

OFFICIALS

Dana Hennis, Chairman
Bryan Clark, Vice Chairman
Ginny Greger, Commissioner
Jim Main, Commissioner
Bobby Rossadillo, Commissioner

CITY OF KUNA
City Hall Council Chambers
751 W 4th Street, Kuna, ID 83634

**Planning & Zoning Commission
REGULAR MEETING**

MINUTES

Tuesday, July 9, 2024, at 6:00 PM



*For questions, please call Planning and Zoning at (208) 922-5274.
ALL AGENDA ITEMS ARE ACTION ITEMS UNLESS OTHERWISE NOTED.*

I. CALL TO ORDER & ROLL CALL:

(Timestamp 00:00:18)

Chairman Dana Hennis Okay. I guess it's about time. We'll go ahead and call to order the regular Planning and Zoning Commission meeting for Tuesday, July 9th, 2024, and we'll start with roll call.

Economic Development Director Morgan Treasure Commissioner Bryan Clark Commissioner Jenny Greger.

Commissioner Ginny Greger Present.

Economic Development Director Morgan Treasure Commissioner Dana Hennis.

Commissioner Dana Hennis Present.

Economic Development Director Morgan Treasure Commissioner Jim Main.

Commissioner Jim Main Present.

Economic Development Director Morgan Treasure Commissioner Bobby Rosadillo.

Commissioner Bobby Rosadillo Present.

COMMISSIONERS PRESENT

Chairman Dana Hennis - Present
Vice Chairman Bryan Clark - Absent
Commissioner Ginny Greger - Present
Commissioner Jim Main -Present
Commissioner Bobby Rossadillo - Present

CITY STAFF PRESENT

Doug Hanson, Planning and Zoning Director
Troy Behunin, Senior Planner
Maren Ericson, City Attorney

2. CONSENT AGENDA:

All items listed are routine and acted on with one (1) Motion by the Commission; there will be no separate discussion unless the Chairman, Commissioner, or Staff requests it be removed. Removed items will be placed under Business unless otherwise instructed.

(Timestamp 00:00:46)

A. Regular Commission Meeting Minutes Dated June 25, 2024

B. Decision and Reasoned Statement

1. Case No. 24-01-SUP Giraffe Laugh Daycare
2. Case Nos. 24-03-S, 24-02-SUP & 24-07 Valor West Amendment and Valor Classical Academy
3. Case No. 24-02-DR Kuna Multi-Tenant Building

Potential Motion:

- *Motion to Approve Consent agenda.*
3. *Motion to Approve Consent agenda with amendments (i.e., correction to previous meeting minutes, etc.)*

Chairman Dana Hennis Thank you, and first up on the agenda is our consent agenda.

Commissioner Ginny Greger I motion to approve the consent agenda.

Commissioner Jim Main Second.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

(Timestamp 00:00:51)

Motion To: Approve the Consent Agenda

Motion By: Commissioner Ginny Greger

Motion Seconded By: Commissioner Jim Main

Further Discussion: None

Voting Aye: Commissioners Hennis, Main, Greger, Rossadillo

Voting Nay: None

Absent: Commissioner Bryan Clark

4-0-1

4. PUBLIC HEARINGS:

A. Case No. 24-03-AN (Annexation) - Star Acre properties, LLC – Troy Behunin, Senior Planner

Applicant requests approval to Annex approx. 10 acres. into Kuna City Limits with a M-1 (Light Industrial/Manufacturing) zone. The subject site is near the intersection of S Curtis and W Barker Roads and is currently zoned RP (Rural Preservation) in Ada County; Section 8, Township 1 North, Range 2 East.

(Timestamp 00:00:59)

Potential Motions:

- *Motion to Recommend Approval/Conditional Approval/Denial of Case No. 24-03-AN with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

Chairman Dana Hennis Thank you. So first up in, excuse me, our public hearings is case #24-03-AN, the annexation for Star Acre properties. I guess we'll wait for Troy to attend.

[Brief Pause]

Chairman Dana Hennis Thank you, Troy.

Senior Planner Troy Behunin You are welcome.

Chairman Dana Hennis And you are up with your presentation.

