

# Kuna Planning & Zoning Commission

## August 29, 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 Brian Stewart, Commissioners Justin Touchstone, Gary O'Dell, and Holly Kerfoot, Attorney Randy Grove, Interim P & Z Director Diana Sanders; and Planner I Molly Smith.

The Kuna Planning & Zoning meeting was called to order by Chairman Roth at 7:00 p.m., located at the Kuna City Hall, 763 W. Avalon, Kuna.

### **OLD BUSINESS**

#### **1. PUBLIC HEARING / 06-06-SUP IN-HOME DAYCARE / TRACEY MCROBERTS / 1119 CAMBRICK**

#### **MOTION:**

Commissioner Stewart motioned to move PUBLIC HEARING / 06-06-SUP IN-HOME DAYCARE / TRACEY MCROBERTS / 1119 CAMBRICK to the end of the P & Z meeting, due to the fact that the applicant was not present.

Commissioner O'dell seconded the motion and it passed unanimously.

### **NEW BUSINESS**

#### **1. PUBLIC HEARING / 06-07-ZC REZONE / 06-05-DA DEVELOPMENT AGREEMENT / 06-07-S PRELIMINARY PLAT / TIMBERMIST / HUBBARD-LINDER**

Interim Director Diana Sanders stated the application was for Timbermist preliminary plat and rezone approval, with a development agreement, for 233 single dwelling units on approximately 67.71 acres. The property was recently annexed into the City with an agricultural zone and is a part of the Local Improvement District for the new wastewater treatment plant. The property is located north of Hubbard Rd. between Kay and Linder Rd. The applicant is working with the current property owners west of the proposed Kay St. to place a street light at the intersection of Hubbard & Kay. There is a 3-acre Park proposed with a pool, basketball court and playground. The applicant is proposing to rezone the site to an R-4 zone. The proposed zoning designation complies with the comprehensive plan.

Chairman Roth opened the public hearing at 7:09 p.m.

#### **APPLICANT PRESENTATION:**

The applicant, Matt Shultz, stated that this development matches the comprehensive plan. The proposed pathways along the waterways will be in their own lot and not in the Boise Project Board of Control easement. The fencing around the waterways will be a powdered chain link fence. Kay Street will be

constructed in Phase II as a mid-mile collector from the subdivision to Hubbard Rd. There is approximately 10% of open space proposed in the subdivision, which exceeds the City requirement. There will be a neighborhood pool basketball court and playground. There will be a vinyl fence around the subdivision and a four foot with two foot lattice along the pathways. There are three crossing of the canal.

**DISCUSSION:**

Commissioners discussed the following:

- Size of trees - 2" caliper
- Shoe box lighting
- Minimum home size – average of 2,200 sq. ft.
- Perimeter fence – vinyl
- Drainage
- Current house to be removed
- Entrance amenities – monument with rockery
- Wrought iron fencing along the waterways
- Stub street location to Schultsmeier property
- Water feature at the entrance
- Asphalt sidewalk along out parcels for child safety

**SUPPORTS:** None

**NEUTRAL:**

Gene Morrison, 1640 Hubbard Rd.. stated he is concerned with the ditch and when the ditch is piped that the irrigation can still flow.

Effie Schultsmeier, 131 W. Hubbard Rd., wants to be on record to protect the irrigation. She would like the proposed stub street to her property to the east not the east side of her property. She likes the concept the developer has proposed. She would like to see the speed limit at 35 MPH now.

**OPPOSES:**

Kristi Moreno, 855 W. Hubbard Rd., is concerned with the R-4 density, irrigation water, waste water ditch. Her driveway is next to Kay on the south side of Hubbard and is concerned with exiting her property.

**APPLICANT REBUTAL:**

Matt Shultz, applicant addressed the issues that were raised.

- The ditch for the waste water will be tiled
- Irrigation flow will not be interrupted
- Stub street to the east was proposed by ACHD
- House sizes will be a minimum of 1,600 sq. ft.

Chairman Roth closed the public hearing at 7:52 p.m.

**MOTION:**

Commissioner Stewart moved to recommend approval to City Council for File # 06-05-ZC REZONE to an R-4 zone with all staff recommendations except for following changes in the development agreement and all agency comments be met, 06-07 DA DEVELOPMENT AGREEMENT , 06-07-S PRELIMINARY PLAT for Timbermist Subdivision with the following conditions:

- Meet all staff and agency conditions.
- Provide 6' wrought iron fence replacing the chain link fence along the canal.

- Construct a minimum of 16" overhang on all homes.
- Developer to work with ACHD and the property owners at 1030 Hubbard road to relocate the stub street.
- Work with the property owners at 1530 & 1420 Hubbard Road & ACHD to construct an asphalt sidewalk along their properties.
- Work with City Engineer on drainage issues.
- Place rock monument signs at both entrances.
- Construct a rock or rock water feature on Hubbard Road entrance.

Commissioner O'dell seconded and it passed unanimously.

## **2. PUBLIC HEARING / 06-06-ZC REZONE / 06-03-DA DEVELOPMENT AGREEMENT / 06-08-S PRELIMINARY PLAT / KROMANN/TEN MILE**

Interim Director Diana Sanders stated the application was for Kromann preliminary plat and rezone approval, with a development agreement, for 30 single dwelling units on approximately 9.6 acres. The property was recently annexed into the City with an agricultural zone and is a part of the Local Improvement District for the new wastewater treatment plant. The applicant is proposing to rezone the site to an R-6 zone. The zoning designation complies with the comprehensive plan. The property is located on the east side of Ten Mile south of Falcon Ridge Public Charter School.

