings and Conclusions of Law**

10-05-SUP; Kimberly Day; Group home daycare

Commissioner Sanders motions to approve the consent agenda, Commissioner Trautman seconds, all approve, motion carries.

<b>OLD BUSINESS</b>
---------------------

None

<b>NEW BUSINESS</b>
---------------------

**10-07-SUP (Special Use Permit):** Planner II Troy Behunin presented the application. The City is requesting approval for a special use permit to provide a well site within Chapparosa Ridge Subdivision. In June of 2004, a final plat was filed for Chapparosa Ridge Subdivision including, as required by its conditions of approval, a designated well lot for future development by the City. In connection with the special use permit the City was subject to the design review process.

Finally, in July of 2008, the Department of Water Resources granted a permit for well development. It should be apparent that the amount of lead time from conception to development for some of these projects can be somewhat daunting. The Chapparosa site is situated strategically in and near a rather highly developed area of the City while the water supply is all more than a mile away.

Lot 18, Block 3 is located on the easterly boundary of Chapparosa Ridge, about one block north of Ardell Road. The parcel is configured as a flag lot, taking access off N. Snow Hawk Avenue, and situated behind a storm water retention (or detention) lot (Lot 19, Block3). Both lots are unfenced

except from the adjacent residential properties and it appears the public has largely free access to both. The Kuna Canal borders the City parcel on the east.

The City parcel is also partially developed with an irrigation pump station and a 500 KW power transformer. The pump station is protected within a chain link fence fitted with privacy slats.

Upon the issuance of a water right permit, the next step is to drill a test well to characterize the sub-surface geology, to locate aquitards and to locate, sample and analyze the water bearing formations below ground. Based on the results from the test well, the projection well is designed and constructed and the bore hole is tested and logged with various instruments. It is then test pumped to determine its projective capacity, re-sampled for water quality, and the pumping plant is sized and placed.

Commissioner Sanders: The lot to the west - what is are you going to do with it?

Chairman Case: That looks to be a drain field.

Applicant: City Engineer Gordon Law-PO Box 13 Kuna, there are two plated lots, one is owned by the HOA for storm drainage that has some landscaping and such. The two lots have been used together as a green space. The Design Review Committee reviewed in some detail the development standards for this site. What I presented to them was that maybe we needed to upgrade the type of well house that we have been putting on for our public facilities buildings. I took their suggestions as more of a reasonable requirement. We talked about roofing, landscaping, siding material, location of building, and plantings of landscape, and we discussed in considerable detail the constraints of the site. Most were underground where we could not plant things on. The chief expensive besides the building is the fence itself. Between the canal and the lot site, there are two types of fence considered- vinyl and wrought iron. Some suggestions were wrought iron from the local residents as a safety thing for those who might use the area as recreation area. One other thing, a lot of wells are developed with motors above ground, which makes a lot of noise, this one is below ground which will help in that area.

Commissioner Trautman- the well house, it gives a specific size in the report but it looks to be a different size on the plat?

City Engineer Law: I put in the request for the 2000 square foot building, but it will almost certain not be that large and that was because I wanted to make sure we were not short of the needed size at this stage in the game.

Chairman Case: What kind of time line are we looking at?

City Engineer Law: I expect it will take the full three (3) years to develop this well.

Commissioner Trautman: there is talk of two different ways to put the fence, one is just around the building site and the other is around the whole lot, which way are you leaning to?

City Engineer Law: I am leaning on just the building site and leaving as much green space as possible for the public use. One would be next to the canal, and the other is to isolate the front door to keep out people. If there gets to be a bunch of graffiti then we may change our mind.

Commissioner Trautman: What about the dark skies, is there going to be a lot lighting?

City Engineer Law: there is only going to be one light fixture on the site near the door.

Commissioner Trautman: was there a meeting or just a notice? And if so who attended?

City Engineer Law: there was a meeting and one person attended; also there was a couple of callers, one before the meeting and one after. The person who called before the meeting was interested in having the canal fenced and I suggested that to the Design Review Committee. The one after had to do with the HOA for the subdivision and it was to make sure she had the material we had presented and to have her call back if she had any other concerns- which she has not.

Open Public hearing at 6:17pm

Support: none

Oppose: none

Neutral: none

Close Public hearing at 6:17 pm

Chairman Case motions to approve file 10-07-SUP with the following conditions:

- Meet all staff and agency requirements and conditions.

Commissioner Sanders seconds, all approve, motion carries.

## REPORTS

**Planner Director Steve Hasson:** We talked about a couple of Special Use Permits at the last meeting that had not fulfilled their conditions of approval. One was the Arlene and the other was the Whitney property. I have not been out to the Whitney's yet, but I have been down to the Arlene and talked to Arlene O'Leary. She did have the conditions that were part of the special use. I advised her that two of the conditions have not been met. One was that a clock to honor the building being a hundred years old be installed from the Design Review and also that a fence up to 12 feet in height for a court yard. Instead they have some kind of mesh wire fencing with a sliding device on it to open it with some jersey barriers. It is not very attractive. She agreed that there was a commitment but she simply does not have the money. She is operating that tavern by herself, there are no other employees she can't afford any assistants, and she does not have many customers. She made an effort to install a fence according to conditions, paid an engineer \$1500 for a design, but Jerry our building inspector rejected it because it did not have the proper footings to be placed for as high as they needed it to be and told them that they had to have it redone. She did not have the money to have it redone and she is pretty destitute. I told her that she needs to come down here and talk to you especially if they really want to stay in business. They may run the risk of losing that liquor license because they need a site to have a valid liquor license on.

