

OFFICIALS

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



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

Planning & Zoning Commission Meeting
MINUTES
Tuesday August 10, 2021

6:00 PM REGULAR MEETING

Due to technical difficulties, there is no recording for this meeting. Minutes have been written from notes and written staff presentations.

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

1. CALL TO ORDER & ROLL CALL:

COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Marc Bybee, City Attorney – Via Zoom
Jace Hellman, Planning & Zoning Director – In Person
Troy Behunin, Senior Planner – In Person
Jessica Reid, Planning Services Specialist – In Person

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

All items listed under the Consent Agenda are considered to be routine and are acted on with one (1) Motion by the Commission. There will be no separate discussion on these items unless the Chairman, Commissioner, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the Commission.

1. Regular Planning and Zoning Commission Meeting Minutes Dated August 10, 2021
2. Findings of Fact & Conclusions of Law
 1. Case Nos. 21-01-ZC (Rezone), 21-01-S (Preliminary Plat) & 21-05-DR (Design Review)
Circinae Valley Subdivision

Motion To: Approve Consent Agenda.

Motion By: Commissioner Gealy

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Vice Chairman Hennis and Commissioner Damron were absent.

3. **PUBLIC HEARINGS:** (6:00 PM or as soon thereafter as matters may be heard.)

Due to current health precautions associated with the coronavirus, the city of Kuna is providing alternative ways for the community to submit comments at public hearings. To learn more about the process for written or oral testimony, please contact the Planning and Zoning Department at (208) 922-5274.

A. *Tabled from July 27, 2021* Case No. 21-02-CPF (Combination Preliminary & Final Plat) Falcon Crest Clubhouse – Troy Behunin, Senior Planner **ACTION ITEM**

Wendy Shrief of JUB Engineers, on behalf of M3 ID Falcon Crest, LLC, requests approval for a Combined Preliminary and Final Plat in order to create a buildable lot for a Clubhouse, 1 commercial lot, 1 common lot and 1 private road lot over 12.42 acres at the Falcon Crest Golf Course development. Section 22, Township 2 North, Range 1 East.

Senior Planner Troy Behunin presented an overview of the project and stood for questions; there were none.

Applicant Mark Tate, M3 Companies, 1087 W. River Street, Ste. 310 Boise, ID 83702 made a presentation showing computer generated images of the project and the vicinity. Mr. Tate also explained the reason behind the naming of items within the Falcon Crest community; projects were named with military reference in remembrance of the original property owners' son who enlisted after 9/11, later served in Afghanistan, and was killed in action stopping a suicide bomber from destroying his base.

Chairman Young opened the Public Hearing; there were no individuals signed up or present to testify.

Support:

None

Against:

None

Neutral:

None

Commissioner Gealy asked a clarifying question regarding the landscaping for the combination plat. Mr. Tate clarified that landscaping will be included with the design review for the building.

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

Motion To: Recommend Approval of Case No. 21-02-CPF (Combination Preliminary & Final Plat) for Falcon Crest Clubhouse, with the Conditions as outlined in the Staff Report.

Motion By: Commissioner Gealy

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Vice Chairman Hennis and Commissioner Damron were absent.

- B.** *Tabled from July 27, 2021 Case Nos. 20-07-AN (Annexation), 20-16-S (Preliminary Plat) & 20-25-DR (Design Review) Arrowwood Heights Subdivision – Troy Behunin, Senior Planner*

ACTION ITEM

Wendy Shrief of JUB Engineers, on behalf of Hayden Homes, requests to Annex approximately 53.16 acres into Kuna City Limits with an R-6 (Medium Density Residential), R-8 (Medium/High Density Residential) and C-1 (Neighborhood Commercial) Zoning Districts. In addition, Applicant requests to subdivide approximately 41.3 acres into 177 Single-Family Residential lots (approx. 33.71 acres R-6, approx. 7.59 acres R-8), 26 Common Lots, and 4 shared driveways; the approximately 9.79 acres of Commercial will remain as an out parcel to be developed in the future. The project proposes a Net Density of 7.93 DUA (Dwelling Units per Acre) & 4.29 Gross DUA, with 16% open space. The subject site is located at 7445 S Ten Mile Road, Kuna, ID 83634, within Section 3, Township 2 North, Range 1 West (APN: S1303417354).