Senior Planner Troy Behunin Good evening members of the Commission for the record, Troy Behunin, Senior Planner here in Kuna Planning and Zoning, 751 W 4th St. here in Kuna. So, the application for annexation before you this evening. Request to Annex 10 acres in the eastern part of...the part of Kuna, and they're requesting this approval to bring in the 10 acres and zone it M-1, which is the light industrial zone. The applicant proposes annexation only at this time and with future development, they'll have to come back with additional applications. If the annexation is approved this will add approximately 10 acres of industrial land that is directly adjacent to already previously annexed applications that are known as 21-11-AN and 22-08-AN. This site touches the city limits on three sides; this site is also located within the approved East Urban Renewal District and it is within the Industrial Overlay district of the city, which was approved a couple of years ago. This would also provide zoning consistency for the area, as well as consistent land uses with adjacent lands and what that means is the adjacent lands are already zoned M-1. This complements and follows the same exact pattern that's already out there. Staff has reviewed the proposed annexation for compliance with Kuna City Code and also with qualification to annex in. We've reviewed it against State Statutes 50-222 and 67-65, and the Kuna Comprehensive Plan and the Kuna Future Land Use Map, and should the Commission recommend approval of the annexation this evening, staff would recommend that the applicant be subject to the proposed recommended conditions that are outlined within staff support. The applicant is present tonight and they are here to answer any questions that you might have, and I'm also here. So with that, I will turn it back over to the Commission.

Chairman Dana Hennis Thank you, any questions for Troy at this time?

Commissioners No.

Chairman Dana Hennis If the applicant would like to come up and talk about the project. *I think it needs to be a green on the bottom there. There you go.*

Billy Edwards, Star Acre Properties Good evening, Commissioner Members. Billy Edwards, 706 S Willis Ave. I'm the planning representative for Star Acre Properties as Troy is kind of identified in his description of the project around a little over two years ago, we've gone through and annexed the 65 acres that you see there. That's just directly north of our small 10-acre parcel that we're proposing. The 10-acre parcel, as you can see, is kind of identified in yellow, it's actually kind of a landlocked piece of land sandwiched between what we've already annexed in 65 and the property to the West and directly to the South. So as Troy mentioned, we are just looking for annexation at this time. We would be in compliance with all staff requirements as we move forward into the project. When it comes to preliminary plat, design review, once we can do all of our marketing analysis get comfortable that our properties are in the city Well, that's kind of our next step in the in the process. So, pretty simple one for the evening. I can answer any questions you might have.

Chairman Dana Hennis Any questions for the applicant? Thank you.

Billy Edwards, Star Acre Properties Then thank you.

Chairman Dana Hennis Okay with that, that brings up, we'll open up the public testimony at 6:07 and on the list, *you were Brian, right? Oh, you're Brian. Okay. You waived that.* Okay, thank you. Next, I have Larry Angell.

Larry Angell (Presumably) Angell.

Chairman Dana Hennis Angell, could be.

Larry Angell (Presumably) Yes, and actually I was for the other one of them.

00:06:36 **Chairman Dana Hennis** For the different.

Larry Angell (Presumably) Other one of them.

00:06:39 **Chairman Dana Hennis** Okay, No worries, we'll just expect you back next meeting. Okay, Beverly Wolf. And for everybody, just to let you know, when you come up, please state your name and address for the record. You have 3 minutes to give your opinion and your editorial, and then we'll move on.

Beverly Wolf Understood. Beverly Wolf, 3420 W Commemoration. Ave. Meridian. So is this just annexation and not zoning, just to be clear? Because on the reports I was reading, it says it's rural preservation and it's adjacent to a lot of land that looks like agriculture. Am I an error of plot?

Commissioner Bobby Rosadillo So, Ada County...

Beverly Wolf I just want to be clear what I'm speaking to because it looked like it was in the middle of farmland and that's where I have an issue.

Chairman Dana Hennis Well, this is just on the annexation of this property that's kind of landlocked. It's not a... Doesn't it appear to Farmland other than just out in the desert land.

Beverly Wolf Well, just what you see there, but when you look at the bigger map, you see something else, but I get it, you're just micro-focused. So this is not going to address zoning at all.

Chairman Dana Hennis No.

Beverly Wolf Okay. So then I'll come back and speak to that later because that's where I had my issues. So if that is off the table, then I thank you.

Chairman Dana Hennis Thank you.

Commissioner Bobby Rosadillo Troy, can you speak to how Ada County has their zoning is a little bit different, especially with respect to...

Senior Planner Troy Behunin For the record Troy Behunin, so the rural preservation current zoning is an Ada County designation that is not reflective of what the City of Kuna has. This is not a rezone, this is a zone change, and I know it sounds like word play, but it's not. The City does not have rural preservation. The City does not have a lot of the zoning categories that Ada County does so that when an application for annexation comes in and they're requesting to join the City they are required to choose a zone, so they are changing the zone from Rural Preservation to M-1. M-1 is a city zone.