I have not had a chance to get to the Whitney's, but I will. I have been working on the comp plan for the County these last 5 weeks. They have asked me how we will construct a growth management plan for that area on how we plan to provide a whole host of services, but also the services of a bunch of other agencies. I have been actively working on it and today I finished question number 6. I am up to 44 pages, single spaced and I still have 10 more questions to respond to.

Also we are in the throes of asking the public whether or not that we want to continue of having this facility as City hall or do they want to consider the building behind Quiznos. We have been putting out surveys to different business for their impact and different cost considerations. We are planning a town hall meeting on July 21. We are going to discuss all public comments from the survey, and we did put a survey on line.

Also there is a gentleman called Tom Hudson from the Northwest Community Development Institute to do a practicum on July 12, and you are welcome to participate in this adventure. They are going to walk around the community and kick the tires. I believe that they are going to do an overview of Kuna's downtown. They will be here for about 3 days and these are all professional

people from different jobs who are going to be doing this. This will give some proposals for the downtown area and one of the things we are going to ask them is about the downtown area and a location for a new City hall. They will be coming up with some designs and suggestions and an overview and some proposal for its revitalization. They will have several teams and they will come up with a design and a report and then on Wednesday they will present and a winner will be chosen. They will interview different people in Kuna and you are welcome to have some role in that. Lisa Bachman went through this last year and she will participate this year on the other side of the table. Last year this class did a practicum on Meridian and Meridian adopted the winning design. This exercise should help craft a downtown master plan and may be the kernel for that plan and give us a starting place.

**City Attorney Richard Johnson: absent**

<b>CHAIRMAN DISCUSSION</b>
----------------------------

Chairman Case: this leads us into Chairman discussion: I understand their financial situation of these people who have requested a special use permit, but they came before us and ask to do these projects, and I remember on one specific one I asked them do you know the expense of these conditions and they said yeah, and that they could do it, but then after the permit is issued and we get into the frame where they have to -its yeah I know that I need to do this but I don't have the money to do it. This Committee can make them abide the conditions that they agreed to do, and we are not asking them to do anything that isn't going to better their business and the community. I am having a hard time, and I want to be compassionate because we know what the economy is doing but we need to look at the best interest of the community also and we need to hold them accountable for work. If they tell us they are going to do something, they need to do it.

Maybe we should take the bulls by the horn and call Scott and give him an interview and let him know that this Commission is taking the attitude that we are going to hold people accountable for the Special Use permits that we grant. Especially when they completely agree to do something and there needs to be some type of deadline that it has to be done.

Planner Director Hasson: well there is a deadline, they have one year to complete the conditions of the special use permit, but then again it can be revoked if they do not follow through with those conditions.

Chairman Case: And again I think that what you said, if they at least come in and tell us, hey I need more time, money is short, business has not been that good or whatever, but make an attempt to let us know and let us ask questions, I'm sure that we would be compassionate enough to give them another 6 months. But if we have these folks that come in that have no idea when they are going to get it done or how they are going to get it done, then the commission will take a different attitude.

Chairman Case: Falcon Ridge- I think that we need to take a look at that. I drive by there and there is nothing but a weed patch where the kids play.

Planning Director Hasson: I anticipated that request, and I asked staff to find the special use permit for that location and they could not find a special use permit for that location. What we found, was a design review and a rezone. So in checking we found that at that time, the school was rezoned from a C-1 to a C-2, and at that time a school was permitted in that zone. So they rezoned it to a C-2 so they would not need a special use permit. It does have some condition in the design review

and the development agreement that we might be able to find something in those standards to make sure that they are in compliance.

Commissioner Sanders: should we schedule a time to look at all of these Special Use Permits  
Chairman Case: what is the prescriptive for this?

Planner Director Hasson; Well generally speaking I think that we need to go talk to them first to let them be aware that they have not followed through on their conditions, you want to keep them on a short leash, and if you do not see any improvements in 30 days then you send a letter and if that didn't work then I think that I think that they need to have them come before you go from there.

Commissioner Sanders: I would like to see Planning and Zoning commit to a time line, that these people get visited, then a letter within a very short period of time, I don't want to see these dragged out over the summer. It needs to be taken care of now. I think that we need to schedule them in here on August 25, so you will need to let them know that if the conditions that they were required to do are not in progress or done then they need to come back in before us.

**ADJOURNMENT**

Commissioner Trautman motions to adjourn at 7:12  
Commissioner Sanders seconds, all approve, motion carries.

\_\_\_\_\_  
David Case, Chairman

ATTEST:

\_\_\_\_\_  
Tracy Rushlow, Planner