

**OFFICIALS**

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



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

**Planning & Zoning Commission Meeting**  
**MINUTES**  
**Tuesday March 22, 2022**

**6:00 PM REGULAR MEETING**

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

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

*(Timestamp 00:00:28)*

**COMMISSION MEMBERS PRESENT:**

Chairman Lee Young – In Person  
Vice Chairman Dana Hennis – In Person  
Commissioner Stephen Damron – Absent  
Commissioner Tyson Garten – In Person  
Vacant

**CITY STAFF PRESENT:**

Bill Perkins, City Attorney – In Person  
Doug Hanson, Planning & Zoning Director – In Person  
Jessica Reid, Planner I – In Person

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

*(Timestamp 00:00:45)*

1. Regular Planning & Zoning Commission Meeting Minutes Dated March 8, 2022
2. Findings of Fact & Conclusions of Law  
*None*

*(Timestamp 00:00:47)*

**Motion To:** Approve Consent Agenda.  
**Motion By:** Vice Chairman Hennis  
**Motion Seconded:** Commissioner Garten  
**Further Discussion:** None  
**Voting No:** None  
**Absent:** 1  
**Motion Passed:** 3-1-0

**3. PUBLIC HEARINGS: ALL OF THE ITEMS LISTED ARE ACTION ITEMS**

*(Timestamp 00:01:05)*

- A. *Tabled from March 8, 2022* Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 20-05-SUP (Special Use Permit) & 20-22-DR (Design Review) for Merlin Cottages Subdivision – Doug Hanson, Planning & Zoning Director

*(Timestamp 00:01:43)*

**Motion To:** Table Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 20-05-SUP (Special Use Permit) & 20-22-DR (Design Review) for Merlin Cottages Subdivision to a date uncertain.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Garten

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 3-1-0

*(Timestamp 00:02:27)*

**B. Tabled from March 8, 2022** Case Nos. 21-02-CPM (Comprehensive Plan Map Amendment), 21-08-AN (Annexation), 21-06-S (Preliminary Plat) & 21-18-DR (Design Review) for Rising Sun West Subdivision – Troy Behunin, Planner III

*(Timestamp 00:03:02)*

**C. Motion To:** Table Case Nos. 21-02-CPM (Comprehensive Plan Map Amendment), 21-08-AN (Annexation), 21-06-S (Preliminary Plat) & 21-18-DR (Design Review) for Rising Sun West Subdivision to a date certain of April 26, 2022.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Garten

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 3-1-0

*(Timestamp 00:03:36)*

**D. Tabled from March 8, 2022** Case Nos. 21-17-AN (Annexation) & 21-06-CPF (Combination Preliminary & Final Plat) for Skylar Ranch Subdivision – Doug Hanson, Planning & Zoning Director

*(Timestamp 00:03:58)*

Director Doug Hanson presented an overview of the project.

*(Timestamp 00:05:40)*

Angie Prayer of Mason & Associates presented an overview of the project.

*(Timestamp 00:12:08)*

Chairman Young opened the Public Hearing.

Support:

1. Angie Cuellar – Applicant, Mason & Associates, 924 3<sup>rd</sup> Street South, Nampa, Idaho, 83651

Neutral:

None

Against:

None

*(Timestamp 00:12:32)*

As there were no persons who had signed in to testify, Chairman Young closed the Public Hearing & the Commission proceeded into deliberation.

*(Timestamp 00:12:56)*

Commissioner Hennis felt the future proposed development would have a good transition between the densities & felt the project was appropriate for the area.

*(Timestamp 00:13:40)*

Commissioner Garten agreed & felt that it fit the Comprehensive Plan.

*(Timestamp 00:14:08)*

Chairman Young agreed with fellow Commissioners.

*(Timestamp 00:14:40)*

**Motion To:** Recommend Approval to City Council of Case Nos. 21-17-AN (Annexation) & 21-06-CPF (Combination Preliminary & Final Plat) for Skylar Ranch Subdivision, with the Conditions as outlined in the Staff Report.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Garten

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 3-1-0

*(Timestamp 00:15:15)*

**E.** Case No. 21-19-AN (Annexation) & 21-07-SUP (Special Use Permit) for Kuna Lutheran Church – Doug Hanson, Planning & Zoning Director

*(Timestamp 00:15:30)*

Director Doug Hanson presented an overview of the requested Annexation.

*(Timestamp 00:17:04)*

Applicant Representative Richard Girard reiterated the request to Annex the property & construct a new church in the future.

*(Timestamp 00:18:49)*

Pastor Tom Hausch provided a brief history of Kuna Lutheran Church.

*(Timestamp 00:20:35)*

Chairman Young opened the Public Hearing.