Chairman Dana Hennis Right.

Senior Planner Troy Behunin So it doesn't... It's not a rezone, it is a zone change, but it's only required because annexation dictates that you must choose a zone when you annex.

Chairman Dana Hennis Right, there's no comparable City Zone too, Rural Preservation.

Senior Planner Troy Behunin Yes.

Economic Development Director Morgan Treasure Morgan Treasure, City of Kuna Economic Development Director. To add on to what Troy was speaking to there, It's a little hard to tell on this map because it is so zoomed in, but if you... where this is at in town, just for clarification is out by META and the city's water-wastewater treatment plant, it the in the future land use map this is zoned industrial as part of the East Kuna Industrial Area. So just so we have clarification on where it sits in town and how that aligns with our comprehensive plan.

Senior Planner Troy Behunin And for those that know the east part of Kuna, the western line that is Curtis Rd. and the northern line on the street north of that touches that N blue purple line that is Barker. This is 1/2-mile South of Barker. It looks like it's zoomed in but that's actually quite a big area.

Chairman Dana Hennis Correct. Thank you.

Commissioner Jim Main Hey Troy, I have another question. So on the map it says, the area in the blue, says it's already approved and annexed is phase 1, correct?

Senior Planner Troy Behunin That was a previous application that was approved, yes.

Commissioner Jim Main Okay, and how is that zoned?

Senior Planner Troy Behunin M-1.

Commissioner Jim Main So it's M-1 on the north and the east side?

Senior Planner Troy Behunin Correct.

Commissioner Jim Main In the application it said that the north side was agriculture, the east side was agriculture, and the south side was agriculture, and the west side with M-2.

Senior Planner Troy Behunin Where in the application are you seeing that?

Commissioner Jim Main See, now you're going to make me have to try to find it again.

Senior Planner Troy Behunin Because I'm looking at the staff report and it talks about the adjacent zoning on page 1 and my staff report...

Commissioner Jim Main Well, okay, I'm looking in the narrative from the applicant.

Senior Planner Troy Behunin Okay, may have been just been a misprint.

Commissioner Jim Main Okay, so basically this is the M-1 on the north and the east side?

Senior Planner Troy Behunin It is M-1 on the east, M-1 to the north, south is rural preservation-Ada County, west is actually M-2.

Commissioner Jim Main Okay, so it's M-1 north and east, M-2 and the west, and agriculture on the south.

Senior Planner Troy Behunin Not agriculture, Rural Preservation.

Commissioner Jim Main Rural Preservation, I'm sorry.

Senior Planner Troy Behunin Correct. You're correct, yes.

Chairman Dana Hennis Okay, thank you. So, next up, I have marked as not to testify, but that is Steve heard and Cyrus was that for the other application as well? Okay, thank you. And that's all I have on here that's currently signed up. Is there anybody that's in the audience that has not signed up that would like to speak on this application? Hearing not then, I will say, would the applicant like to rebut anything that might have been in this previous discussion?

Billy Edwards, Star Acre Properties Again, Billy Edwards, 706 S Willis. Just a little clarification, that's not agricultural that's not being used for agricultural reasons at this point in time. It's, like you said, kind of just a little bit of desert land out there. And regarding some of the clarification around some of the properties to the direct east wasn't annexed in the city. That's why the narrative said that RP zoning. But we do... are looking at our classification that would comply with city of Kuna's future comp plan and would comply with all the requirements under the City of Kuna, for the M-1 zoning, thank you.

Chairman Dana Hennis Thank you, with that, I'll close the public hearing or testimony at 6:15 and that brings up our discussion.

Commissioner Bobby Rosadillo Yeah. So I've looked up in the past a little bit about the difference between rural preservation and then city code. So I know that, you know, the rural preservation kind of fits into that gray area between rural residential like agriculture, commercial and then looking at, you know, just familiarizing myself again with, you know, the definition of light manufacturing within the city code. I mean, it fits in pretty well. It's, you know, free, you know, clean, quiet, and free of hazardous or objectional elements such as noise or dust, smoke, or glare. So, you know, it's not like they're going to be doing heavy commercial or zoned for heavy commercial. Where there may be some sort of environmental impact, you know, stuff on the agricultural side or environmental side. Right. So I mean to me it's just a difference in the zoning the way that accounting lists it, you know, because they definitely have a lot more different zoning categories than we do, but they also deal with a much broader spectrum of stuff across the county, so.

