

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
REGULAR MEETING MINUTES
Tuesday December 13, 2022

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

1. CALL TO ORDER & ROLL CALL:

(Part 1 of 3 Timestamp 00:00:25)

COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Doug Hanson, Planning & Zoning Director
Marc Bybee, City Attorney
Troy Behunin, Senior Planner
Jessica Reid, Associate Planner

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

(Part 1 of 3 Timestamp 00:00:44)

1. Regular Planning and Zoning Commission Meeting Minutes Dated November 22, 2022
2. Findings of Fact & Conclusions of Law
 - A. Case No. 22-15-SUP (Special Use Permit) 2857 N Kenneth Avenue In-home Group Daycare
 - B. Case No. 22-08-AN (Annexation) 5625 W Barker Road
 - C. Case Nos. 22-14-S (Preliminary Plat) & 22-31-DR (Design Review) Griffons Point Subdivision

(Part 1 of 3 Timestamp 00:00:46)

Motion To: Approve the Consent Agenda.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 5-0-0

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

(Part 1 of 3 Timestamp 00:01:02)

- A. Rescheduled from November 9, 2022, due to lack of quorum Case No. 22-12-SUP (Special Use Permit) for 6810 S Nordean In-home Group Daycare – Jessica Reid, Associate Planner

(Part 1 of 3 Timestamp 00:01:20)

Associate Planner Jessica Reid presented an overview of the Applicants request, then stood for questions. Ms. Reid noted the Applicants were present to answer any questions the Commission may have had, but did not wish to present.

(Part 1 of 3 Timestamp 00:02:37)

The Commission had no questions therefore; Chairman Young opened the public hearing.

Support:

None

Neutral:

None

Against:

None

(Part 1 of 3 Timestamp 00:02:41)

There were no individuals signed in to testify so, Chairman Young provided an additional opportunity. As there were none, the Chairman closed the public hearing and the Commission proceeded into deliberation.

(Part 1 of 3 Timestamp 00:03:10)

The Commission deliberated.

(Part 1 of 3 Timestamp 00:03:27)

Motion To: Approve Case No. 22-12-SUP with the Conditions as outlined in staffs report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 5-0-0

(Part 1 of 3 Timestamp 00:04:04)

B. *Rescheduled from November 9, 2022, due to lack of quorum* Case Nos. 22-13-S (Preliminary Plat) & 22-30-DR (Design Review) for Paul Bunyan Plaza – Troy Behunin, Senior Planner

(Part 1 of 3 Timestamp 00:04:23)

Senior Planner Troy Behunin provided an overview of the proposed project, then stood for questions.

(Part 1 of 3 Timestamp 00:07:51)

Jake Bogen, representing the Applicant, stood for any questions the Commission may have had.

(Part 1 of 3 Timestamp 00:08:30)

Commissioner Hennis asked a question and Mr. Bogen answered.

(Part 1 of 3 Timestamp 00:08:56)

Chairman Young opened the public hearing.

Support:
None

Neutral:
None

Against:
None

(Part 1 of 3 Timestamp 00:09:02)

There were none signed in to testify, therefore; the Chairman provided an additional opportunity. Still, no one wished to testify so, the Chairman closed the public hearing and the Commission proceeded into deliberation.

(Part 1 of 3 Timestamp 00:09:30)

The Commission deliberated.

(Part 1 of 3 Timestamp 00:12:48)

Motion To: Recommend approval to City Council of Case No. 22-13-S, with the Conditions as outlined in staffs report, and the additional Condition the Applicant ensure the appropriate common lots are provided for utilities.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 5-0-0

(Part 1 of 3 Timestamp 00:13:16)

Motion To: Approve Case No. 22-30-DR, with the Conditions as outlined in staffs report, and the additional Condition the Applicant ensure the appropriate common lots are provided for utilities.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 5-0-0

(Part 1 of 3 Timestamp 00:14:06)

C. Case No. 22-04-CPF (Combo Plat) for Single Lot Subdivision – Jessica Reid, Associate Planner

(Part 1 of 3 Timestamp 00:14:20)

Associate Planner Jessica Reid presented an overview of the project history and request, then stood for questions. The Applicant was present to answer any questions the Commission may have had.

(Part 1 of 3 Timestamp 00:15:28)

As the Commission had no questions for the Applicant, Chairman Young opened the public hearing. There was no one signed in to testify so, the Chairman offered an additional opportunity; one (1) individual came forward.

Support:

None

Neutral:

None

Against:

Danielle Horras, Kuna Joint School District No. 3, 711 E Porter Street, Kuna, ID 83634 – Testified

(Part 1 of 3 Timestamp 00:16:23)

Danielle Horras testified to the District's inability to serve the project.

(Part 1 of 3 Timestamp 00:17:21)

Chairman Young explained the Applicants request was associated with a previously approved Senior living facility.

(Part 1 of 3 Timestamp 00:17:53)

As there were no others to testify, the Chairman closed the public hearing and the Commission proceeded into deliberation.

(Part 1 of 3 Timestamp 00:18:19)

Motion To: Recommend approval to City Council of Case No. 22-04-CPF, with the Conditions as outlined in staffs report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 5-0-0

(Part 1 of 3 Timestamp 00:18:46)

D. Case Nos. 22-07-ZC (Rezone), 22-15-S (Preliminary Plat), 22-05-PUD (Planned Unit Development), 22-08-SUP (Special Use Permit) & 22-34-DR (Design Review) for Gallica Heights Subdivision – Troy Behunin, Senior Planner

(Part 1 of 3 Timestamp 00:19:19)

Chairman Young stated staff had requested the item be tabled to a date certain of January 10, 2023, pending critical agency comments.

