

**OFFICIALS**

Lee Young, Chairman  
Dana Hennis, Vice Chairman  
Stephen Damron, Commissioner  
Cathy Gealy, Commissioner  
Tyson Garten, Commissioner



**CITY OF KUNA**  
Kuna City Hall Council Chambers, 751 W 4<sup>th</sup> Street, Kuna, Idaho 83634

**Planning & Zoning Commission Meeting  
MINUTES**

**Tuesday February 9, 2021**

**6:00 PM REGULAR P&Z COMMISSION**

*Per Order issued by Central District Health dated July 14, 2020:*

*Social distancing and face masks were required.*

*Due to social distancing protocol,  
Council Chambers audience occupancy was 15.*

*The first 15 persons who appeared, in addition to staff, were allowed in Council Chambers. All other persons accessed the meeting via Live Streaming on the City of Kuna Facebook page, <https://www.facebook.com/CityofKunaIdaho/>*

*Public testimony was to be received on the cases listed under Public Hearings within the Agenda; no persons appeared to provide testimony.*

**1. CALL TO ORDER & ROLL CALL:**

*(Timestamp 00:10:30)*

**COMMISSION MEMBERS PRESENT:**

Chairman Lee Young – In Person  
Vice Chairman Dana Hennis – In Person  
Commissioner Stephen Damron – In Person  
Commissioner Cathy Gealy – In Person  
Commissioner Tyson Garten – In Person

**CITY STAFF PRESENT:**

Bill Gigray, City Attorney – Via Zoom  
Jace Hellman, Planning & Zoning Director – In Person  
Doug Hanson, Planner II – In Person  
Jessica Reid, Planning & Zoning Staff – In Person

**2. CONSENT AGENDA: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS**

*(Timestamp 00:10:57)*

*All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the Commission. There will be no separate discussion on these items unless the Chairman, Commissioner, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the Commission.*

A. Regular Planning and Zoning Commission Meeting Minutes Dated January 26, 2021

**Motion To:** Approve the Consent Agenda

**Motion By:** Commission Gealy

**Motion Seconded:** Commissioner Hennis

**Further Discussion:** None

**Voting No:** None

**Absent:** None

**Motion Passed:** 5-0

3. **PUBLIC HEARINGS:** (6:00 PM or as soon thereafter as matters may be heard.)

*Due to current health precautions associated with the coronavirus, the city of Kuna is providing alternative ways for the community to submit comments at public hearings. To learn more about the process for written, oral or virtual testimony, please follow the directions above or contact the Planning and Zoning Department at 9208) 922-5274.*

*(Timestamp 00:11:10)*

- A. *Public Hearing tabled from January 26, 2021* and consideration to recommend approval for Case Nos. 20-10-S (Preliminary Plat) and 20-07-ZC (Rezone) Paloma Ridge Subdivision and consideration to approve 20-26-DR (Design Review) – Doug Hanson, Planner II and Sabrina Durtschi, Toll Southwest LLC (Applicant) **ACTION ITEM**

Sabrina Durtschi, on behalf of Toll Southwest, LLC, requests a Rezone for approximately 113.25 acres from A (Agriculture) to C-1 (Neighborhood Commercial); R-4 (Medium Density Residential); R-6 (Medium Density Residential); and R-8 (Medium/High Density Residential) zoning districts. The Applicant also requests Preliminary Plat approval in order to subdivide the approximate 113.25 acres into 388 total lots (341 Residential Lots, 42 Common Lots, and five (5) Commercial Lots). The subject site is located at 8430 S Linder Road, Kuna, ID 83634, within Section 12, Township 2 North, Range 1 West; (APN: S1312223000).

Planner II Doug Hanson presented an overview of the project.

Commissioner Hennis asked clarifying questions in regards to the ACHD proposed roundabout on S Linder Road and Columbia Road, as it was noted it would be required at time of subdivision buildout. He asked what the City felt about if ACHD was going to allow the intersection to be over capacity until said roundabout was constructed.

Mr. Hanson explained the public right-of-way would be owned, operated and maintained by ACHD, as such, the City was in agreement with the decision ACHD had made in their staff report.

Commissioner Gealy asked for confirmation that there was sufficient sewer capacity at the Springhill Lift Station, Memory Ranch Lift Station, and the North Wastewater Treatment Plant.

