

# Kuna Planning & Zoning Commission

## February 28, 2006

**NOTE:** *These minutes are an unofficial record of this Planning & Zoning meeting until reviewed, corrected (if deemed appropriate), and formally approved by the Kuna Planning & Zoning Commission at a subsequent Planning & Zoning meeting.*

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### Those present:

Chairman Brian Roth; Vice-Chairman Mel Coulter; Commissioners Gary O'Dell, Brian Stewart, and Justin Touchstone; Attorney Randy Grove; City Engineer Keven Shreeve; Interim Director Diana Sanders; Planner Lisa Bachman; and Planning Technician Debra Skow.

The Kuna Planning & Zoning meeting was called to order by Chairman Roth at 7:11 p.m., located at the Kuna City Hall, 763 W. Avalon, Kuna.

## REPORTS

**PLANNING & ZONING INTERIM DIRECTOR / DIANA SANDERS:** Diana Sanders gave the Commissioners the following information:

- In February there were 40 building permits; 20 new residential with an average of 2,236 sq. ft. and an average price of \$194,661.
- Special meeting for the LID for the new sewer treatment facility and annexation requests to form the LID.
- Town Hall meeting discussed Kuna's comprehensive plan and proposed area of impact, and Meridian's proposed area of impact.
- Letters of intent to be a part of Kuna are being signed.
- Joint meeting with the Meridian City Council to begin discussions about the area of impact; and joint planning with Ada County, Meridian and Kuna. Ada County is facilitating the negotiations with Meridian.
- Kuna has 2,400 sewer connections available with the expansion of the sewer lagoons.

**CITY ATTORNEY / RANDY GROVE:** Randy Grove reported that there would be a special meeting this Thursday about the sewer treatment plant. The City is trying to set up a meeting with the Meridian City Council to discuss future city limits.

**CITY ENGINEER / KEVEN SHREEVE:** Keven Shreeve reported on the LID, the sewer lagoon expansion, and the current status of Kuna's wells. Keven also stated that the Meridian City Council has expressed a desire to have a joint Town Hall Meeting with Kuna to discuss future city boundaries

## MINUTES

### February 14, 2006, Kuna Planning & Zoning Commission Meeting Minutes:

Commissioner Stewart had the following change to the meeting minutes:

- Pg. 3, 2<sup>nd</sup> paragraph under NEUTRAL.; change "Commissioner Stewart was" to "Commissioners were"

Commissioner Touchstone moved to approve the meeting minutes with corrections.

Commissioner Stewart seconded the motion and it passed unanimously (Vice-Chairman Coulter did not vote).

## OLD BUSINESS

No old business.

## NEW BUSINESS

### 1. MOUNTAIN STEEL FABRICATION / 06-01-DR / DESIGN REVIEW / 658 E ACCESS RD.:

Interim Director Diana Sanders reported that this is an application for a Design Review for a 7,650 sq. ft. steel manufacturing building, with a 2,400 sq. ft. storage shed, located in Shortline Business Park #2, Lot 8 of Block 1. This Design Review application is for Lot 8 only.

#### APPLICANT PRESENTATION:

Bill Connelly, 305 E. 36<sup>th</sup> St., Boise, presented the project. He stated that Mountain Steel Fabrication is a metal fabricating business, as reported, and that he didn't have anything additional to add about the building. The applicant then stood for questions.

#### APPLICATION DISCUSSION:

Commissioners had questions for the applicant in regard to the following:

- Boise Project Board of Control Access Concerns (Fencing/Gates):  
*Applicant stated the Civil Engineer on the project is still waiting for plans. Will resolve all issues.*
- Parking  
*Applicant stated the parking was designed to meet City Code and that the entrance/exit gates will be open during business hours. The applicant agreed to remove the southernmost parking space and make it a landscaped area, as suggested by the Commissioners.*
- Color of Building  
*Applicant stated the building will be light colors.*
- Fencing  
*Applicant stated the fence will be a chain-link fence with privacy screening. It will be 6' high topped with two-strand barbed wire.*
- Gates  
*Applicant stated the gates will be sliding with combination locks and will be closed after business hours.*
- Lighting  
*Applicant stated the lights on the building will be on all night. There will be a safety light in the parking lot which is on a timer. Street lights will match the existing ones (maybe not as large).*

