

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 4th Street, Kuna, Idaho 83634

Planning & Zoning Commission Meeting
MINUTES

Tuesday August 23, 2022

6:00 PM REGULAR MEETING

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

I. CALL TO ORDER & ROLL CALL:

(Timestamp 00:00:48)

COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Andrea Nielsen, City Attorney
Morgan Treasure, Economic Development Director
Doug Hanson, Planning & Zoning Director
Troy Behunin, Planner III
Jessica Reid, Planner II

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

(Timestamp 00:01:14)

- 1. Regular Planning and Zoning Commission Meeting Minutes Dated August 9, 2022
- 2. Findings of Fact & Conclusions of Law
 - A. Case No. 22-05-SUP (Special Use Permit) 790 W Nannyberry In-home Group Daycare
 - B. Case Nos. 22-05-S (Preliminary Plat) & 22-14-DR (Design Review) Falcon Crest South Subdivision
 - C. Case No. 22-21-DR (Design Review) Robinhood No. 1 Pool House, Ramada & Trellis
 - D. Case No. 22-22-DR (Design Review) Rising Sun No. 2 Pool House

(Timestamp 00:01:17)

Motion To: Approve the Consent Agenda as presented.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

(Timestamp 00:01:40)

Chairman Young addressed the Commission and attendees explaining that Item No. 4A on that evening's Agenda was to be removed due to technical issues, and placed on the September 13, 2022 Commission Agenda.

(Timestamp 00:01:57)

Motion To: Remove Item No. 4A, Case No. 22-36-DR (Design review) for Kuna Lutheran Church, be removed from the agenda.

Motion By: Commissioner Greger

Motion Seconded: Commissioner Main

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

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

(Timestamp 00:02:20)

- A. Tabled from August 9, 2022 Case Nos. 21-16-AN (Annexation), 21-11-S (Preliminary Plat) & 21-36-DR (Design Review) Riverton Subdivision – Troy Behunin, Planner III

(Timestamp 00:02:45)

Planner III Troy Behunin presented a history of the Commission's requested changes to the Preliminary Plat on August 9, 2022; he then stood for questions.

(Timestamp 00:03:53)

Patrick Connor pointed out the specific requested changes made to the Preliminary Plat, then further explained additional changes that were made to the Commercial portions entrance per Ada County Highway District recommendations. Mr. Connor thanked the Commission for their recommendations then stood for questions.

(Timestamp 00:06:22)

Chairman Young re-opened the Public Hearing to receive public testimony regarding the updated Preliminary Plat only.

Support:

Robbie Reno, Kuna Joint School District No. 3, 711 E Porter Street, Kuna, ID 83634 – Testify

Neutral:

Wes Weast, 3603 E Kuna Road, Kuna, ID 83634 – Testify

Dave Szplett, 970 Ashwood Court, Kuna, ID 83634 - Testify

Against:

None

(Timestamp 00:06:45)

Robbie Reno testified to Kuna Joint School District No. 3's support of the project.

(Timestamp 00:07:52)

Wes Weast testified to his concerns with infrastructure, specifically roadways and traffic. Mr. Weast asked when Ada County Highway District (ACHD) was planning on signaling the

Meridian Road and Kuna Road intersection; Chairman Young answered that there were future plans for improvement but he was unaware if it was on ACHD's current Integrated Five Year Work Plan. Mr. Weast also testified to his preference to see larger houses.

(Timestamp 00:10:47)

Dave Szplett testified to a general request to stop requiring sidewalks within low volume neighborhoods.

(Timestamp 00:12:30)

Mr. Connor rebutted with explaining the street improvements that ACHD required due to the proposed subdivision; he also explained that the Integrated Five Year Work Plan could be found on line and it would provide projected dates for specific intersection improvements.

(Timestamp 00:13:52)

Chairman Young closed the Public Hearing and the Commission proceeded into deliberation.