Mr. Hanson confirmed it as correct and notified the Commission of additional correspondence between himself and Paul Stevens, City Engineer, that had been received that morning. Mr. Hanson read the correspondence into the record, noting the comments applied to both Paloma Ridge and Paloma Ridge West subdivisions.

Commissioner Gealy thanked Mr. Hanson and proceeded to ask another clarifying question regarding Pressurized Irrigation (PI); Commissioner Gealy wished to confirm the Applicant would be required to develop a private PI system.

Mr. Hanson confirmed the information as correct due to correspondence from the Boise Project Board of Control and the Public Works Department; there weren't any surface water irrigation rights for the property.

Commissioner Gealy asked if the Applicant had developed a plan for private Pressurized Irrigation.

Mr. Hanson explained that would come at time of final construction drawings.

Commissioner Gealy asked if the Condition to work with the Public Works Department and to develop a private PI system needed to be added as a Condition since it was only a suggested Condition.

Mr. Hanson stated the Commission was welcome to add it as a formal Condition.

Commissioner Gealy then requested clarification on the difference between Net Dwelling Units Per Acre and the Gross Dwelling Units Per Acre.

Mr. Hanson did so.

Chairman Young asked if the Preliminary Plat included the Commercial aspect.

Mr. Hanson confirmed that as correct; the Commercial portion would be the final phase of the Preliminary Plat.

Chairman Young addressed a second access to the Commercial zone which was reflected on the Landscape Plan but not on the Preliminary Plat.

Planning and Zoning Director Jace Hellman, explained the Landscape Plan showed proposed access for the Commercial component which had not yet been fully designed. The conceptual layout has those access points but they would not be solidified until the users of said Commercial component were identified. Mr. Hellman asked if that addressed the Commissions concern.

Commissioner Hennis asked if access of any kind was going to be required to meet ACHD requirements.

Mr. Hellman confirmed that was correct.

Commissioner Gealy asked if the applicant would be required to come back for a Design Review with a finalized Landscape Plan.

Mr. Hellman explained that as each Commercial user was identified, the users would be required to come forward with a Design Review for their portion of the Commercial. He continued that the two guaranteed accesses were identified on the Preliminary Plat.

Commissioner Hennis inquired if the Commercial users would be addressing additional access into the Commercial portion in their Design Reviews.

Mr. Hellman stated that was correct, and ACHD would weigh in as well; it would all depend on the amount of vehicle trips per day generated by the user and where the access would best be suited.

The Commission thanked Mr. Hellman.

Applicant Sabrina Durtschi of Toll Brothers, 3103 W Sheryl Drive, Meridian, Idaho, 83642 presented a slideshow showing entrances, home elevations, amenities and open space for the project; she also addressed the private PI system, sewer capacity and roadway improvements. Mrs. Durtschi made a request to modify a Condition in the staff report regarding its language.

Chairman Young thanked the applicant and asked the Commission if they had any questions for the Applicant.

Commissioner Hennis asked Mrs. Durtschi if they had addressed parking for the pool area.

Mrs. Durtschi stated they had provided adequate parking for the amenities and pool house.

Commissioner Hennis thanked Mrs. Durtschi.

Chairman Young proceeded to open the Public Hearing and asked if there were any persons signed-up to testify virtually.

Planning and Zoning Staff Jessica Reid informed the Chairman there were not.

Support: None

Against: None

Neutral: None

Chairman Young closed the Public Hearing and began the Commissions discussion.

City Attorney Bill Gigray interjected to discuss a point of procedure and suggested the Commission confirm with staff their position on the modification to the Condition(s) suggested by the Applicant.

Chairman Young agreed.

Mr. Hanson confirmed that after discussion with the City Engineer, staff was in agreement with the proposed modifications.

Commissioner Gealy inquired as to the best verbiage in regards to adding a condition that the Applicant work with staff and the City Engineer to create a private PI plan.

Commissioner Hennis answered that conditioning the Applicant to work with staff and the City Engineer to develop a private PI plan that conformed to Kuna City Code should be sufficient.

Mr. Hanson confirmed that would be sufficient.

Commissioner Damron questioned Mr. Hanson regarding the sewer in asking if the City Engineer and the Public Works Department have taken additional developments into consideration and if they were looking at additional improvements in the future.