- Shop  
*Applicant stated the shop is an “open shop” with flow from the front. The sides of the shop will be used for the punch and saw operation.*
- Storage Shed  
*Applicant stated the storage shed is used for equipment and materials storage. The only hazardous waste stored there will be acetylene.*
- Paving  
*Applicant stated the entire site (Lot 8) will be paved.*
- Landscaping  
*Applicant stated the plans show three landscaped areas (planters only). He is willing to add additional landscaping.*

**MOTION:**

Vice-Chairman Coulter moved to approve the Design Review for Mountain Steel Fabrication, 06-01-DR, 658 E. Access Rd., with the following conditions:

- Fence Lot 8 and Lot 9 per applicant
- Privacy fencing along both street sides of the project
- Offset fence along southern perimeter (southern portion of Lot 8) to allow for a minimum 3' landscape buffer
- At applicant's discretion, enlarge front parking spaces to provide greater access to the first parking space (as deemed necessary as long as meets City Code)
- Meet all staff requirements
- Meet all agency requirements
- Resolve issues with Boise Project Board of Control

Commissioner Stewart seconded the motion and it passed unanimously.

**2. RONAE MARTINEZ / 06-01-SUP / SPECIAL USE PERMIT / 1245 N. FORTY NINER AVE. / DAYCARE:**

Interim Director Diana Sanders reported that this is an application for an in-home daycare located at 1245 N. Forty Niner Ave. in the Goldcreek Subdivision.

Chairman Roth opened the Public Hearing at 8:31 p.m.

**APPLICANT PRESENTATION:**

Ronae Martinez, 1245 N. Forty Niner Ave., Kuna, presented the project. She stated that there is a need for more daycare providers in Kuna and that most parents prefer a small home atmosphere, rather than a larger daycare facility, because the children receive more love and attention. She has been watching four to six children in her home for seven months now with no complaints. She lives on a through street and has an average of three cars per day coming to and going from the home. Increased traffic should not be a problem. The applicant then stood for questions.

**APPLICATION DISCUSSION:**

Commissioners had questions for the applicant in regard to the following:

- Security Features  
*Applicant stated she has passed all fire and health inspections. She knows all the parents of the children she cares for and requires waivers if anyone other than a parent picks up a child. She has a chain lock on the front door of the home which remains locked during the day. There are two additional exits in the home (the door to the garage and the back sliding door).*

- Daycare License  
*Applicant stated her daycare license has been approved.*
- Number of Children  
*Applicant stated she applied for a maximum of 12 children, but usually cares for four to six.*
- Monitoring Children  
*Applicant stated the children are monitored at all times.*

**SUPPORT:**

Ronae Martinez, 1245 N. Forty Niner Ave., Kuna, ID 83634 – No testimony given (applicant)

Angel Martinez, 1245 N. Forty Niner Ave., Kuna, ID 83634 – No testimony given

Jesse Stronks, 1466 N. Harem Way, Kuna, ID 83634 - Mr. Stronks stated that he is a parent of a child in the applicant's care. The applicant does a good job and traffic is not a problem.

Terri Caminiti, 1365 N. Antimony Pl. , Kuna, ID 83634 – No testimony given

Nickcole Bortz, 1365 N. Antimony Pl., Kuna, ID 83634 – No testimony given

Suzanna Blanford, 2627 Cerulean Dr., Kuna, ID 83634 – Not present at time of testimony

Lisa Tschikof, 1276 W. Kessler Dr., Kuna, ID 83634 – Ms. Tschikof stated that she is a parent of a child in the applicant's care. She prefers a small, in-home daycare and feels that the daycare Ms. Martinez provides is a wonderful asset to the community. She stated traffic is not a problem and that there is usually only one car at a time at the home.

Laurie Montgomery, 1582 N. Avain Ave., Kuna, ID 83634 – No testimony given

**NEUTRAL:**

None

**OPPOSE:**

Commissioners asked the applicant to address the concerns expressed in two letters of opposition received from concerned citizens.

- Backyard Gym  
*Applicant stated this concern was generated from the neighbor who lives directly behind her. She provided a picture of the backyard gym and explained that the neighbor's concern was that the children could see over the fence when playing on the gym.*
- Burn Pit  
*Applicant stated the burn pit is above ground and approximately 3' in diameter. It is not used during the day, only in the evenings and on weekends for backyard barbeques.*
- Pit Bull Dog  
*Applicant no longer has a dog.*
- Garbage / Toys in Neighbor's Yard  
*Applicant stated that, on occasion, a ball or some other toy has to be retrieved from the neighbor's backyard.*

Chairman Roth closed the Public Hearing at 9:00 p.m.