(Timestamp 00:14:03)

Commissioner Main expressed that he was happy with the revised Preliminary Plat and the subdivision looked better than it did previously.

(Timestamp 00:14:23)

Chairman Young agreed and believed the revised Preliminary Plat addressed the Commission's concerns.

(Timestamp 00:14:53)

Motion To: Recommend Approval to City Council of Case Nos. 21-16-AN (Annexation) and 21-11-S (Preliminary Plat) for Riverton Subdivision, with the Conditions as outlined in staffs report.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

(Timestamp 00:16:19)

Motion To: Approve Case No. 21-36-DR (Design Review) for Riverton Subdivision, with the Conditions as outlined in staffs report.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

(Timestamp 00:16:50)

B. Case Nos. 22-02-AN (Annexation) & 22-01-ZC (Rezone) for The Lamp District – Jessica Reid, Planner II

(Timestamp 00:17:02)

Planner II Jessica Reid presented an overview of the request explaining that there was no current development associated with the application but and a Development Agreement would

accompany the application, which required any future development to be done is substantial conformance with the concept plan (Exhibit 2.18) provided. Ms. Reid then stood for questions.

(Timestamp 00:19:48)

Penelope Constantikes testified the Developer was also the property owner, then explained that discussions had been in the works with national retailers. Ms. Constantikes also explained that as the properties developed, the exact layout would be refined along with its zoning; development of the site would be pedestrian based. A variety of housing was proposed for the future, including apartments, townhomes and units above commercial storefronts.

(Timestamp 00:25:38)

Chairman Young opened the Public Hearing.

Support:

None

Neutral:

Ron Perkins, 1907 N Ryde Ave, Kuna, ID 83634 – Testify

Eric Carlson, 1726 N Ryde Ave, Kuna, ID 83634 – Testify

Maria Ludette Leung, 1726 N Ryde Ave, Kuna, ID 83634 – Testify

Against:

Robbie Reno, Kuna Joint School District No. 3, 711 E Porter Street, Kuna, ID 83634 – Testify

(Timestamp 00:25:56)

Robbie Reno testified that the Kuna School District would remain neutral on the project until development occurred but did express concerns on how many additional students the potential project could bring to the district.

(Timestamp 00:26:30)

Chairman Young proceeded to confirm that all present who wished to testify had provided their information on the sign-in sheet; three (3) individuals came forward to sign-in to testify.

(Timestamp 00:27:55)

Ron Perkins testified that he had concerns with the types of business which could utilize the commercial area as he felt they could affect the neighboring subdivisions property values. Mr. Perkins also stated “voters can retaliate” if they were not happy with development outcomes and stated to the Commission to “be very careful what you allow to be built there”.

(Timestamp 00:31:48)

Eric Carlson testified that he was in agreement with Mr. Perkins. He then asked if residents had a say in the types of businesses that came to the development. Chairman Young answered that Public Hearings were residents’ opportunity to express their thoughts or concerns, and there would be additional opportunities to testify. Mr. Carlson asked if residents comments were taken into consideration; Chairman Young confirmed they were.

(Timestamp 00:34:55)

Ms. Leung asked the Applicant if a study had been performed on the new demographics of Kuna as it has changed so much in recent years. She stated that if the development was to be a continuation of the Kuna culture, it was important to combine the old and the new; Ms. Leung

suggested nice restaurants and retail, music and more; she offered to assist the Applicant and Developer with being part of their future planning team in order to inject ideas for what the community would like to see.

(Timestamp 00:38:10)

Ms. Constantikes rebutted and explained the east side of the project was intended to be residential, providing a better buffer to the commercial uses. She reiterated the Chairmans comment that there would be additional options to testify. Ms. Constantikes also explained Kuna City Code provided a matrix of the types of uses allowed in commercial zones but it was not brand specific; she further explained the Developers intent was to develop a space that encouraged visitors and was similar to The Village (in Meridian) but on a Kuna size scale. She notified those residents in attendance that she would be happy to correspond with them.