(Part 1 of 3 Timestamp 00:19:26)

Motion To: Table Case Nos. 22-07-ZC, 22-15-S, 22-05-PUD, 22-08-SUP and 22-34-DR to a date certain of January 10, 2023.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 5-0-0

(Part 1 of 3 Timestamp 00:20:03)

E. Case No. 22-09-ZC (Rezone) for Rising Sun Subdivision No. 3 – Jessica Reid, Associate Planner

(Part 1 of 3 Timestamp 00:20:24)

Associate Planner Jessica Reid requested the item be removed from the agenda as upon further review of a corrected zoning Ordinance, it had been determined the Rezone request was unnecessary and the application had been withdrawn.

(Part 1 of 3 Timestamp 00:20:55)

City Attorney Marc Bybee provided procedural clarification.

(Part 1 of 3 Timestamp 00:21:04)

Motion To: Remove Case No. 22-09-ZC from the Agenda as the application had been withdrawn.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 5-0-0

5. BUSINESS ITEMS: ALL ITEMS LISTED ARE ACTION ITEMS

(Part 1 of 3 Timestamp 00:21:39)

A. Case No. 22-41-DR (Design Review) for the Hawk Substation – Doug Hanson, Director

(Part 1 of 3 Timestamp 00:21:48)

Planning and Zoning Director Doug Hanson presented a history of the site and an overview the proposed project. Director Hanson stated the Applicant was present to answer any questions but did not have a presentation; he then stood for questions.

(Part 1 of 3 Timestamp 00:24:00)

As there were no questions, the Commission proceeded into deliberation.

(Part 1 of 3 Timestamp 00:24:50)

Motion To: Approve Case No. 22-41-DR with the Conditions as outlined in staffs report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 5-0-0

6. EXECUTIVE SESSION:

(Part 1 of 3 Timestamp 00:25:20)

A. Executive Session under Idaho Code 74-206(d) & (f) – Andrea Nielsen, City Attorney

(d) To consider records that are exempt from disclosure as provided int Chapter 1, Title 74 Idaho Code.

(f) To communicate with legal counsel to discuss legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but immediately likely to be litigated.

(Part 1 of 3 Timestamp 00:25:30)

City Attorney Marc Bybee provided procedural clarification.

(Part 1 of 3 Timestamp 00:25:45)

Motion To: Enter into Executive Session per Idaho Code §74-206(d) and (f).

Motion By: Chairman Young

Motion Seconded: Vice Chairman Hennis

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 5-0-0

(Part 2 of 3 Timestamp 00:00:10)

Chairman Young listed those which would be present in the Executive Session:

Chairman Lee Young

Vice Chairman Dana Hennis

Commissioner Tyson Garten

Commissioner Ginny Greger

Commissioner Jim Main

Doug Hanson, Planning & Zoning Director

Marc Bybee, City Attorney

Troy Behunin, Senior Planner

Jessica Reid, Associate Planner

(Part 3 of 3 Timestamp 00:00:18)

Motion To: Exit Executive Session and reconvene the regular meeting.

Motion By: Chairman Young

Motion Seconded: Vice Chairman Hennis

Further Discussion: None

Voting No: None

Absent: Commissioner Garten

Motion Passed: 4-1-0

(Part 3 of 3 Timestamp 00:00:40)

City Attorney Mark Bybee provided procedural clarification.

(Part 3 of 3 Timestamp 00:00:52)

Chairman Young stated the Commission reviewed information and that Commissioner Garten had recused himself due to a potential conflict of interest; no decisions were made.

7. ADJOURNMENT:

(Part 3 of 3 Timestamp 00:01:19)

Motion To: Exit Executive Session and reconvene the regular meeting.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Greger

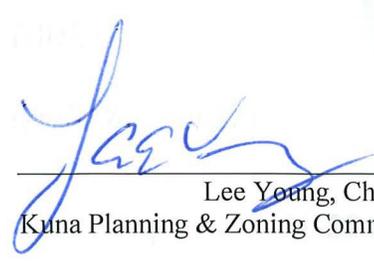
Further Discussion: None

Voting No: None

Absent: Commissioner Garten

Motion Passed: 4-1-0




Lee Young, Chairman
Kuna Planning & Zoning Commission

ATTEST:


Doug Hanson, Director
Kuna Planning & Zoning



CITY OF KUNA
 751 W 4th Street • Kuna, ID 83634
 (208) 922-5274 • www.kunacity.id.gov

Planning & Zoning Commission Public Hearing Sign-In Sheet
 December 13, 2022

Case No.: 22-12-SUP (Special Use Permit)

Case Name: 6810 S Nordean In-home Group 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 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
<input 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
<input 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
<input 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



CITY OF KUNA

751 W 4th Street • Kuna, ID 83634
 (208) 922-5274 • www.kunacity.id.gov

Planning & Zoning Commission Public Hearing Sign-In Sheet
 December 13, 2022

Case No.: 22-04-CPF

Case Name: Single Lot Subdivision (for Vineyards Senior Housing)

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

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify <i>Danulle Howard</i>
Name	Name	Name <i>711 Peter</i>
Address	Address	Address <i>Kuna</i>
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input 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
<input 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
<input 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



CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274

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SIGN-UP SHEET

December 13, 2022 – P & Z Commission, Public Hearing

Case Name: ***Paul Bunyan Plaza Request:***

Case Type: Subdivision and Design Review Request.

Case Nos.: **22-13-S (Pre Plat), and 22-30-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	
<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, Zi