### **CHAIRMAN DISCUSSION:**

The Commissioners stated it appears the daycare is set up nicely, managed well, and provides quality care for the children.

### **MOTION:**

Commissioner Stewart moved to approve the Special Use Permit for an in-home daycare for Ronae Martinez, 06-01-SUP, 1245 N. Forty Niner Ave., as submitted. Commissioner O'Dell seconded the motion and it passed unanimously.

### **3. SADIE CREEK SUBDIVISION / 05-08-AN, 05-12-S / S. LUKER RD.:**

Planner Lisa Bachman reported this is an application for annexation and preliminary plat approval for 209 single-family and two light-manufacturing lots located on the south side of E. Shortline St. between S. Luker Rd. and S. Kuna-Meridian Roads. Primary access for the residential portion will be one entrance located on S. Luker Rd. and two entrances located on E. Shortline St.

Chairman Roth opened the Public Hearing at 9:09 p.m.

### **APPLICANT PRESENTATION:**

Rob Haggett, representing Red Cliff Development, 2060 S. Eagle Rd., Meridian, presented the project. He first provided the Commissioners with copies of a PowerPoint presentation about the project. He stated he has read the P&Z Staff Report, will comply with all recommendations, and thanked the P&Z staff for being so helpful and easy to work with throughout the application process. There has been a great outpouring of support for this project from the community. Mr. Haggett added that having E. Shortline St. serve as a collector will add a buffer between the railroad tracks and homes, which will add to the project as a whole. Mr. Haggett and Bob Unger, Project Manager, then stood for questions.

### **APPLICATION DISCUSSION:**

Commissioners had questions for the presenter in regard to the following:

- Park  
*Presenter discussed the layout of the park for the subdivision. There will be a sidewalk which extends through the park; no vehicle parking is required.*
- Access  
*Presenter stated the primary access to the subdivision will be from S. Luker Rd. A second access is under design and will be from E. Shortline St. All streets will be public.*
- Drainage  
*Presenter stated there will be pipe drainage throughout the residential section of the subdivision.*
- Existing Residence and Shop  
*Planner Lisa Bachman stated the existing residence and shop will be allowed to remain and will be zoned M-1.*
- Perimeter Fencing  
*Presenter stated perimeter fencing will be 6' vinyl. Entire expanse south of E. Shortline St. will be fenced.*
- Sidewalk  
*Presenter stated there will be an 8' sidewalk along S. Luker Rd., as per staff recommendation.*
- Open Space  
*Applicant is willing to donate common lots to the City to be used as a city park.*

- Landscaping  
*Presenter stated there will be special landscape features at the main entrance to the subdivision. The other entrances will be landscaped to City Code. The applicant is willing to add an additional landscape buffer along E. Shortline St.*
- Sewer Capacity / Late Comers Fees  
*City Engineer Keven Shreeve discussed sewer capacity and late comers fees for the project. He stated there will be late comers fees associated with the project and that the applicant will need to apply for sewers on a first-come, first-serve basis. There could be a time when sewer hook-ups would be unavailable. Applicant is aware of possible late comers fees and the sewer capacity issues.*
- LID  
*City Engineer Keven Shreeve stated that a condition of annexation would be to join the LID. The presenter stated this is a non-issue; the applicant will volunteer to commit.*

**SUPPORT:**

Jeff Walker, 1401 S. Luker Rd., Kuna, ID 83634 – Mr. Walker supports the project, but expressed concerns in regard to the irrigation pond, increased traffic on S. Luker Rd. (hopes plan will include a pedestrian path), construction trash, and fencing. He does not want to see S.H. 69 turn into another Eagle Rd.

**NEUTRAL:**

Eric Freeman, 1250 S. Luker Rd., Kuna, ID 83634 – Mr. Freeman expressed concerns in regard to traffic problems on S. Luker Rd., emergency access, how the feeder ditch on his property will co-exist with the development, and construction dust and trash. He also wanted to know an estimated timeframe for the project.

**OPPOSE:**

None.

