

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 4th Street, Kuna, Idaho 83634

**Planning & Zoning Commission Meeting
MINUTES**

Tuesday January 12, 2021

6:00 PM REGULAR P&Z COMMISSION

*Due to the rise in COVID-19 cases and the Governor’s Order dated November 14, 2020:
Council Chambers was closed to the public. Public Attendance Option was Live
Streaming.*

1. CALL TO ORDER & ROLL CALL:

(Timestamp 00:03:30)

COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

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

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

(Timestamp 00:04:00)

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 October 13, 2020
- B.** Regular Planning and Zoning Commission Meeting Minutes Dated November 10, 2020
- C.** Regular Planning and Zoning Commission Meeting Minutes Dated December 8, 2020
- D.** Findings of Fact and Conclusions of Law

I. Case Nos. 20-05-S (Preliminary Plat) & 20-02-ZC (Rezone) for Rockaway Cove Subdivision

Motion To: Approve the Consent Agenda with the modification that the November 10, 2020 P&Z Meeting Minutes have been corrected to reflect a Planning and Zoning Commission Executive Session instead of City Council

Motion By: Commissioner Gealy

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: Two (2)

Motion Passed: 3-0-2

3. PUBLIC HEARINGS:

(Timestamp 00:04:34)

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.

A. Public Hearing tabled from December 8, 2020 and Case Nos. 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), 20-05-SUP (Special Use Permit) & 20-22-DR (Design Review) for Merlin Cottages Subdivision – Doug Hanson, Planner II
ACTION ITEM

Steve Arnold with A Team Land Development and Real Estate requests Planned Unit Development approval for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts. The applicant requests Preliminary Plat approval in order to subdivide the approximate 5.83-acres into 88 total lots (71 single family, 12 common, and 5 commercial). The subject site is located at 115 N Sailer Avenue, Kuna, ID 83634, within Section 24, Township 2 North, Range 1 West; (APN: R5672430040).

Staff requests this item be tabled to a date uncertain. Project to be re-reviewed.

Commissioner Gealy asked if staff had a date certain they would like the case to be tabled to.

Planner II Doug Hanson requested that the public hearing be tabled to a date uncertain.

Motion To: Approve tabling Case Nos. 20-01-PUD, 20-08-S, 20-05-SUP and 20-22-DR for Merlin Cottages Subdivision to a date uncertain

Motion By: Commissioner Gealy

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: Two (2)

Motion Passed: 3-0-2

City Attorney Bill Gigray provided a point of information to the Commission and Planning and Zoning that the case would have to be re-noticed.

Commission and staff expressed their understanding.

(Timestamp 00:06:55)

- B.** Public Hearing and consideration to recommend approval for Case Nos. 20-04-AN (Annexation), 20-05-ZC (Rezone), 20-09-S (Preliminary Plat) and consideration to approve Case No. 20-19-DR (Design Review) for Linrock Subdivision – Doug Hanson, Planner II ACTION ITEM

Trilogy Development requests to Annex an approximately 0.75-acre parcel into Kuna City Limits and Rezone an approximately 39.64-acre parcel already within Kuna City Limits. The two parcels will make up a Mixed-Use development with C-1 (Neighborhood Commercial), R-6 (Medium Density Residential) and R-12 (High Density Residential) zones. The total 40.4 acres will be subdivided into 208 total lots (148 single family residential, 26 multifamily, 30 common and 4 commercial). The subject site is located at 5700 S Linder Road, Kuna, ID 83634, within Section 36, Township 3 North, Range 1 West; (APNs: S1236335800, S1236315400).

Planner II Doug Hanson presented the staff report. He noted the project had 148 single-family residential lots; 26 multi-family lots with 104 units; 30 common lots and 4 commercial lots. In addition, the project would contain a two (2) acre park with a community play structure, two (2) picnic shelters and open lawn area. Staff concluded that the project met Kuna City Code and recommended the applicant be subject to the conditions of approval as well as any additional conditions the Commission brought forth.

Commissioner Gealy asked if West Ada School District was provided opportunity to comment on the project since it was within their district boundaries and if they had provided comments.

Doug Hanson answered that West Ada was sent the request for comment transmittal but had not provided any.

Jane Suggs with Gem State Planning, 9840 W Overland Road, Boise, Idaho 83709, reviewed the applicants request and the project. She addressed the rezone was requested in order to provide a mixed-use project containing four (4) commercial lots, 26 four-plex's and 148 single-family lots. Ms. Suggs expressed she felt the project met the goals and principles of the Comprehensive Plan. She noted that some single-family lots were alley-loaded and the other larger single-family lots were standard front-load. Ms. Suggs pointed out the interconnecting pathways throughout the community that connected to the open space and stated the four-plex's were designed around their own open space area for gathering, however there were not currently plans for specific amenities within it. She addressed comments received from a concerned neighbor regarding sight distance on Linder Road and expressed those comments had been addressed within the Traffic Impact Study and the sight distance had been met. Ms. Suggs explained they would be bringing sewer to the site from Springhill Subdivision along Linder and it would be lifted by the Memory Ranch Lift Station, then on to the Wastewater Treatment plant; she also pointed out the Trilogy,

the same developer of this project, is the developer that had constructed that Lift Station. The comments from Economic Development Director Lisa Holland regarding access to the commercial component were addressed and it was confirmed that the resolution was to put in a second driveway, okayed by Ada County Highway District (ACHD).