Senior Planner Troy Behunin presented an overview of the project. Mr. Behunin specifically addressed comments provided by the Department of Environmental Quality (DEQ) regarding the sewer lagoon and land application of the neighboring Ironhorse Subdivision (Ada County), and the resulting limitation. Mr. Behunin explained since the building footprint on three (3) lots within the Arrowwood Heights Subdivision fell within the required 300-foot buffer of the land application area, no homes would be permitted to be constructed until, if ever, the sewer lagoon and land application area for Iron Horse Subdivision was moved, closed or abandoned. Mr. Behunin then stood for questions.

Wendy Shrief with JUB Engineers, made a presentation showing the changes made to the project as a result of the Neighborhood Meetings, Staff, Agency comments, and the land application area. Ms. Shrief then stood for questions; there were none.

Chairman Young opened the Public Hearing.

Support:

Kathryn Guido, 7744 Bella Terra Lane, Meridian, ID 83642 - Testify

Against:

Michael McShane, 7982 S Old Farm Lane, Meridian, ID 83642 – Testify

Michael Sesti, 7776 S Old Farm Lane, Meridian, ID 83642 – Deferred time to Mr. McShane

Beverly Coleman, 7578 S Old Farm Lane, Meridian, ID 83642 – Deferred time to Mr. McShane

Patti Garofalo, 7624 S Old Farm Lane, Meridian, ID 83642 – Testify

David Coleman, 7578 S Old Farm Lane, Meridian, ID 83642 – Testify

Luis Urias, 7645 S Old Farm Lane, Meridian, ID 83642 – Not Testify

Steve & Jerri Meyerpeter, 7693 S Old Farm Lane, Meridian, ID 83642 – Not Testify

Christy Jones, 7597 S Old Farm Lane, Meridian, ID 83642 – Not Testify

Richard Jones, 7597 S Old Farm Lane, Meridian, ID 83642 – Not Testify

Amy Whittmuss, 7549 S Old Farm Lane, Meridian, ID 83642 – Not Testify

Joe Guido, 7744 Bella Terra Lane, Meridian, ID 83642 – Testify

Chris Brown, 7670 S Old Farm Lane, Meridian, ID 83642 - Testify

Neutral:

None

Michael McShane, 7982 S Old Farm Lane, Meridian, Idaho, 83642 introduced himself as the Iron Horse Subdivision HOA president and provided testimony in opposition to the project. Mr. McShane thanked the developer for the concessions and changes that were made to the project. He then stated communication with him the developer promised was never completed. Mr. McShane expressed their desire to see even larger lots on the southern property boundary and requested all home along this boundary remained single-story. In addition, Mr. McShane stated the residents of the Ironhorse Subdivision were concerned with the effects this project would have on the Iron Horse Subdivision property values. Mr. McShane's allotted testimony time had elapsed. Michael Sesti and Beverly Coleman asked if it was possible to defer their time as the community did not notify staff that Mr. McShane would be a community representative. Mr. Hellman requested that City Attorney Marc Bybee provide guidance. Mr. Bybee stated the Commission could do so. Mr. McShane received six additional minutes. He went on to state that he felt the stub street providing a connection to the south was not in a good location, additionally he did not feel it was the Iron Horse Subdivision residents' responsibility to move the current lagoon and land application area or their problem.

Patti Garofalo, 7624 S Old Farm Lane, Meridian, ID 83642 expressed concern about the homes along the southern boundary and requested that they be limited to single story. She also wanted to address comments from the previous meeting about a possible development agreement to ensure that the surrounding properties were not negatively affected by the R-6 and R-8 densities requested by the project.

