

**OFFICIALS**

Lee Young, Chairman  
Dana Hennis, Vice Chairman  
Tyson Garten, Commissioner  
Ginny Greger, Commissioner  
Jim Main, 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 May 24, 2022**

**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:**

*(Timestamp 00:00:33)*

**COMMISSION MEMBERS PRESENT:**

Chairman Lee Young – Absent  
Vice Chairman Dana Hennis – In Person  
Commissioner Tyson Garten – In Person  
Commissioner Ginny Greger – In Person  
Commissioner Jim Main – In Person

**CITY STAFF PRESENT:**

Andrea Nielsen, City Attorney – In Person  
Doug Hanson, Planning & Zoning Director – In Person  
Troy Behunin, Planner III – In Person  
Jessica Reid, Planner I – In Person

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

*(Timestamp 00:00:58)*

- 1. Regular Planning and Zoning Commission Meeting Minutes Dated May 10, 2022
- 2. Findings of Fact & Conclusions of Law
  - A. Case No. 22-15-DR (Design Review) 679 S Best Business Avenue Metal Shell Modification

*(Timestamp 00:01:01)*

**Motion To:** Approve Consent Agenda.  
**Motion By:** Commissioner Garten  
**Motion Seconded:** Commissioner Greger  
**Further Discussion:** None  
**Voting No:** None  
**Absent:** 1  
**Motion Passed:** 4-1-0

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

*(Timestamp 00:01:19)*

- A. Tabled from May 10, 2022 Case Nos. 21-04-AN (Annexation), 21-03-ZC (Rezone), 21-01-PUD (Planned Unit Development), 21-03-S (Preliminary Plat), 21-04-SUP (Special Use Permit), 21-26-DR (Design Review) for Sabino's Rocky Ridge Subdivision – Troy Behunin, Planner III

*(Timestamp 00:01:48:00)*

Planner III Troy Behunin presented an overview of the project; he touched on a request by the City Engineer to enter into a Development Agreement regarding the temporary sewer solution.

*(Timestamp 00:07:55)*

Vice Chairman Hennis asked a clarifying question regarding the requested setback reduction. Mr. Behunin explained the difference between setbacks and easements.

*(Timestamp 00:10:56)*

Applicant Patrick Connor provided a history of the project, then provided an overview of their proposal with slideshow.

*(Timestamp 00:30:40)*

Vice Chairman Hennis discussed the two entrances required by the Kuna Rural Fire District (KRFD) and asked Mr. Connor if an updated plan had been provided. Mr. Connor discussed that access for the proposed subdivision would follow a Phased Emergency Access Plan.

*(Timestamp 00:32:30)*

Commissioner Jim Main asked what types of off-site improvements would be made. Mr. Connor discussed three (3) intersections that would be improved once the project came to the 250<sup>th</sup> home.

*(Timestamp 00:34:46)*

Vice Chairman Hennis asked an additional question regarding the Traffic Impact Study (TIS); Mr. Connor answered.

*(Timestamp 00:36:31)*

Vice Chairman Hennis opened the Public Hearing.

Support:

1. Patrick Connor, Applicant, 701 S Allen Street, Meridian, ID 83642 - Testified
2. Robbie Reno, Kuna Joint School District No. 3, 711 E Porter Street, Kuna, ID 83634 - Testified

Neutral:

None

Against:

1. Jay Voth, 3600 W Hubbard Road, Kuna, ID 83634 – Testified
2. Vickie Johnson, 3720 W Hubbard Road, Kuna, ID 83634 – Not Testify
3. Scott Higer, 9105 S Romar Lane, Kuna, ID 83634 – Testified
4. Tammy Harman, 3620 W Hubbard Road, Kuna, ID 83634

*(Timestamp 00:36:44)*

Robbie Reno discussed Hubble Homes has committed to a partnership with the Kuna Joint School District No. 3 (KSD) and stated their support of the project due to this partnership. Mr. Reno also discussed that KSD and the Applicant would work together on a bus route through each Phase of the project.