Commissioner Gealy noted three conditions in regards to sewer and if the developer was willing to accept the conditions on the sewer capacity.

Ms. Suggs commented they agreed with all conditions of approval and would in fact not be submitting a Final Plat until sewer capacity was available.

Commissioner Gealy asked if it was correct that the access road into the commercial and four-plex components were private roads.

Ms. Suggs confirmed they were as they were more like driveways.

Commissioner Gealy asked that with the change approved by ACHD that day, would they still expect there to be access to the southern commercial lots from the private road serving the four-plex's.

Ms. Suggs stated they were not currently proposing for that so there would be no conflict between uses but there would be good pedestrian connectivity.

Vice-Chairman Hennis addressed the point by the Kuna Rural Fire District (KRFD) that there should be two accesses to the commercial component. He stated KRFD had seen the application but did not remember viewing much else.

Ms. Suggs stated it would be possible to provide an emergency access for emergency vehicles and asked the Commissions direction.

Vice-Chairman Hennis expressed as long as the application protocols were followed, it could be addressed in the future. He also expressed concern with Lot 8 and Katherine Lateral running under a large portion of it and wanted to confirm that structures would not be built within the easement.

Ms. Suggs responded that most of it (irrigation) would be piped in and that parking was an option for that area but a building would not be.

Vice-Chairman thanked Ms. Suggs.

Vice-Chairman Hennis opened the public hearing. He asked if there was anyone online who had requested to testify.

There were none.

Planner II Doug Hanson recommended in order to see the driveway for the commercial lots on the southside of Jarvis Drive, it be conditioned to install the driveway.

Ms. Suggs stated they would agree with the condition.

Commissioner Gealy clarified they were discussing the driveway approved by ACHD that day or if they were addressing second driveway Ms. Suggs suggested.

Doug Hanson confirmed it was in reference to the driveway approved by ACHD that day.

City Attorney Bill Gigray clarified a point of procedure regarding public hearings; as the public hearing had been opened prior to discussion on the driveway, that information was not in fact being received as part of the public hearing.

Ms. Suggs clarified Commissioner Gealy's question; the condition regarding the driveway that was approved by ACHD would be opposite the driveway to the north and they would continue to work with KRFD to provide an emergency access.

Vice-Chairman Hennis confirmed that was correct.

Ms. Suggs thanked the Commission.

Vice-Chairman Hennis asked again if there was anyone online who had requested to testify.

There were none.

Support: None

Against: None

Neutral: None

Planning and Zoning staff Jessica Reid reminded the Commission that there were public comments included in the packet and confirmed the Commission had the opportunity to review them.

Vice-Chairman Hennis confirmed the Commission had and there was only been one set of comments.

Jessica Reid asked the Commission if they would like the submitted comment read into the record.

Vice-Chairman Hennis deferred to the City Attorney.

City Attorney Bill Gigray responded it was not necessary to read the comments into the record as they were received and included in the packet, the only reason would be if someone had requested them to be read.

Jessica Reid stated that the individual who submitted the comment had expressed on the Facebook Live feed that his comments be read.

Vice-Chairman Hennis and Commissioner Gealy agreed to have the comment read into the record.

Doug Hanson read the comment from Dale Voris, 1710 W Jarvis Court, Meridian, Idaho 83642.

Vice-Chairman Hennis asked if Ms. Suggs would like to rebut.

Rebuttal:

Ms. Suggs readdressed the site distance analysis done that was part of the Traffic Impact Study.

City Attorney Bill Gigray asked if Ms. Suggs could identify the engineer so it was part of the record as well as confirm the engineer was licensed by the state.

Ms. Suggs answered it was Bob Beckman, professional engineer and Transportation Director for WH Pacific, now referred to as NV5.

Vice-Chairman Hennis thanked Ms. Suggs and pointed out the ACHD Executive Summary was included in the packet. He then asked if the Kuna Public Works Department was in attendance via Zoom.

Planning and Zoning Interim Director Jace Hellman responded they were not but offered to contact Public Works Director Paul Stevens by phone if the Commission had specific questions or he would be happy to take their questions to him.

Vice-Chairman Hennis stated clarification on comments in the staff report would be appreciated, specifically, the comments where the applicant would come to the table to help upgrade the system as needed. Vice-Chairman Hennis asked if this Lift station (Memory Ranch) fed into an area that required upgrades. He expressed he could not remember which Lift Stations were currently at capacity or could be upgraded to create capacity; he was concerned that there were areas that the increase in capacity was not doable until upgrades were done.

Commissioner Gealy expressed her opinion that Condition No. 21 in the staff report was sufficient to address those concerns as a Will-Serve Letter would be required.

Vice-Chairman Hennis agreed.

Commissioner Gealy also addressed the following condition that the timeframe associated with the application and any adjustments that may have to be made.

Jace Hellman addressed the Commission stating in the comments received from City Engineer Paul Stevens, item No. 4b addressed the question of where the sewer would go; it appeared it would run to the Memory Ranch Lift Station then to the Wastewater Treatment Plant. Mr. Hellman again offered to take questions to Public Works if that was not satisfactory, and provide additional feedback.

Vice-Chairman Hennis continued to express concern that the line after the upgraded Lift Station would be sufficient or it was a “double-pump” situation.

City Attorney Mr. Gigray addressed the concern in capacity issues and that Final Plats were not to be applied for until the City Engineer was able to provide a Will-Serve Letter. Mr. Gigray also stated the Commission could ask the City Engineer what was specifically needed to address the issue. In addition, Mr. Gigray explained the reason and application of the Will-Serve Letter and that once received, the applicant would be able to submit for Final Plat.

Vice-Chairman Hennis understood Mr. Gigray’s comments, he just wanted to be sure the Commission did not approve the application and still end up with the same issues.

Mr. Gigray replied if the Commission felt more information was needed, they were within their discretion to do so and could entertain a Motion to continue the public hearing to a date certain in anticipation of those issues being addressed.

Vice-Chairman Hennis agreed that a Will-Serve Letter could suffice and deferred to the other Commissioners.

Commissioner Garten expressed he would be more comfortable saying yes to the project if Public Works was available to confirm capacity was available.

Vice-Chairman Hennis and Commissioner Garten continued to deliberate capacity.

Vice-Chairman Hennis asked his fellow Commissioners if they wanted to request additional information or if they felt the conditions were sufficient.

Commissioner Gealy suggested an alternative approach of raising their concern when the application went before the City Council which provides the Public Works Director to address the concerns before the Council.

Vice-Chairman Hennis agreed that was an agreeable option.

Commissioner Garten agreed.

Commissioner Gealy stated it could be made a Condition of Approval.

Mr. Gigray stated it could be a condition of the recommendation, subject to a clarification of the points of concern by City Council.

Commissioner Gealy brought up a common concern from the community in regards to traffic; she reiterated that a Traffic Impact Study was performed and line of sight was addressed. She explained ACHD was the agency responsible for traffic and roads, and ACHD had provided their comments and the applicant would meet those requirements in the ACHD report. She then reviewed the two additional conditions of approval and condition of recommendation.

Motion To: Recommend approval of Case Nos. 20-09-S (Preliminary Plat), 20-04-AN (Annexation), and 20-05-ZC (Rezone) for the Linrock Subdivision with a condition Public Works clarify the sewer capacity at the Lift Station and the system at the time the application goes before the City Council.

Motion By: Commissioner Gealy

Motion Seconded: Tyson Garten

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2

Motion To: Approve 20-19-DR (Design Review) for Linrock Subdivision with the conditions as outlined in the staff report as well as two additional Conditions of Approval to add a driveway to the commercial property on the south of Jarvis Drive, opposite to the driveway on the north; and the applicant shall work with KRFD on emergency access.

Motion By: Commissioner Gealy

Motion Seconded: Tyson Garten

Further Discussion: None

Voting No: None

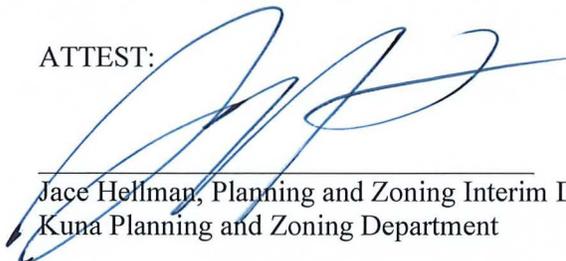
Absent: 2

Motion Passed: 3-0-2

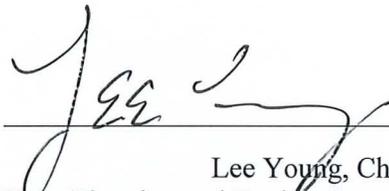
4. **BUSINESS ITEMS:**

5. **ADJOURNMENT: 6:52**

ATTEST:



Jace Hellman, Planning and Zoning Interim Director
Kuna Planning and Zoning Department



Lee Young, Chairman
Kuna Planning and Zoning Commission