David Coleman, 7578 S Old Farm Lane, Meridian, ID 83642 stated that lot 9 would be encroaching on their privacy as it was closer and was immediately adjacent to their patio area. He requested that the lot be moved or relocated.

Joe Guido, 7744 Bella Terra Lane, Meridian, ID 83642 addressed DEQ comments about the lagoon and land application area site, stating there was nowhere else to move the site. He thought that the developer should pay for the Ironhorse Subdivision to connect to City services. Mr. Guido did not like the southern stub street in its current location as it was adjacent to their large barn and requested it be moved further east. He requested single-story homes be built along the southern boundary.

Chris Brown, 7670 S Old Farm Lane, Meridian, ID 83642 believed those that had lived in the area longer were supposed to "have more pull" in these matters. He stated that developer had previously insinuated that Mr. McShane was a liar and said he was present when the "developer promised to stay in communication" which he believed had not occurred. Mr. Brown requested single story homes so that he did not have to look at "the rear of a cookie cutter home which looked like the architecture was designed by a child & only had three windows". He had concerns about the comments made by Chief Phil Roberts of the Kuna Rural Fire District who was concerned about the availability of adequate water supply to operate the fire hydrants. Mr. Brown's additional concerns were decreases in property values, the need for "double fencing" and that Ironhorse Subdivision should not be responsible to find a solution for the lagoons and land application area.

Kathryn Guido, 7744 Bella Terra Lane, Meridian, ID 83642 stated that the placement of the southern stub street should not be adjacent to the barn on her property.

Tim Mowka, Hayden Homes, 1406 W Main Street, Meridian, ID, 83642 rebutted specific points of the testimony provided. Mr. Mowka was ok with limiting lot 9 to a single-story home because it did semi-encroach on the neighboring Ironhorse Parcel and suggested a condition stating this. He explained that the existing Ironhorse Subdivision lagoon and land application area would not be affected in any way as they were not building on lots 11, 12 and 13 due to the buffer; they would only build on the lots should the lagoon and land application area ever relocated or be removed, they were not creating a problem for Ironhorse but rather providing a solution to what could have been a problem. He was not sure why Mr. Guido requested they pay for Ironhorse to connect to City services as there weren't going to be any changes to the existing lagoon or land application area, additionally that the land application area buffer encroached on a property which was not the Guido's and shouldn't have. Mr. Mowka could accommodate moving the stub street further east, lots 11, 12, and 13 were going to be left as a park-like area. He reiterated that multiple neighborhood meetings were held and concessions were made within the layout of the project. Lastly, it was reiterated that the lots on the southern border, though not being zoned an R-4, meet the minimum lot size requirements of an R-4 designation and were in fact the largest lots within the project.

Commissioner Gealy wanted to know if there would be anything besides sod on lots 11, 12 and 13. Mr. Behunin explained they would work that out with the developer; he was not sure the city would want to require trees and shrubs as there was future potential for those lots to be built on if there were ever changes to the lagoon and land application area. Commissioner Gealy asked about double fencing. Mr. Behunin explained the projects perimeter fencing would be 6-foot vinyl, the fencing within the irrigation district's easement would require their approvals. Mr. Behunin offered to discuss this with the developer and irrigation district. Commissioner Gealy asked about trees within the canal easement, Mr. Behunin and Chairmain Young explained that was not allowed. Ms. Reid confirmed that all fencing has to follow Kuna City Code and fencing adjacent to pathways need to be 6-foot open vision or 4-foot closed vision with 2-foot lattice.

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

Chairman Young explained the Commission has no ability to limit homes along the southern border to single-family, he thought that shifting the southern stub street east is a good idea. Chairman Young reiterated that the Ironhorse Subdivision was not being required to make a change to their current system, only if the lagoon and land application area were relocated or removed, would homes be able to be built on lots 11, 12 and 13. He liked that lots 11, 12 and 13 would be sodded.