*(Timestamp 00:38:54)*

Jay Voth expressed his concerns with the irrigation due to how it flows. He then asked questions regarding S Romar Lane and then expressed his concern about being able to access W Hubbard Road from S Romar Lane without a Stop sign at the intersection. He was also concerned about a proposed walkway that appeared to end at S Romar Lane which could invite people to ride their bicycles down the Private Lane, or even folks petting the horses on adjacent properties.

*(Timestamp 00:43:13)*

Scott Higer presented his concerns regarding increased traffic impact due to the proposed subdivision and stated he did not feel like improvements to the Ten Mile and Hubbard intersection could wait until the 250<sup>th</sup> home. Mr. Higer then addressed irrigation concerns and provided an explanation on how the ditches ran across the properties. He also addressed the additional subdivisions which have been approved south of W Hubbard Road; he questioned if there was infrastructure or roads to handle it.

*(Timestamp 00:47:09)*

Vice Chairman Hennis asked Mr. Higer if his access came off of S Romar Lane at the existing fire turnaround; Mr. Higer confirmed it was. Vice Chairman Hennis also asked if Mr. Higer if he used farm equipment; Mr. Higer stated yes and mentioned the road width.

*(Timestamp 00:48:54)*

Mr. Connor provided his rebuttal, specifically addressing additional roadway improvements that were required and their desire to ensure the irrigation would not be interfered with and working with the effected neighbors. Mr. Connor specifically addressed S Romar Lane and explained there was no direct access for the subdivision from the Lane, only emergency access. Mr. Connor also expressed that 6-foot vinyl fencing would be installed.

*(Timestamp 00:56:14)*

Mr. Behunin discussed Mid-Mile Collector requirements and that fencing was not required for the East side of S Romar Lane, only at the rear of the lots on the West.

*(Timestamp 00:57:33)*

Questions came from the audience regarding fencing. Vice Chairman Hennis addressed the question.

*(Timestamp 00:58:51)*

Vice Chairman Hennis then confirmed that irrigation waters could not be disturbed per state law; Mr. Behunin confirmed that was correct.

*(Timestamp 00:59:39)*

Commissioner Main commented that Idaho Code Title 18 did not allow a property owner to impeded irrigation waters but that it was enforceable only through the courts. Commissioner Main stressed it was up to the effected landowners to ensure the developer works with them to

make sure it was designed correctly. Commissioner Main also commented on wanting the developer to coordinate with neighboring landowners on fencing as vinyl would not stand up to weed burning and wrought iron created a tumbleweed backstop. Commissioner Main continued by commenting he would like to see improvements to the Ten Mile and Hubbard intersection prior to home construction.

*(Timestamp 01:02:24)*

The Commission proceeded into deliberation.

*(Timestamp 01:02:30)*

Commissioner Garten commented he had started with many questions but felt the information provided by the Applicant answered them; he stated he was satisfied with all information and understood the concerns that were expressed.

*(Timestamp 01:03:03)*

Vice Chairman Hennis agreed but expressed his continued concern with 81-acre portion going from an R-4 up to an R-6+, he did not feel it offered a good transition between future development and the existing rural-feel properties. He felt the western section was better but the middle section concerned him; the transition to Commercial in the East seemed appropriate however.

*(Timestamp 01:04:38)*

Commissioner Greger agreed with Vice Chairman Hennis and said she felt the density up against the existing acreages was not an appropriate transition and would prefer to see R-4 lots there.

*(Timestamp 01:05:58)*

Vice Chairman Hennis further expounded on his concern with the density of homes against the future N Shayla Road.

*(Timestamp 01:06:32)*

Commissioner Main also felt an R-4 would be a more appropriate density against the existing acreages; he felt the remaining portions of the proposed subdivision worked and were appropriate.

*(Timestamp 01:07:48)*

Vice Chairman Hennis felt only having on-street parking for the green spaces was inadequate, then asked Mr. Connor if the streets were wide enough to allow for on-street parking.