Mr. Hanson explained Planning and Zoning staff can only require the needs for infrastructure as a result of the development, from the developer. Mr. Hanson referenced Conditions No. 21 and 22 which stated the Final Plat could not/would not proceed until a Will Serve Letter was delivered by the City Engineer confirming the proposed EDU's were available.

Commissioner Damron thanked Mr. Hanson.

Commissioner Gealy asked if an additional condition should be included for Design Review on the Commercial portion of the property.

Mr. Hanson indicated the additional condition would not be necessary as that aspect would be reviewed as applications came forward in the future for that portion.

Commissioner Gealy thanked Mr. Hanson.

Commissioner Hennis reviewed the portions of the project that he saw as positives, he specifically addressed the layout, transitions between the different densities and the amenities. He had no other questions regarding the project.

Commissioner Gealy expressed the appreciation of there being a good housing variety and addressed the transitions and amenities as well.

Chairman Young and Commissioner Damron agreed.

Commissioner Damron asked City Engineer Paul Stevens if the City was planning ahead for the flow and capacities for developments moving northwards.

City Engineer Paul Stevens explained that it was all a work in progress and indicated there were multiple developers who were taking part in needed upgrades. Mr. Stevens felt there was a good collaborative effort in moving towards solutions.

Commissioner Garten informed the Commission his questions had been addressed through the information provided.

**Motion To:** Recommend approval of Case Nos. 20-10-S (Preliminary Plat) and 20-07-ZC (Rezone) for Paloma Ridge Subdivision with the conditions as outlined in the staff report; a revision to Condition No. 7, to add the words "to the extent as is necessary to serve this project" which had been requested by the Applicant and agreed upon by the City; and the additional condition the Applicant shall work with the City and staff to develop an appropriate Pressurized Irrigation System that meets City requirements.

**Motion By:** Commissioner Hennis

**Motion Seconded:** Commissioner Gealy

**Further Discussion:** None

**Voting No:** None

**Absent:** None

**Motion Passed:** 5-0

**Motion To:** Approve Case No. 20-26-DR (Design Review) for Paloma Ridge Subdivision with the conditions as outlined in the staff report.

**Motion By:** Commissioner Hennis

**Motion Seconded:** Commissioner Gealy

**Further Discussion:** None

**Voting No:** None

**Absent:** None

**Motion Passed:** 5-0

*(Timestamp 00:46:48)*

- B.** *Public Hearing tabled from January 26, 2021 and consideration to recommend approval for Case Nos. 20-11-S (Preliminary Plat) and 20-08-ZC (Rezone) and consideration to approve Case No. 20-27-DR (Design Review) for Paloma West Subdivision – Doug Hanson, Planner II and Sabrina Durtschi, Toll Southwest LLC (Applicant) ACTION ITEM*

Sabrina Durtschi on behalf of Toll Southwest, LLC request a rezone for approximately 22.1 acres from A (Agriculture) to R-6 (Medium Density Residential). The applicant also requests preliminary plat approval in order to subdivide the approximate 22.1 acres into 91 total lots (78 residential lots, 12 common lots and 1 shared driveway). The subject site is located near the SWC of Linder and Columbia Roads, Kuna, ID 83634, within Section 11, Township 2 North, Range 1 West; (APN: S1311141960).

Planner II Doug Hanson presented an overview of the project and stood for questions.

Commissioner Gealy asked Mr. Hanson if this project would also be developing a private Pressurized Irrigation System.

Mr. Hanson informed the Commission that the property did have surface water rights and would be connecting to the Municipal System.

Applicant Sabrina Durtschi of Toll Brothers, 3103 W Sheryl Drive, Meridian, Idaho, 83642 presented a slideshow of the development. Mrs. Durtschi pointed out this project would match the neighboring Paloma Ridge in transitional zoning and style and also clarified this project would in fact connect to the private Pressurized Irrigation System within Paloma Ridge. Mrs. Durtschi indicated they were in agreement with the Ada County Highway District (ACHD) and Idaho Transportation Department (ITD) findings in regards to providing additional right-of-way and its associated improvements. She requested corrections be made to two (2) conditions within the staff report regarding services and connection to Phase No. 6 of the Silver Trail Subdivision.

Chairman Young thanked the Applicant and asked if the Commission had any questions; there were none. Mr. Young then asked if there were any persons who had signed up to testify.

Planning and Zoning Staff Jessica Reid indicated there were none.