(Timestamp 00:40:55)

Chairman Young closed the Public Hearing and the Commission proceeded into deliberation.

(Timestamp 00:41:10)

Chairman Young expressed no concerns with the request and commented that the requested zone was appropriate for that corner based on its location.

(Timestamp 00:41:58)

Commissioner Main agreed with the Chairman; he also commented that specifics would be addressed by future applications.

(Timestamp 00:42:30)

Commissioner Greger stated she was surprised a request had not come forward sooner, then echoed the previously made comments by her associates.

(Timestamp 00:43:04)

Motion To: Recommend Approval to City Council of Case Nos. 22-02-AN (Annexation) & 22-01-ZC (Rezone) for The Lamp District, with the Conditions as outlined in staffs report.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

(Timestamp 00:43:30)

Chairman Young thanked attendees for providing their comments. Ms. Reid then addressed the room and dismissed those who wished to vacate after the Lamp District Public Hearing.

(Timestamp 00:48:30)

Chairman Young called the meeting back to order.

(Timestamp 00:48:40)

C. Case Nos. 22-01-AN (Annexation), 22-01-PUD (Planned Unit Development), 22-01-S (Preliminary Plat), 22-10-SUP (Special Use Permit) and 21-36-DR (Design Review) for Patagonia East, Ridge & Lakes Subdivision – Troy Behunin, Planner III

(Timestamp 00:49:07)

Planner III Troy Behunin provided an overview of the project then stood for questions.

(Timestamp 00:51:32)

Bonnie Layton provided the Commission and residents in attendance a handout with images of the proposed housing product and various other items (handout will be attached to the meeting minutes).

(Timestamp 00:52:40)

City Attorney Adrea Nielsen provided procedural guidance on receiving the handout into evidence as part of the Public Hearing.

(Timestamp 00:54:33)

After dispersal of the handout, Ms. Layton proceeded to provide a history of the project and discussed the Sewer issues faced when the application came forward in 2020 and was denied. Ms. Layton commented the proposed project had not changed much from that time and provided a refresher on the project; she then stood for questions.

(Timestamp 01:00:20)

Chairman Young opened the Public Hearing.

Support:

Robbie Reno, Kuna Joint School District No. 3, 711 E Porter Street, Kuna, ID 83634 – Testify
Joe Randall, 2210 E Hubbard Road, Kuna, ID 83634 – Testify

Neutral:

Kenneth Jantz, 8440 S Locust Grove Road, Kuna, ID 83634 - Testify

Against:

None

(Timestamp 01:00:33)

Robbie Reno testified to the Districts need to construct additional schools then commented on the Developers donation of a school site; an agreement had not been finalized but was in the works.

(Timestamp 01:02:20)

Joe Randall testified to the quality of the original Patagonia Subdivision and was in favor of seeing that level of quality to continue. Mr. Randall then commented that one of the roadways was in line with his home and he was concerned with headlights coming through his windows; he requested mitigation be considered. He also asked if this project intended to continue the same quality of landscaping as the original Patagonia Subdivision.

(Timestamp 01:04:39)

Kenneth Jantz testified that he had concerns with the area being turned into a “slum” if not developed well. He commented on speed limit on Locust Grove Road and a portion with limited site distance; he suggested additional signage and a speed limit reduction.

(Timestamp 01:09:45)

Ms. Layton thanked those who attended the Public Hearing then addressed concerns expressed during public testimony. She stated the Developer would work with Mr. Randall on mitigating

headlights. She also commented on the roadway improvements being required by Ada County Highway District (ACHD) as a result of the project and agreed the speed limit was too fast. Ms. Layton expressed the quality would continue throughout this project the same as it is within the original Patagonia Subdivision. She then stood for any additional questions.

(Timestamp 01:12:52)

Commissioner Main commented on the need to maintain existing irrigation appurtenances and requested that the Developer seriously consider any changes that they would be making.