*(Timestamp 01:08:17)*

Mr. Connor answered the streets were wide enough, then pointed out an on-site parking lot was provided as part of the 6-acre park. Mr. Connor felt that the other open spaces were intended as pedestrian accessible.

*(Timestamp 01:11:13)*

Vice Chairman Hennis asked the Commission if they required any other information or if they were ready to close the Public Hearing.

*(Timestamp 01:11:30)*

Commissioner Garten asked the Applicant if they were willing to reduce the R-6 on the perimeter of N Shayla to an R-4. Mr. Connor answered that they were, it was not a difficult change to make.

*(Timestamp 01:13:40)*

A question came from the audience and was unintelligible. Planning and Zoning Director Doug Hanson reminded those in attendance any comments made needed to be into the microphone as to have it on record.

*(Timestamp 01:14:26)*

Vice Chairman Hennis closed the Public Hearing; then briefly discussed items that would be Conditioned with Commissioner Garten. Commissioner Main then asked about improvements to Ten Mile and Hubbard to which Vice Chairman Hennis stated the Commission could recommend but could not Condition as the developer was subject to Ada County Highway District (ACHD) timelines (as roads were their jurisdiction).

*(Timestamp 01:17:40)*

Mr. Behunin addressed the Commission and explained that if they wanted to have the lots along N. Shayla to be reduced to R-4, they had to consider the fact the City Council would immediately ask if the Commission had reviewed the revised Preliminary Plat. Mr. Connor confirmed they could have it ready.

*(Timestamp 01:19:14 – 01:21:)*

Commissioner Garten worked through an accurate Motion with suggestions from staff.

*(Timestamp 01:21:50)*

**Motion To:** Table Case Nos. 21-04-AN (Annexation), 21-03-ZC (Rezone), 21-01-PUD (Planned Unit Development), 21-03-S (Preliminary Plat), 21-04-SUP (Special Use Permit), 21-26-DR (Design Review) for Sabino's Rocky Ridge Subdivision to a date certain of June 14, 2022, pending a redesign of the Preliminary Plat to reflect the change of reducing the R-6 (Medium Density Residential) lot density along N Shayla Avenue to a reduced R-4 (Medium Density Residential) density, so the Commission would be able to review prior to making their decision and making a recommendation to City Council.

**Motion By:** Commissioner Garten

**Motion Seconded:** Commissioner Main

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 4-1-0

*(Timestamp 01:22:36)*

**B.** *Tabled from May 10, 2022* Case No. 22-02-SUP (Special Use Permit) 2997 N New Morning Avenue In-Home Daycare – Jessica Reid, Planner I

*(Timestamp 01:22:48)*

Planner I Jessica Reid presented an overview of the Special Use Permit request.

*(Timestamp 01:24:50)*

Kelly Walton, speaking on behalf of the Applicant, addressed their professionalism, hard work and ethics in operating an In-Home Daycare; he then stood for questions.

*(Timestamp 01:25:24)*

Vice Chairman Hennis opened the Public Hearing.

Support:

1. Lucie Ndayirorere, Applicant, 2997 N New Morning Ave, Kuna, ID 83634 – Not Testify
2. Nibizi Jean Marie, 2997 N New Morning Ave, Kuna, ID 83634 – Not Testify
3. Kelly Walton, Representative, 448 N Pascua Drive, Kuna, ID 83634 - Testify

Neutral:

None

Against:

None

*(Timestamp 01:26:07)*

As there were no others present who wished to testify, Vice Chairman Hennis closed the Public Hearing and the Commission proceeded into deliberation.

*(Timestamp 01:26:18)*

Commissioner Garten expressed that he held no concerns with the request. Vice Chairman Hennis agreed and pointed out the Applicant had already passed inspections and they rarely saw that.

*(Timestamp 01:26:27)*

Commissioner Main felt that daycares were necessary within the current economy.

