

**Kuna Planning & Zoning Commission Meeting
September 22, 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, Commissioner Stephanie Wierschem, Vice Chairman Carl Trautman
Commissioner Stan Sanders, Commissioner Curt James, Planner II Troy Behunin and Planner I
Tracy Rushlow,

Absent: City Attorney Richard Johnson, Director Steve Hasson,

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.

Consent Agenda

Chairman Case opened the meeting at 6:00 pm

Consent Agenda:

Planning and Zoning minutes:
August 25, 2010

Facts and Findings and Conclusions of Law

NONE

Commissioner Wierschem motioned to approve consent agenda of minutes from 8-25-10
Commissioner Trautman seconds, all approve, motion carries.

OLD BUSINESS

None

NEW BUSINESS

10-05-SUP (A) Kimberly Day Group Home daycare amended. Planner Tracy Rushlow presented application. Property owner, Kimberly Day, who resides at 1698 N Harem Way, wishes to amend her Special Use Permit to accommodate the maximum children allowed in a group home-daycare which is twelve (12) children. Ms. Day was approved for up to seven (7) children in the original Special Use Permit. Ms. Day will not be hiring any additional help as the children meet the age guidelines for one childcare provider. The applicant has monthly checks from the Child and Adult Care Food Program that check food preparations, cleanliness, and children present as well as overall conditions of the home. I have included two random checks as exhibits in your packet. The home meets the size of square footage for the additional children. The only changes in this report from the original Special Use Permit are on page 8, "g" stated as:

"The group home daycare will be limited to a maximum of twelve (12) children (including the applicant's children) allowed in a given day and depending on the circumstance at that time."

Chairman Case: The maximum of 12 children includes the applicant's children also, correct?

Staff: That is correct, that includes her children.

Applicant: Kimberly Day, 1698 N Harem Way. I really don't have much else to add. I originally wanted the 7-12 which is what I thought I was applying for and was surprised when I was limited to 7 children. I want to be code compliant so I came back in to have the Special Use amended. I am watching a child under two, so the maximum children under law I can watch is 10 which I am complying with. When the child is above 2 years of age then I can go back up to 12. Right now I have a total of 5 children.

Commissioner Wierschem: Do you have the State of Idaho childcare license, and does that need to change with this change in children?

Applicant: I have a license from the state dated from April and that license is for a group childcare for up to 12, so no I do not need to have it amended either.

Commissioner Sanders: Are there any problems with the CCR's or covenants in her subdivision?

Staff: There are no problems, with the original application we talked to the HOA president and they do not have an issue with the daycares.

Commissioner Trautman: Have you read all the conditions and agree to them? There are a lot of conditions, just want to make sure that you are aware of them?

Applicant: I have, and they are the same as last time with the only change is being the amount of children I can watch in a day. With 5 kids, I am sweeping after every meal and vacuuming and mopping every day, you have to in order to keep the house picked up.

Open public hearing at 6:08

Neutral: none

Oppose: none

Support: Coreena Stiles, 1715 N Buckler Way, I live behind the Day's home and initially we had some concerns with her opening her business. We were not able to make her meeting at home or the original meeting as we were out of town. We were a little apprehensive at first as we thought that there might be a lot of additional noise, but that has not been the case. There have not been any issues and I do not anticipate that there are going to be any problems and I am sure that the neighbors feel comfortable enough to go and talk with Ms. Day if there were issues. I fully support her and her operation.

Close public hearing at: 6:10pm

Commissioner Discussion: On our last meeting we discussed where there needs to be time frames for Special Use Permits where they come back in within a year to make sure that the conditions are met, what about this one?

Staff: We don't think that is necessary. Most of the conditions are mainly cleanliness and the amount of children. It is stated in the staff report that we can do site checks whenever we feel is appropriate, and we have provisions in the staff report, "n" on page 12 that we can inspect any time during business hours and the Director can suspend the business use if there are matters that is related to child endangerment and she is on the Child and Adult food program where they are there every month do inspections, and one thing about Health and Welfare and childcare, they have been very pro-active on letting the local jurisdictions that have regulations on daycares know when there are violations reported, and they are not letting people receive or renew their licenses without showing that they have gone through the local process as well so they have been on top of it even though they have cut services and closed offices.

Chairman Case: I know that in my past I was in the industry and with my experience that Health and Welfare is very strict and on the ball with those types of regulations. I wasn't concerned with that so much is that we have some way of suspend the license if Health and Welfare suspended I want some type of action from the City so that we are on top of it also. I see that Steve has put that in on page 12 under "n".

Commissioner Trautman recommends approval of the Special Use Permit amended file #10-05-SUP (A), with the following conditions:

- Meet all site specific and standard conditions, staff and agency requirements.

Commissioner James seconds, all approve motion passed.

REPORTS

Planner Director Steve Hasson: absent

City Attorney Richard Johnson: absent

CHAIRMAN DISCUSSION

None

ADJOURNMENT

Commissioner Sanders motions to adjourn at 6:19 pm
Chairman Case seconds, all approve, motion carries.

David Case, Chairman

ATTEST:

Tracy Rushlow, Planner