(Timestamp 01:13:50)

Ms. Layton stated the affected Irrigation District did receive a copy of their proposal; the Developer would abide by Idaho Code regarding irrigation waters.

(Timestamp 01:14:30)

Commissioner Main commented that serious consideration and attention needed to be paid to the existing irrigation appurtenances as there have been other projects within the city in which Developers fell far short of assuring irrigation waters were not disturbed or changed for downstream users.

(Timestamp 01:14:50)

Heath Clark, Land Use Attorney for the Developer, and commented that responsible Developers do not impede the irrigation; he referenced Idaho Code requirements regarding irrigation waters and stated this project had a responsible Developer who would ensure there was no interruptions.

(Timestamp 01:15:37)

Commissioner Main stressed the Developer be proactive in working with those receiving the irrigation waters.

(Timestamp 01:16:18)

Chairman Young and Commissioner Main briefly discussed irrigation waters.

(Timestamp 01:16:50)

Commissioner Main asked if ACHD had a timeline for improvements to the Locust Grove and Hubbard intersection as there would be an increased volume of traffic.

(Timestamp 01:17:28)

Ms. Layton explained that ACHD had recently made changes to the Integrated Five Year Work Plan (IFYWP) and was listed to be reconstructed as a multi-lane roundabout between 2036 and 2040, as well as additional roadway widening on Hubbard Road. She further explained it was not uncommon for the IFYWP to be updated periodically as a result of development.

(Timestamp 01:19:15)

Chairman Young closed the Public Hearing and the Commission proceeded into deliberation.

(Timestamp 01:19:41)

Chairman Young supported the layout and felt is complimented the original Patagonia Subdivision. He felt there were good amenities provided as well as a school lot; he also commented that the Kuna Rural Fire District expressed no concerns with the project and that

development would not be able to proceed until Sewer upgrades were made in the Danskin Lift Station.

(Timestamp 01:20:40)

Commissioner Main encouraged mitigation traffic concerns with additional signage in areas of conflict, and believed a school within the subdivision would likely keep traffic generated by the school within the subdivision.

(Timestamp 01:21:26)

Commissioner Greger was happy to see additional quality homes being provided within the community and to see a school site, especially since she had served 14-years on the school board. She believed the 50-mph speed limit on Locust Grove was too fast but was confident traffic concerns could be addressed and/or mitigated.

(Timestamp 01:22:46)

Motion To: Recommend Approval to City Council of Case Nos. 22-01-AN (Annexation), 22-01-PUD (Planned Unit Development) and 22-01-S (Preliminary Plat) for Patagonia East, Ridge & Lakes Subdivision, with the Conditions as outlined in staffs report.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

(Timestamp 01:23:52)

Motion To: Approve Case Nos. 22-10-SUP (Special Use Permit) and 21-36-DR (Design Review) for Patagonia East, Ridge & Lakes Subdivision, with the Conditions as outlined in staffs report.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

4. BUSINESS ITEMS:

A. This item was removed from the agenda; see Timestamp 00:01:57.

5. ADJOURNMENT:

(Timestamp 01:24:40)

Motion To: Adjourn.

Motion By: Commissioner Main

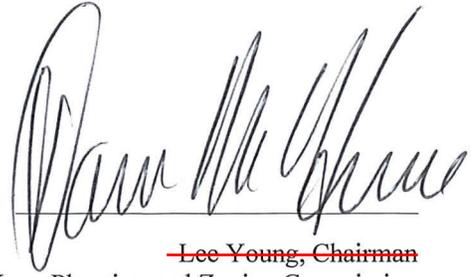
Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

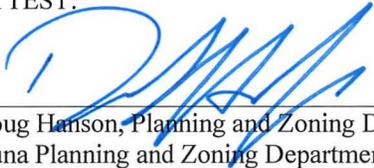
Absent: 2

Motion Passed: 3-2-0



~~Lee Young, Chairman~~
Kuna Planning and Zoning Commission
Dana Hennis, Vice Chairman

ATTEST:



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