Support:

1. Richard Girard – Applicant, 675 N Ramey Creek Avenue, Star, Idaho, 83669
2. Tom Hausch – Pastor, 398 N Sierra Bay View, Eagle, Idaho, 83616

Neutral:

None

Against:

None

*(Timestamp 00:20:58)*

Seeing none, Chairman Young closed the Public Hearing & the Commission proceeded into deliberation.

*(Timestamp 00:21:14)*

The Commissioners believed the parcel was an appropriate location for a church & had no issues with the Annexation request.

*(Timestamp 00:21:10)*

**Motion To:** Recommend Approval to City Council of Case No. 21-19-AN (Annexation) Kuna Lutheran Church, with the Conditions as outlined in the Staff Report.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Garten

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 3-1-0

*(Timestamp 00:22:44)*

**F.** Case No. 21-13-AN (Annexation) & 21-09-S (Preliminary Plat) for Lee Country Subdivision – Troy Behunin, Senior Planner

*(Timestamp 00:23:16)*

**Motion To:** Table Case Nos. 21-13-AN (Annexation) & 21-09-S (Preliminary Plat) for Lee Country Subdivision to a date uncertain.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Garten

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 3-1-0

*(Timestamp 00:20:50)*

**G.** Comprehensive Plan Amendment (Maps) & Area of City Impact (ACI) Boundary Reduction – Dough Hanson, Planning & Zoning Director

*(Timestamp 00:23:55)*

Director Doug Hanson presented an overview of the request, as well as provided specifics on why the request was being made.

*(Timestamp 00:25:34)*

Chairman Young Opened the Public Hearing.

Support:

None

Neutral:

1. Henry Vander Stelt, 2800 W Kuna Mora Road, Kuna, Idaho, 83634 – Testify
2. David Boehecker – Mark Bottles Real Estate, 4840 N Lakemont Place, Garden City, Idaho, 83714 – Testify
3. Adam Capell – Toll Brothers, 3103 W Sheryl Drive, Meridian, Idaho, 83642 – Testify

Against:

None

*(Timestamp 00:26:23)*

Mr. Vander Stelt testified on behalf of Vander Stelt Dairy, & provided history on the property. He also explained his family's concern that if their property's future land use designation was changed, it would limit its ability to be sold & requested an R-4 Medium Density Residential future land use designation.

*(Timestamp 00:28:51)*

Chairman Young asked a clarifying question on the location of Mr. Vander Stelt's property.

*(Timestamp 00:29:15)*

Planner I Jessica Reid directed the Commission to page 155 so they could identify the property Mr. Vander Stelt was referencing.

*(Timestamp 00:30:04)*

David Boehecker of Mark Bottles Real Estate testified on behalf of his client Mrs. King, regarding the proposal which would change her property's future land use designation from Low Density Residential to Agriculture. Mr. Boehecker stated the land was prime Agriculture ground due to the bedrock depth & was better suited to residential development. He stated a Map change was not supposed to downgrade individual properties.

*(Timestamp 31:58)*

Adam Capell of Toll Brothers testified that changes to the Future Land Use Map would limit their ability to proceed with projects they had been working on. Mr. Capell specifically requested the property for their future project Astor Grove, be designated as Medium Density Residential & also requested the property on Meadow View Road be designated as Mixed Use.

*(Timestamp 00:35:23)*

As there were no others signed in to testify, Chairman Young closed the Public Hearing & the Commission proceeded into deliberation.

*(Timestamp 00:35:49)*

Chairman Young felt the map modification was needed as some of the previous designations in certain areas stretched the bounds of the intent of the growth. He asked staff if he was correct that when considering the proposed changes, they were looking at areas in general & not parcel specific.

*(Timestamp 00:36:45)*

Mr. Hanson confirmed that was correct. He further explained that parcel lines in the proposal were removed as it better fit the intent of Idaho Code regarding Comprehensive Plans & the map

was used as a guide on how the city would like to see Kuna grow; Mr. Hanson explained the land use designations were not a set zone.

*(Timestamp 00:37:23)*

Chairman Young asked that as projects came forward, Applicants were able to submit a Comprehensive Plan Map Amendment request.

*(Timestamp 00:37:38)*

Mr. Hanson confirmed the Chairmans comment & also explained that if an application was submitted which did not exactly fit the map but it was smart growth, & aligned with the city's Comprehensive Plan goals moving forward, it may not need the Comprehensive Plan Map Amendment; he then gave an example.

*(Timestamp 00:38:20)*

Vice Chairman Hennis asked how that would apply to the properties referred to in public comment letters, where they wanted to change from a Mixed Use to Medium Density Residential as that was quite a bit different use.

*(Timestamp 00:38:34)*

Mr. Hanson stated staff would review the subject site, consider the feasibility of the development plan & how the proposed use factored in; he then referenced a development on S Swan Falls which was designated Mixed Use but due to the limited frontage on S Swan Falls, the Applicant proposed a Medium Density Residential use instead, which was supported by the decision makers of the city.