Commissioner Gealy like the proposed sod on lots 11, 12 and 13, but desired that the applicant works with staff to provide more. She wanted to be sure that all fencing would comply with Kuna City Code standards and was in agreement with the southern stub street being moved east.

Motion To: Recommend Approval of Case Nos. 20-07-AN (Annexation) and 20-16-S (Preliminary Plat) for Arrowood Heights Subdivision with the Conditions as outlined in the Staff

Report and the additional Conditions that lot 9 will be limited to a single-story home, confirm that all fencing is compliant with Kuna City Code and shift the southern stub street to the east.

Motion By: Commissioner Gealy

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Vice Chairman Hennis and Commissioner Damron were absent.

Motion To: Approve Case No. 20-25-DR (Design Review) for Arrowood Heights Subdivision with the Conditions as outlined in the Staff Report.

Motion By: Commissioner Gealy

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Vice Chairman Hennis and Commissioner Damron were absent.

4. BUSINESS ITEMS:

- A. Case No. 21-13-DR (Design Review) Cazador No. 2 Pool House – Jessica Reid, Planning Services Specialist

Ashley Buzzini of NeUdesing Architecture, on behalf of her client DB Development, requests Design Review approval for the construction of a 527 SF pool house, pool, landscaping, and parking lot; to be located on Lot 2, Block 7 of Cazador Subdivision No. 2. (APN: R1326121020), Section 14, Township 2 North, Range 1 West.

Jessica Reid Planning Services Specialist presented an overview of the project and stood for questions; there were none.

Applicant Ashley Buzzini with NeUdesign Architecture provided a presentation and highlighted certain aspects of the proposed project.

Chairman Young liked the building, specifically that it was similar in design to surrounding homes.

Commissioner Gealy asked if there was a landscape plan; Ms. Reid explained the landscape plan was approved with the original subdivision; the lot was originally two (2) home lots that were combined to create pool lot. Mr. Hellman explained the project would be required to meet Kuna City Code and notified the Commission they could create an additional condition requesting a formal landscape plan be submitted prior to submitting for building permits and/or holding the final certificate of occupancy until it was completed.

Commissioner Gealy liked the building, she thought it was cohesive with the surrounding subdivision. She asked how many parking stalls were provided and if that number was sufficient. Ms. Reid confirmed that on-site parking was adequate to serve the pool house.

Commissioner Garten liked the design and color pallet, he appreciated subdivisions installing pools in the community as an amenity for the residents and increase in property value.

Motion To: Approve Case No. 21-13-DR (Design Review) for Cazador No. 2 Pool House with the Conditions as outlined in the staff report, with the additional condition that the applicant submit a formal landscape plan prior to submitting for building permits.

Motion By: Commissioner Gealy

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Vice Chairman Hennis and Commissioner Damron were absent.

5. **ADJOURNMENT:**

Mr. Hellman informed the Commission that Planning and Zoning Staff was considering updates to the Future Land Use Map and the proposed changes were available online as part of Public Outreach; the comment period will be open for two more weeks. Updates to the Planning and Zoning Commission Bylaws will also be forthcoming.

Motion To: Adjourn.

Motion By: Commissioner Gealy

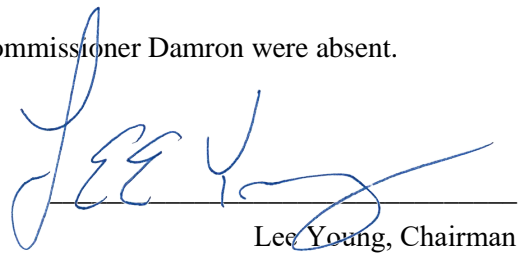
Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Vice Chairman Hennis and Commissioner Damron were absent.



Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Jace Hellman, Planning and Zoning Director
Kuna Planning and Zoning Department