Chairman Dana Hennis Right, and it fits in with our comprehensive land use map where we're trying to at least consolidate the M-1 and M-2's into the same area at least.

Commissioner Bobby Rosadillo So Troy, I do have a question. I did notice that there is one family that signed up on the neighborhood meeting. What's the closest residential dwelling to this site? Or do you know that?

Senior Planner Troy Behunin I want to say, for the record, Troy Behunin, Senior Planner, where the yellow square is, indicating where the site is located, it's directly kitty corner to the southeast, so the lower left corner. It's pretty close, but it's...

Billy Edwards, Star Acre Properties It's the top left corner.

Senior Planner Troy Behunin Is it the top left corner?

[Inaudible Background Conversation Presumably From Billy Edwards, Star Acre Properties]

Senior Planner Troy Behunin Oh, it's that. Oh. So up there just South of Barker then. Yeah, it's. Completely closed off. I was upside down. Upside down and backwards. It's like a half a mile away and that's the closest.

Chairman Dana Hennis Any other?

Commissioner Jim Main No, I think the fact that we've got an M zone on three sides of this piece of property and is landlocked. I don't see an issue with approving this one as an M-1 zone.

Chairman Dana Hennis In that case...

Commissioner Ginny Greger I'm good with it.

Chairman Dana Hennis In that case, I would stand for a motion.

Commissioner Jim Main Mr. Chairman, I move that we recommend approval of case #24-03-AN with conditions as outlined in the staff report.

Commissioner Ginny Greger I'll second that.

Chairman Dana Hennis Thank you all, excuse me, all in favor?

All Commissioners Aye.

Chairman Dana Hennis Thank you.

(Timestamp 00:17:15)

Motion To: Approve Case #24-03-AN with Conditions

Motion By: Commissioner Jim Main

Motion Seconded By: Commissioner Ginny Greger

Further Discussion: None

Voting Aye: Commissioners Hennis, Main, Greger, Rossadillo

Voting Nay: None

Absent: Commissioner Bryan Clark

4-0-1

B. Case No. 24-02-AN (Annexation) and 24-02-S (Preliminary Plat) – Powderhorn Subdivision – Troy Behunin, Senior Planner

Applicant requests Annexation of 41.48 acres into Kuna City Limits applying the R-6 zone to the property and also requests Preliminary Plat approval in order to subdivide the site into 160 single-family lots, and 9 common lots. This site is located in Section 11, Township 2 North, Range 1 West (APN; R1805140640). *Staff requests this be tabled to a date certain of July 23, 2024.*

(Timestamp 00:17:30)

Chairman Dana Hennis Next up on the, excuse me, the agenda is case #24-02-AN annexation and 24-02-S preliminary plat for Powderhorn subdivision, and I see it's notated here that staff would request this to be tabled to a date certain of July 23rd, 2024. Is that correct?

Senior Planner Troy Behunin Correct.

Commissioner Bobby Rosadillo I'll make a motion that we postpone case #24-02-AN to a date certain of July 23rd, 2024.

Commissioner Jim Main Second.

Chairman Dana Hennis All in favor?

All Commissioners Aye.

Chairman Dana Hennis Thank you. So on the 23rd, for the rest... for those of you out there.

(Timestamp 00:17:55)

Motion To: Table Case #24-02-AN To A Date Certain Of July 23rd, 2024

Motion By: Commissioner Bobby Rosadillo

Motion Seconded By: Commissioner Jim Main

Further Discussion: None

Voting Aye: Commissioners Hennis, Main, Greger, Rossadillo

Voting Nay: None

Absent: Commissioner Bryan Clark

4-0-1

5. **BUSINESS ITEMS:**

6. **UPDATES & REPORTS:**

(Timestamp 00:18:18)

Chairman Dana Hennis I see no other items on the agenda. Is there anything from staff that we need to report?

Senior Planner Troy Behunin Nothing from Planning and Zoning.

7. **ADJOURNMENT:**

(Timestamp 00:18:29)

Commissioner Ginny Greger All right, I make a motion we adjourn

Commissioner Jim Main Second.

Chairman Dana Hennis all in favor?

All Commissioners Aye.

Chairman Dana Hennis Thank you.


Dana Hennis, Chairman

ATTEST:


Doug Hanson, Director

Minutes prepared by Garrett Michaelson, Deputy City Clerk.