Support: None

Against: None

Neutral: None

Chairman Young opened the public hearing and seeing no persons who wished to testify, closed the public hearing. He then proceeded to the Commission discussion.

City Attorney Bill Gigray indicated the Commission may want to confirm that this project would or would not be connecting to the Paloma Ridge private Pressurized Irrigation system as well as including the same condition for Pressurized Irrigation as was stated in the previous hearing.

Mr. Hanson confirmed Mrs. Durtschi was correct and he had made a mistake in the staff report; the City Engineers comments confirmed Paloma Ridge West would hook into Paloma Ridge private PI System. Mr. Hanson recommended the Commission add the additional condition, as worded for Paloma Ridge Subdivision, that Paloma Ridge West develop a PI System that met Kuna City Code.

Commissioner Gealy asked if the Commission should revise Condition No. 6 as they did for Paloma Ridge.

Mr. Hanson confirmed that would be appropriate.

Commissioner Gealy asked if staff was in agreement with the requested change to Condition No. 23.

Mr. Hanson agreed they were.

Commissioner Gealy asked if the Kuna Rural Fire District (KRFD) was also in agreement.

Mr. Hanson confirmed and explained the Fire Code required that if the subdivision came to greater than 30 homes, no further homes would be approved by them until the connection to Silver Trail Subdivision was available.

Commissioner Gealy thanked Mr. Hanson and had no further questions.

Chairman Young indicated any questions he would have typically had were answered in reviewing the previous Paloma Ridge project. He reiterated he found the Design Review application to be appropriate and it met Kuna City Code.

Commissioner Hennis brought up the question if the Design Review conformed to Kuna City Code in regards to the number of trees on Linder Road as it appeared to him there were more bushes than trees; he asked staff to clarify.

Mr. Hanson explained this was a Preliminary Landscape Plan and that when that particular phase with Linder Road frontage came back for Final Plat, staff would ensure that all proper landscaping was accounted for in conformance to Title 5 of Kuna City Code; he also indicated that a Landscape Inspection would be performed by Planning and Zoning Staff prior to signing of the Final Plat.

Commissioner Hennis thanked Mr. Hanson, he then addressed the verbiage for the revised condition in regards to the secondary access and asked if the Commission could reference the verbiage to be as requested by the Applicant or if it needed to be stated for the record.

City Attorney Bill Gigray addressed the Commission and explained the proper process and stated the Minutes would reflect that particular condition was included in the recommendation.

Commissioner Hennis thanked Mr. Gigray.

**Motion To:** Recommend approval of Case Nos. 20-11-S (Preliminary Plat) and 20-08-ZC (Rezone) for Paloma Ridge West Subdivision with the conditions as outlined in the staff report; a revision to Condition No. 6 as stated by the Applicant and agreed upon by staff; a revision to Condition No. 23 as requested by the Applicant and agreed upon by staff; and the additional condition the Applicant shall work with the City and staff to develop an appropriate Pressurized Irrigation System that meets City requirements.

**Motion By:** Commissioner Hennis

**Motion Seconded:** Commissioner Gealy

**Further Discussion:** None

**Voting No:** None

**Absent:** None

**Motion Passed:** 5-0

**Motion To:** Approve Case No. 20-27-DR (Design Review) for Paloma Ridge West Subdivision with the conditions as outlined in the staff report.

**Motion By:** Commissioner Hennis

**Motion Seconded:** Commissioner Gealy

**Further Discussion:** None

**Voting No:** None

**Absent:** None

**Motion Passed:** 5-0

#### **4. BUSINESS ITEMS:**

- A. Consideration to approve Case No. 21-01-DR (Design Review) Winfield Springs No. 5 Design Review Modification – Jessica Reid, Planning & Zoning Staff ACTION ITEM

Lyle Dennison-Swisse of Toll ID, LLC requests approval for a Design Review Modification to install tiered gabion walls along the E Ardell Road frontage of Winfield Springs No. 5, as to mitigate aggressive sloping not adequately addressed in the previously approved Design Review. This same request was made in Case No. 16-13-DR (Design Review) for gabion wall installation along the E Deer Flat Road frontage. Per the documents provided, the tiered gabion walls along the E Ardell Road frontage will be constructed, designed and landscaped in the same fashion.

Planning and Zoning Staff Jessica Reid presented an overview of the Design Review Modification request and stood for questions.