**APPLICANT REBUTTAL:**

The presenter addressed citizen concerns, as follows:

- Developer plans to widen the sidewalk along S. Luker Rd. from 5' to 8' to comply with the City of Kuna Bicycle/Pedestrian Path Master Plan Map. Project should actually ease traffic along S. Luker Rd.
- Developer has strict rules in regard to construction trash and dust and will ensure subcontractors follow those rules. If not, strict fines will be imposed.
- Timeframe for project is approximately one year.

Chairman Roth closed the Public Hearing at 10:27 p.m.

**CHAIRMAN DISCUSSION:**

The Commissioners further discussed the donation of the common lots as a city park. Interim Director Diana Sanders stated that, typically, since this project is not a PUD the park would be for the residents of the subdivision only and would be maintained by the subdivision Home Owners Association. The City may not be willing to take over the maintenance of the park, but the Commission could make the recommendation to the City Council for their approval. The Commissioners also discussed fencing and landscaping.

**MOTION:**

Commissioner Stewart moved to recommend approval of the annexation of the Sadie Creek Subdivision, with an M-1 zoning designation for the two light-manufacturing lots (including the

existing home) and an R-6 zoning designation for the residential portion. He also moved to approve the preliminary plat with the following conditions:

- The applicant participate in the LID, as volunteered
- Install fencing around the entire residential area, including the common lots
- Minimum 3' landscape buffer on E. Shortline St. to include all residential lots which abut E. Shortline St.
- Landscaping continuous on all properties which touch S. Luker Rd.
- Meet all staff requirements
- Meet all agency requirements

Commissioner O'Dell seconded the motion and all were opposed. The motion died.

#### **MOTION:**

Commissioner Stewart moved to recommend approval of the annexation of the Sadie Creek Subdivision, with an M-1 zoning designation for the two light-manufacturing lots (including the existing home) and an R-6 zoning designation for the residential portion. He also moved to approve the preliminary plat with the following conditions:

- The applicant participate in the LID, as volunteered
- Install fencing along the residential areas, including the common lots
- Minimum 3' landscape buffer on E. Shortline St. to include all residential lots which abut E. Shortline St.
- Provide a 20-foot wide landscaped buffer abutting the entire site along Luker Road
- Meet all staff requirements
- Meet all agency requirements
- Donate lot 5, block 9 (1.98-acre common area) to the City of Kuna for a city park

Vice-Chairman Coulter seconded the motion and it passed unanimously.

Chairman Roth recessed the meeting at 10:55 p.m. for a five-minute break. Chairman Roth reconvened the meeting at 11:07 p.m.

#### **4. GALIANO ESTATES SUBDIVISION / 06-01-AN, 06-01-S, 06-01-PUD / 2604 N. TEN MILE RD.:**

Planner Lisa Bachman reported this is an application for annexation, preliminary plat, and a planned unit development for a 61 single-family lot and two commercial lot subdivision, located on the east side of N. Ten Mile Rd. and on the north side of Ardell Rd. The two common lots along N. Ten Mile Rd. will be required to go through Design Review upon development.

Chairman Roth opened the Public Hearing at 11:05 p.m.

#### **APPLICANT PRESENTATION:**

Dave Crawford, B&A Engineers, Inc., 5505 W. Franklin Rd., Boise, presented the project. He first stated that the developer agrees with the P&Z Staff Report and then gave a brief synopsis of the project. The development consists of three acres of commercial property on the west, with the remainder residential with an R-4 zoning designation. The subdivision will have lots which exceed 1/3 acre, large open spaces, and 2200+ sq. ft. homes. There will be interconnectivity between all of the residential lots. There will be pathways along the Teed Lateral, benches throughout the project, and two gazebos with barbeque pits either in or adjacent to them in the common areas. Curved roadways throughout the subdivision will cut down on through traffic. The applicant stated this subdivision is very well planned and will be an attractive asset to the City of Kuna. Mr. Crawford then stood for questions.