*(Timestamp 00:39:20)*

Chairman Young addressed Mr. Vander Stelt's comments & explained that the proposed designation of Low Density appeared appropriate then reiterated the map was just a guide, not the final verdict on the zone; he was in agreement with the proposed changes.

*(Timestamp 00:40:36)*

Vice Chairman Hennis agreed & stated the larger concerns are when projects are wanting to go from Commercial to Residential or Mixed Use to only Residential. He referenced the public comment letters & expressed he was concerned with the requested changes.

*(Timestamp 00:41:50)*

Chairman Young expressed it was difficult to address specific parcels with how the map was proposed.

Vice Chairman Hennis agreed.

Chairman Young referenced the Commercial Corridor on Meridian Road & how keeping density (Residential) closer to the core of the city, then working out from there was a better way to address growth. He did not have issues with how the map was presented but also understood the comments which were presented; he didn't feel as though projects that were already working through the process with the city would now be denied (based on the proposed changes).

*(Timestamp 00:43:38)*

Vice Chairman Hennis agreed. He then asked Mr. Hanson if projects already in the works would be affected by the proposed changes.

*(Timestamp 00:44:12)*

Mr. Hanson explained that applications for the projects referred to by Mr. Capell had not been formally submitted, however, until the proposed changes had been adopted by City Council, submittals would continue to abide by the existing Future Land Use Map.

*(Timestamp 00:45:23)*

Vice Chairman Hennis stated he was not necessarily against the requested modifications but was not sure how the Commission would modify parcels (as map is not parcel specific).

*(Timestamp 00:45:49)*

Chairman Young asked Mr. Hanson if he was correct in his thinking that the city works closely with Applicants on projects that were already in the works.

*(Timestamp 00:46:10)*

Mr. Hanson confirmed that was correct.

*(Timestamp 00:46:40)*

Chairman Young asked the Commission if they would be comfortable making a decision that evening based on the information at hand or if they would like additional time to consider.

*(Timestamp 00:47:05)*

Vice Chairman Hennis wished to further review & reflect on the information presented; he wanted to make sure the changes requested made sense. He expounded on the effects it could have on projects & properties.

*(Timestamp 00:48:44)*

Chairman Young understood as the proposed map was not parcel specific when the previous map was.

*(Timestamp 00:49:30)*

Commissioner Garten expressed he was in agreement with a map change but was unsure how to address the requests made.

*(Timestamp 00:49:40)*

Vice Chairman Hennis suggested the matter be tabled in order to consider it further.

Chairman Hennis agreed.

*(Timestamp 00:49:58)*

**Motion To:** Table the Comprehensive Plan Amendment (Maps) & Area of City Impact (ACI) Boundary Reduction to April 12, 2022.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Garten

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 3-1-0

(Timestamp 00:50:32)

Mr. Hanson asked the Commission if they wished to receive additional testimony at the meeting on April 12, 2022 or to keep the Public Hearing closed.

(Timestamp 00:50:44)

Chairman Young felt that additional testimony was unnecessary to receive additional testimony due to comments received from the open house, public comment letters & testimony provided; the Commission just needed additional time to consider the information.

#### 4. BUSINESS ITEMS:

(Timestamp 00:52:12)

A. Tabled from March 8, 2022 Case No. 22-04-DR (Design Review) for Project Peregrine – Doug Hanson, Planning & Zoning Director

(Timestamp 00:52:27)

Director Doug Hanson presented an overview of the Design Review request.

(Timestamp 00:54:20)

Planner I Jessica Reid notified the Commission the Applicant was attending via Zoom.

(Timestamp 00:54:52)

Susan Devine of Parametrix thanked staff for the overview & stated they were excited to work with the city & other applicable agencies as the project moved forward; she then stood for questions.

(Timestamp 00:55:54)

Chairman Hennis asked the Commission if there were any questions; there were not. The Commission then proceeded into deliberation.

(Timestamp 00:56:06)

Vice Chairman Hennis felt the request was straightforward & the site was well laid out; based on his professional experience, he felt the design was a step-up from other data center projects he had seen.

(Timestamp 00:56:34)

Chairman Young agreed. He felt the landscaping was appropriate & the proposed structures worked well with being in an Industrial/Manufacturing zone. The Chairman had no concerns with the proposal.

(Timestamp 00:57:24)

Commissioner Garten agreed; the landscaping & design was appropriate.

(Timestamp 00:58:00)

**Motion To:** Approve Case No. 22-04-DR (Design Review) for Project Peregrine with the Conditions as outlined in the staff report.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Garten

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 3-1-0

*(Timestamp 00:58:31)*

**B.** Case No. 21-34-DR (Design Review) for Changed Life Church – Jessica Reid, Planner I

*(Timestamp 00:58:49)*

Planner I Jessica Reid informed the Commission of a correction in the Case name as it should have read “Changed Life *Church*”.