*(Timestamp 01:27:04)*

**Motion To:** Approve Case No. 22-02-SUP (Special Use Permit) 2997 N New Morning Avenue In-Home Daycare, with the Conditions as outlined in the Staff Report.

**Motion By:** Commissioner Garten

**Motion Seconded:** Commissioner Main

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 4-1-0

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

*None*

#### **5. ADJOURNMENT:**

*(Timestamp 01:27:52)*

**Motion To:** Adjourn.

**Motion By:** Commissioner Garten

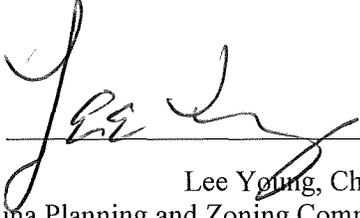
**Motion Seconded:** Commissioner Main

**Further Discussion:** None

**Voting No:** None

**Absent:** 1

**Motion Passed:** 4-1-0

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

ATTEST:  
  
\_\_\_\_\_  
Doug Hanson, Planning and Zoning Director  
Kuna Planning and Zoning Department



CITY OF KUNA

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SIGN-UP SHEET

May 24, 2022 – PnZ Commission, Public Hearing

Case Name: Sabinos Rocky Ridge Annex, PUD and Preliminary Plat Request:

1. Case Type: Combine Preliminary Plat and Final Plat.

Case No.: 21-04 AN (Annex), 21-03-ZC (Rezone), 21-01-PUD (Planned Unit Development),
21-03-S (Pre Plat), 21-04-SUP (Special Use Permit) 21-16-DR (Design Review)

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

IN FAVOR NEUTRAL IN OPPOSITION

[X] Testify [ ] Not Testify

Jay Voith
Print Name
3600 W Hubbard
Print Address
Kuna ID 83634
City State, Zip

[ ] Testify [ ] Not Testify

Print Name
Print Address
City State, Zip

[X] Testify [ ] Not Testify

Jay Voith
Print Name
3600 Hubbard
Print Address
Kuna ID 83634
City State, Zip

[X] Testify [ ] Not Testify

Patrick Connor (Applicant)
Print Name
701 S. Allen St
Print Address
Meridian ID 83642
City State, Zip

[ ] Testify [ ] Not Testify

Print Name
Print Address
City State, Zip

[ ] Testify [X] Not Testify

Kiiki Johnston
Print Name
3720 W Hubbard
Print Address
Kuna ID 83634
City State, Zip

[X] Testify [ ] Not Testify

Robbie Reed
Print Name
711 E Porter
Print Address
Kuna ID 83634
City State, Zip

[ ] Testify [ ] Not Testify

Print Name
Print Address
City State, Zip

[X] Testify [ ] Not Testify

Scott Higer
Print Name
9105 S Romar
Print Address
Kuna ID 83634
City State, Zip

[ ] Testify [ ] Not Testify

Print Name
Print Address
City State, Zip

[ ] Testify [ ] Not Testify

Print Name
Print Address
City State, Zip

[ ] Testify [X] Not Testify

Tammy Harman
Print Name
3620 W. Hubbard Rd
Print Address
Kuna ID 83634
City State, Zi



# CITY OF KUNA

751 W 4<sup>th</sup> Street • Kuna, ID 83634  
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Planning & Zoning Commission Public Hearing Sign-In Sheet  
 May 24, 2022

**Case No.: 22-02-SUP**

**Case Name: 2997 N New Morning Avenue In-Home Daycare**

Please print your name below & indicate if you would like to Testify or NOT Testify regarding this item.

IN FAVOR	NEUTRAL	IN OPPOSITION
<input checked="" type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name (Applicant) Lucie Ndayirore	Name	Name
Address 2997 N New Morning Ave	Address	Address
City, State, ZIP Kuna ID 83634	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name Nibizi Jean Marie	Name	Name
Address 2997 N New Morning Ave	Address	Address
City, State, ZIP Boise ID 83634	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name Kelly Walton	Name	Name
Address 448 E Pascal Dr	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP