

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 August 24, 2021

6:00 PM REGULAR MEETING

For questions, please call the Kuna Planning and Zoning Department at (208) 922-5274.

1. CALL TO ORDER & ROLL CALL:

(Due to Technical Difficulties, the recording begins at Timestamp 00:09:45)

COMMISSION MEMBERS PRESENT:

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

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 Services Specialist – In Person

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

All items listed under the Consent Agenda are considered to be routine and are acted on with one (1) 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.

(Timestamp 00:10:25)

1. Regular Planning and Zoning Commission Meeting Minutes Dated August 10, 2021
2. Findings of Fact & Conclusions of Law
 1. Case No. 21-13-DR (Design Review) Cazador No. 2 Pool House
 2. Case No. 21-02-CPF (Combination Preliminary & Final Plat) Falcon Crest Clubhouse
 3. Case Nos. 20-07-AN (Annexation), 20-16-S (Preliminary Plat) & 20-25-DR (Design Review) Arrowwood Heights Subdivision

(Timestamp 00:10:32)

Motion To: Approve Consent Agenda.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Gealy

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Commissioners Damron & Garten were absent.

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 or oral testimony, please contact the Planning and Zoning Department at (208) 922-5274.

(Timestamp 00:10:44)

- A.** Case Nos. 21-03-AN (Annexation), 21-02-S (Preliminary Plat) & 21-10-DR (Design Review) Sadie Creek South Subdivision – Doug Hanson, Planner II **ACTION ITEM**

Stephanie Hopkins of KM Engineering, LLP, on behalf of Challenger Development, requests to annex one parcel approx. 32 acres into Kuna City Limits with an R-8 (Medium Density Residential) zoning district classification and to subdivide the 32 acres into 192 total lots (170 residential lots, 22 common lots). The subject site is located at the NEC of S Luker Road and E King Road, within Section 25, Township 2 North, Range 1 West (APN: S1325438400).

(Timestamp 00:11:28)

Planner II Doug Hanson addressed the Commission, notifying them the Case was being requested to be tabled to a date uncertain.

(Timestamp 00:11:35)

Motion To: Table Case Nos. 21-03-AN (Annexation), 21-02-S (Preliminary Plat) & 21-10-DR (Design Review) for Sadie Creek South Subdivision to a date uncertain.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Gealy

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Commissioners Damron & Garten were absent.

(Timestamp 00:12:06)

- B.** Case No. 21-06-AN (Annexation) 1113 & 1169 N Black Cat – Doug Hanson, Planner II **ACTION ITEM**

Robin and Diana Sanders request to annex two (2) parcels consisting of approximately 9.8 acres into Kuna City Limits with an R-2 zoning district classification. The subject sites are located at 1113 and 1169 N Black Cat Road, Kuna, ID 83634, within Section 21, Township 2 North, Range 1 West; (APNs: S1321141880, S1321141920).

(Timestamp 00:12:24)

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

(Timestamp 00:13:54)

Applicant Diana Sanders introduced herself as the owners of the two properties being considered, then introduced her son to give the official Applicant presentation.

(Timestamp 00:14:24)

Josh Sanders introduced himself and presented on overview of the request. Mr. Sanders explained they had performed due diligence by speaking with applicable agencies prior to application submission. He explained additional right-of-way (ROW) would be dedicated to ACHD and two (2) property access points would be closed per ACHD standards. The Applicant(s) felt that the proposed zoning fit with the Kuna Comprehensive Plan and provided an acceptable buffer between Agriculture and possible future Residential developments. Mr. Sanders gave a history of their family in the community and their desire to be able to remain in the area, he then stood for questions.

(Timestamp 00:18:48)

City Attorney Bill Gigray asked a procedural question regarding the zoning. Commissioner Hennis referenced the application which reflected an R-2 (Medium Density Residential) zoning. Mr. Gigray explained he had wanted to make sure all individuals present at the meeting were aware.

(Timestamp 00:19:50)

Chairman Young opened the Public Hearing at 6:39 PM.

Support:

Diana Sanders, 1113 S Black Cat Road, Kuna, Idaho, 83634 – Testify
Robin Sanders, 1113 S Black Cat Road, Kuna, Idaho, 83634 – Not Testify
Josh Sanders, 1169 N Black Cat Road, Kuna, Idaho, 83634 – Testify
Rachel Sanders, 3468 N Dove Place, Boise, Idaho, 83704 – Not Testify

Against:

Alta Graham, 1015 N Black Cat Road, Kuna, Idaho, 83634 – Testify
Bill Graham, 1015 N Black Cat Road, Kuna, Idaho, 83634 - Testify

Neutral:

None

(Timestamp 00:20:00)

Chairman Young requested Vice Chairman Hennis call the names of individuals who had signed up to testify as he was present via Zoom; Vice Chairman Hennis did so.

(Timestamp 00:20:48)

Alta Graham presented her concerns regarding the project. Mrs. Graham referenced research she had performed and agencies which she had contacted. She expressed her fears of a higher density subdivision being developed and their desire to continue being able to enjoy their country lifestyle. Mrs. Graham also expressed her concerns regarding the train crossings on Black Cat/Greenhurst Road, as well as the speed of traffic which uses the road. (*Applicant's testimony time elapsed*). She then expressed her concerns regarding what she saw as uncontrolled growth within Kuna and the impacts it caused. Vice Chairman Hennis addressed Mrs. Graham and explained her testimony time had elapsed.