*(Timestamp 00:59:17)*

**Motion To:** Table Case No. 21-34-DR (Design Review) for Changed Life Church to a date certain of April 12, 2022.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Garten

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 3-1-0

*(Timestamp 00:59:38)*

**C.** Case No. 22-01-DR (Design Review) for Arby’s – Jessica Reid, Planner I

*(Timestamp 00:59:46)*

Planner I Jessica Reid presented an overview of the project & stood for questions; there were no questions.

*(Timestamp 01:01:22)*

Applicant Steve Krekus touched on highlights of the project, provided some company history & stated they looked forward to providing more jobs within the community.

*(Timestamp 01:02:20)*

Vice Chairman Hennis asked Mr. Krekus if he had read the staff report & had any concerns; Mr. Krekus had no concerns.

*(Timestamp 01:02:36)*

Vice Chairman Hennis felt the design had good aesthetics & it was in an appropriate location.

*(Timestamp 01:02:54)*

Commissioner Garten agreed & felt that it fit the surrounding area.

*(Timestamp 01:03:08)*

Chairman Young had no concerns with the request as presented.

*(Timestamp 01:03:36)*

Commissioner Garten referenced the previously approved Commercial Tire project just west of the proposed Arby’s.

Vice Chairman Hennis confirmed the location & stated he believed that there would be no issues with access or residual effects by surrounding businesses.

(Timestamp 01:04:06)

**Motion To:** Approve Case No. 22-01-DR (Design Review) for Arby's with the Conditions as outlined in the staff report.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Garten

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 3-1-0

## 5. ADJOURNMENT:

(Timestamp 01:04:50)

Chairman Young asked if there were any items or updates staff wished to discuss; there were not.

(Timestamp 01:05:08)

**Motion To:** Adjourn.

**Motion By:** Vice Chairman Hennis

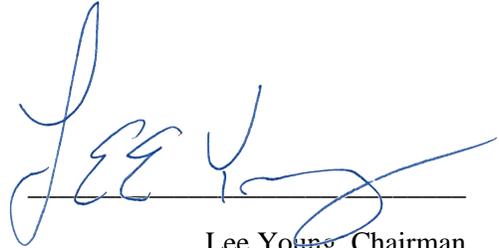
**Motion Seconded:** Commissioner Garten

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 3-1-0



Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:



Doug Hanson, Planning and Zoning Director  
Kuna Planning and Zoning Department



# CITY OF KUNA

751 W. 4<sup>th</sup> Street • Kuna, Idaho • 83634 • Phone (208) 922-5274  
Fax: (208) 922-5989 • www.Kunacity.Id.gov

## SIGN-UP SHEET

**March 22, 2022 – Planning and Zoning Commission Public Hearing**

**Case Name: Skylar Ranch Subdivision**

**Case No: 21-17-AN (Annexation), 21-06-CPF (Combination preliminary and Final Plat)**

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission or City Council.

IN FAVOR	NEUTRAL	IN OPPOSITION
<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>Angie Cuellar</u> Print Name <u>924 3<sup>rd</sup> Street S</u> Print Address <u>Nampa ID 83651</u> City                      State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip
<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip
<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip
<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City                      State, Zip





# CITY OF KUNA

751 W. 4<sup>th</sup> Street • Kuna, Idaho • 83634 • Phone (208) 922-5274  
Fax: (208) 922-5989 • www.Kunacity.Id.gov

## SIGN-UP SHEET

**March 22, 2022 – Planning and Zoning Commission Public Hearing**

**Case Name: Kuna Lutheran Church**

**Case No: 21-19-AN (Annexation) and 21-07-SUP (Special Use Permit)**

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission or City Council.

IN FAVOR		NEUTRAL		IN OPPOSITION	
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
_____ Print Name		_____ Print Name		_____ Print Name	
_____ Print Address		_____ Print Address		_____ Print Address	
_____ City	_____ State, Zip	_____ City	_____ State, Zip	_____ City	_____ State, Zip
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
_____ Print Name		_____ Print Name		_____ Print Name	
_____ Print Address		_____ Print Address		_____ Print Address	
_____ City	_____ State, Zip	_____ City	_____ State, Zip	_____ City	_____ State, Zip
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
_____ Print Name		_____ Print Name		_____ Print Name	
_____ Print Address		_____ Print Address		_____ Print Address	
_____ City	_____ State, Zip	_____ City	_____ State, Zip	_____ City	_____ State, Zip
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
_____ Print Name		_____ Print Name		_____ Print Name	
_____ Print Address		_____ Print Address		_____ Print Address	
_____ City	_____ State, Zip	_____ City	_____ State, Zip	_____ City	_____ State, Zip