## **APPLICATION DISCUSSION:**

Commissioners had questions for the presenter in regard to the following:

- Open/Common Space  
*Presenter discussed the walkable pathway along the Teed Lateral common area. The applicant is willing to improve the pathway by adding landscaping, if allowed by the Boise Project Board of Control.*
- Subdivision Entrance  
*Chairman Roth asked the presenter if the applicant would be willing to add amenities to the N. Ten Mile Rd. entrance, and what is planned for the gateway to the subdivision while awaiting occupancy. The presenter stated that what is shown on the plans is what the applicant envisions for the project; however, as the subdivision is developed this could change. He is unaware of any additional amenities at this point. The applicant has a key interest in maintaining aesthetics, so the weeds will be kept down and gravel placed until homes are built. The improvements along N. Ten Mile Rd. will take place prior to development of the subdivision and landscaping will be the first thing to go in.*
- Fencing  
*Vice-Chairman Coulter asked the presenter if the applicant planned to separate the residential area from the commercial lots with a fence. Presenter stated the applicant plans to fence between dissimilar uses.*
- Design of Homes  
*Presenter stated the architectural aspect of the homes would be subjective depending upon the home buyer. The homes will be high quality, unique designs with architectural features and a high level of landscaping. Minimum home size will be 1500 sq. ft.; however, the developer envisions most homes will be 2200 sq. ft. and larger.*

## **SUPPORT:**

Frank Fazzio, 2802 N. Ten Mile Rd., Kuna, ID 83634 – Mr. Fazzio stated that he is generally in favor of the project. He would like to see the minimum home size be a minimum of 2200 sq. ft. He is not in favor of the commercial lots.

## **NEUTRAL:**

Yugi Matsuyama, 2480 N. Ten Mile Rd., Kuna, ID 83634 – Mr. Matsuyama had a question in regard to the irrigation ditch alongside his property. Would he have to pay to build a bridge across the road? *Commissioner Roth responded that Mr. Matsuyama would not have to do anything with the irrigation ditch; his property would be grandfathered in.*

Kalle Matsuyama, 2480 N. Ten Mile Rd., Kuna, ID 83634 – No testimony.

## **OPPOSE:**

None.

## **APPLICANT REBUTTAL:**

The presenter addressed citizen concerns, as follows:

- The commercial lots Mr. Fazzio opposes would be limited office. Because businesses will operate within normal work hours, the applicant feels this type of commercial combined with the residential is a good fit for the subdivision.
- The presenter indicated the applicant is willing to require that homes in the subdivision be a minimum of 2200 sq. ft.

Chairman Roth closed the Public Hearing at 12:15 a.m. on Wednesday, March 1, 2006.

**CHAIRMAN DISCUSSION:**

The Commissioners expressed their appreciation to the presenter for the applicant’s attention to detail in an effort to make this a very nice subdivision. The Commissioners also discussed alternate access to the subdivision with Joe Canning of B&A Engineers, Inc. and whether or not the use of the Teed Lateral could be considered as part of the open space requirement for the PUD. The Commissioners will allow the Teed Lateral to count as a portion of the open space requirement and encouraged the developer to gravel the pathway.

**MOTION:**

Chairman Roth moved to approve the annexation of the Galiano Subdivision with an R-4 zoning designation for the residential portion and a C-1 zoning designation for the commercial corner. He moved to approve the PUD with the following conditions:

- Applicant work with the Boise Project Board of Control in regard to the Teed Lateral (A gravel pathway would be acceptable)
- Applicant participate in the LID
- No right-of-way fencing along N. Ten Mile Rd.
- Rock or water features at both subdivision entrances (N. Ten Mile Rd. and Ardell Rd.)
- Include a landscaped island/median at the Ardell entrance on Camden Avenue
- Vinyl fence between commercial and residential areas
- House size be a minimum of 2200 sq. ft.
- Meet all staff requirements
- Meet all agency requirements

Vice-Chairman Coulter seconded the motion and it passed unanimously.

**MOTION:**

Chairman Roth moved to table the Acceptance of an Application Ordinance to the March 14, 2006, meeting. Vice-Chairman Coulter seconded the motion and it passed unanimously.

**FINDINGS OF FACT/CONCLUSIONS OF LAW**

**1. DESIGN REVIEW / 05-09-DR / KUNA LIFE CENTER / 500 E. DEER FLAT:**

Commissioner Stewart moved to approve the Findings of Fact for the Kuna Life Center. Commissioner O’Dell seconded the motion and it passed unanimously.

**CHAIRMAN DISCUSSION**

No items to discuss.

**ADJOURNMENT**

Vice-Chairman Coulter moved to adjourn the meeting. Commissioner Touchstone seconded the motion and it passed unanimously. Chairman Roth adjourned the meeting at 12:50 a.m. on March 1, 2006.

ATTEST:

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Brian Roth, P & Z Chairman

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Debra Skow, Secretary