(Timestamp 00:25:50)

Bill Graham addressed the Commission and explained his and his family's history within the community. Mr. Graham then expressed his concerns with the proposed zoning and stated he was unsure of the number of homes that could potentially be built on the property. He wasn't sure if the area would be able to support additional wells or septic systems without creating a strain on the surrounding area. Mr. Graham also explained the increase in traffic they have seen through the years and crossings.

(Timestamp 00:28:12)

City Attorney Bill Gigray requested Mr. Graham state his name and address for the record; he did so.

(Timestamp 00:28:52)

Chairman Young confirmed if there were any other individuals present who wished to testify, in person or via Zoom, who wished to testify but had not gotten the chance to sign up; there were not. He then called forward the Applicant for rebuttal.

(Timestamp 00:29:30)

Mr. Sanders pointed out they were not subdividing the property, they only wished to split the lots into five (5) total parcels in the future. He explained that ACHD was aware of traffic within the area and were currently performing a traffic study; he felt that ACHD was the agency in charge of the roadways, they were aware of any issues. Mr. Sanders spoke about the impact fees they would pay to the City and that by becoming part of the City Limits, they would be able to vote on local issues.

(Timestamp 00:31:55)

Chairman Young asked a clarifying question for the benefit of all those present, regarding R-2 zoning. Mr. Hanson explained an R-2 zoning designation does not allow the development of more than two (2) Dwelling Units Per Acre (DUA). Vice Chairman Hennis pointed out the R-2 zoning designation was the lowest designation recognized by the city; Mr. Hanson confirmed the information was correct. Chairman Young moved the Commission into their discussion.

(Timestamp 00:32:42)

Vice Chairman Hennis began by recognizing comments made during public testimony by explaining that even though an R-2 was the lowest designation recognized by the city, it could allow the potential of up to 18 dwelling units; Mr. Hennis was not sure if making an additional Condition would adequately soothe the neighbors' fears. He addressed roadway safety and was not sure if there was much more impact the project could have as it was usually the larger developments that tended to have a high impact. He also commented that the subject sites appeared large enough to support additional well and septic systems.

(Timestamp 00:34:16)

Mr. Gigray addressed Vice Chairman Hennis's comment regarding an additional Condition and explained to do so would require a Development Agreement.

(Timestamp 00:35:02)

Chairman Young expressed he had no issue with the projects location or zoning and was not in support of requiring a Development Agreement.

(Timestamp 00:36:07)

Commissioner Gealy felt the R-2 designation was a good transition between the city and the country and felt like the Commission could complicate that buffer or future buffer, by requiring a Development Agreement. She felt it made sense to Annex whether now or in the future, as City Services would be available to the area in the future.

(Timestamp 00:37:28)

Vice Chairman Hennis referred to the parcel map and expressed how difficult it would be to get more than five (5) dwellings on the parcel due to its configuration, especially when adding in setback requirements and others. He restated a Development Agreement seemed not to be needed.

(Timestamp 00:38:12)

Commissioner Gealy reiterated her concerns regarding the potential impacts of a Development Agreement on the buffer. Chairman Young agreed.

(Timestamp 00:36:06)

Chairman Young closed the Public Hearing at 6:58 PM, then asked if there weren't any other questions, he would stand for a Motion.

(Timestamp 00:39:43)

Motion To: Approve Case No. 21-06-AN (Annexation) for 1113 & 1169 N Black Cat Road, with the Conditions as outlined in the Staff Report.

Motion By: Commissioner Gealy

Motion Seconded: Vice Chairman Hennis

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Commissioners Damron & Garten were absent.

(Timestamp 00:40:18)

- C. Case No. 21-02-OA (Ordinance Amendment) Amending Subsection Q of Section 4 of Chapter 5 of Title 5 Kuna City Code, Electrical Energy Transmission Lines – Jace Hellman, Planning & Zoning Director **ACTION ITEM**

(Timestamp 00:40:44)

Chairman Young noted the request by Staff on the Agenda that the Case be tabled to a date certain of September 14, 2021, due to a noticing error.

(Timestamp 00:40:56)

Motion To: Table Case No. 21-02-OA (Ordinance Amendment) Amending Subsection Q of Section 4 of Chapter 5 of Title 5 of Kuna City Code, Electrical Energy Transmission Lines, to September 14, 2021.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Gealy

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Commissioners Damron & Garten were absent.

4. **BUSINESS ITEMS:**

(Timestamp 00:41:24)

Chairman Young asked if there were any business items to address; there were not.

5. **ADJOURNMENT:**

(Timestamp 00:41:36)

Motion To: Adjourn.

Motion By: Vice Chairman Hennis

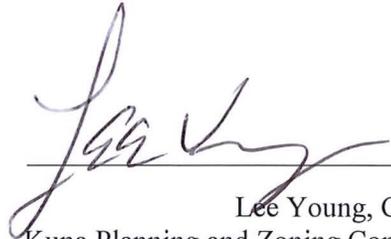
Motion Seconded: Commissioner Gealy

Further Discussion: None

Voting No: None

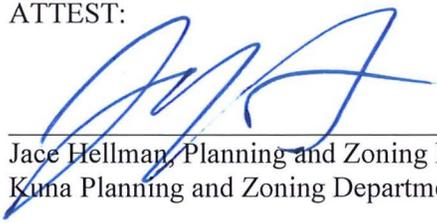
Absent: 2

Motion Passed: 3-0-2, Commissioners Damron & Garten were absent.



Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:



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