Commissioner Gealy referred to the project narrative, page 357 of the packet, in which the Applicant indicated ornamental grasses, perennials and shrubs would be used in place of trees, to prevent undue maintenance and slope instability; she then asked if the Applicant had proposed to place the trees that would have been used into another area in the development.

Mrs. Reid explained that had not been indicated and referred to the Applicant for comment.

Lyle Dennison-Swisse of Toll Brothers, 3103 W Sheryl Drive, Boise, indicated they would be more than willing to swap the trees out to a more appropriate location.

The Commission thanked Mr. Dennison-Swisse.

Chairman Young expressed that he felt it aligned with what had been installed along Deer Flat Road and understand the need to not plant the trees their due to the root system possibly causing future problems.

Commissioner Hennis stated the project could end up looking odd without the matching the other side of the subdivision.

Commissioner Damron agreed the modification request appeared consistent with the modification request on Deer Flat and that he agreed with Commissioner Gealy that the trees be moved, not completely eliminated.

**Motion To:** Approve Case No. 21-01-DR (Design Review) for Winfield Springs No. 5 Design Review Modification with the conditions as outlined in the staff report and the additional condition that the trees being removed be moved to an alternate location within the subdivision.

**Motion By:** Commissioner Hennis

**Motion Seconded:** Commissioner Damron

**Further Discussion:** None

**Voting No:** None

**Absent:** None

**Motion Passed:** 5-0

## 5. **STAFF ANNOUNCEMENTS AND REPORTS:**

### A. Helen Zamzow Park Update – Bobby Withrow, Parks & Recreation Director

Planning and Zoning Director Jace Hellman, standing in for Parks and Recreation Director Bobby Withrow, provided an overview of the project rendering and its proposed layout. Mr. Hellman indicated this was the first step in Mr. Withrow's public outreach regarding Helen Zamzow Park, and then would be brought before the Council. Mr. Hellman indicated he would bring any questions, concerns or comments to Mr. Withrow.

Commissioner Gealy requested confirmation of the park's location.

Mr. Hellman explained the park is to be located south of the tracks off of W Shortline Street, nearest the corner with W Avalon Street.

Commissioner Gealy suggested to remove the trees between the two proposed baseball diamonds and use the space as a soccer field.

Commissioner Damron commented the area might not be wide enough to accommodate a soccer field.

Mr. Hellman asked if Commissioner Gealy was referring to a more multi-use type field.

Commissioner Gealy confirmed that was correct and asked what the small courts indicated.

Mr. Hellman answered they were pickle ball and tennis courts and reiterated he would bring all comments before Mr. Withrow.

The Commission continued to express positive support of the project and applauded the City for the additional park in a central location.

Mr. Hellman moved on with an additional announcement by proposing a "Legal 101" type workshop in regards to the legalities of Land Use.

City Attorney Bill Gigray expressed his support and suggested including the City Council.

Commissioner Gealy requested the workshop address the similarities and/or differences between Fair Housing and Affordable Housing; review of ethics; and open meetings review.

Mr. Hellman suggested the Commission submit their questions and then he would coordinate with Mr. Gigray.

#### 6. **ADJOURNMENT:**

*(Timestamp 01:26:01)*

**Motion To:** Adjourn.

**Motion By:** Commissioner Gealy

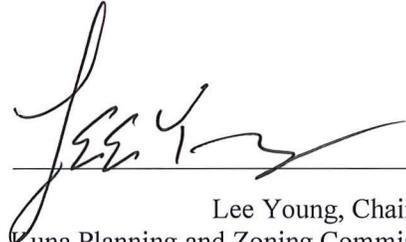
**Motion Seconded:** Commissioner Hennis

**Further Discussion:** None

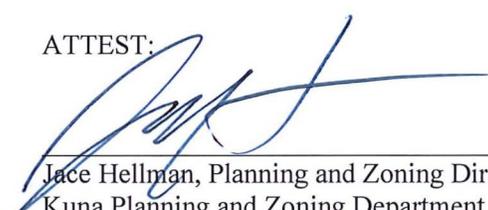
**Voting No:** None

**Absent:** None

**Motion Passed:** 5-0

  
\_\_\_\_\_  
Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:

  
\_\_\_\_\_  
Jace Hellman, Planning and Zoning Director  
Kuna Planning and Zoning Department