There is one primary access on Ten Mile Rd. across from Sutters Mill Subdivision. The applicant is proposing to match the improvements that were required for the other subdivisions on Ten Mile Rd.

Chairman Roth opened the public hearing at 8:20 p.m.

### **APPLICANT PRESENTATION:**

William Weaver, engineer, 5797 Bogart Lane, stated that this development will have 30 lots on ten acres with a landscape buffer on Ten Mile Rd. The developer is proposing bio retention landscaping. There are large lots with proposed upscale homes.

### **DISCUSSION:**

Commissioners discussed the following:

- Right of way fencing & berm
- Drainage
- Open space for the subdivision
- Entrance landscaping
- Landscaping planters

**SUPPORTS:** None

**NEUTRAL:** None

**OPPOSES:** None

Chairman Roth closed the public hearing at 8:44 p.m.

### **MOTION:**

Commissioner Stewart moved to recommend approval to City Council for File # 06-06-ZC REZONE to an R-4 zone, 06-04 DA DEVELOPMENT AGREEMENT, 06-08-S PRELIMINARY PLAT for Kromann Subdivision with the following conditions:

- Meet all staff and agency conditions.

- Provide planters to be raised with a rock wall and be constructed away from the fence.
- Construct a 6-foot tall vinyl fence along Ten Mile Road to match the Nicholson Subdivision fence.

Commissioner Kerfoot seconded and it passed unanimously.

**3. PUBLIC HEARING / 06-06-SUP IN-HOME DAYCARE / TRACEY MCROBERTS / 1119 CAMBRICK**

Interim Director Diana Sanders stated the application was tabled due to a code enforcement issue, which is in the process of being resolved. The Commissioners can move forward with the application and place a condition of approval that occupancy is required. The application is for an in-home daycare.

Chairman Roth opened the public hearing at 9:06 p.m.

**APPLICANT PRESENTATION:**

Tracy McRoberts is the applicant and explained that she wants the special use for a daycare to allow for 7-12 children. She is currently licensed and recently moved to a larger home.

**DISCUSSION:**

Commissioners discussed the following:

- The flooring in the garage
- Water heater enclosure – applicant is currently working with the building inspector on this issue
- Back yard is sodded and has play equipment
- Gate latches
- Fencing, property is currently fenced on two sides

**SUPPORTS:**

Arisa McRoberts, Black Cat Rd., is related to Tracy. She is great with kids and always put safety first.

**NEUTRAL:** None

**OPPOSES:** None

Chairman Roth closed the public hearing at 9:21 p.m.

**MOTION:**

Commissioner Stewart moved to approve File # 06-06-SUP Special Use for an in-home daycare with the following conditions:

- Meet all staff and agency conditions.
- Building Permit for the facility meet the requirements & obtain a valid occupancy.
- Install an alarm system on the gate accessing the door the daycare portion of the home.
- Construct a permanent fence within three months

Commissioner Touchstone seconded and it passed unanimously.

<b>REPORTS</b>
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**PLANNING & ZONING INTERIM DIRECTOR / DIANA SANDERS:**

Ms. Sanders reminded the Commissioners of the September 12, Special meeting with Transportation Task Force, & City Council at 5:30 p.m. There was a request to the Commissioners if they would consider

a Comprehensive Plan Map Amendment to allow for limited office west of the High School. Randy Grove stated that they will need to go through the process for the answer. The Commissioners would not be able to say yes or no at this time.

**CITY ATTORNEY / RANDY GROVE:**

Mr. Grove stated that the City Council has passed the Resolution of Intent to for the LID for the new sewer treatment facility. There is a protest hearing set for September 5 City Council meeting. We have received a draft ordinance from the Bond Council which should be presented at the September 5 City Council meeting. The Kuna Melba News is being sold. The City is looking into the issue of no disruption of service.

**CITY ENGINEER / KEVEN SHREEVE:**

Mr. Shreeve explained that a committee will choose the design of the new treatment facility. The life span of the membranes is approximately ten years. It is anticipated that September / October of 2008 will be completion date.

**MINUTES**

**August 8, 2006 Kuna Planning & Zoning Commission Meeting Minutes:**

Commissioner Touchstone moved to approve the minutes as written.

Commissioner O'dell seconded the motion and it passed unanimously.

**April 25, 2006 Kuna Planning & Zoning Commission Meeting Minutes:**

Commissioner Stewart moved to approve the minutes with the correction of Commissioner O'dell recuse himself from the vote on 06-08-AN. Commissioner Touchstone seconded the motion and it passed unanimously.

**FINDINGS OF FACTS/CONCLUSIONS OF LAW**

NONE

**CHAIRMAN DISCUSSION**

The Commissioners discussed:

- Chairman Roth is concerned with sign posting. He would like to make sure that the signs remain up until the day after the Public Hearing.
- Commissioner O'dell suggest that staff requests that if a canal goes through the subdivision, the Commissioners would like to see wrought iron fencing.

**ADJOURNMENT**

Commissioner Touchstone moved to adjourn the meeting.

Commissioner Kerfoot seconded the motion and it passed unanimously.

Chairman adjourned the meeting at 10:07 p.m.

ATTEST:

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Brian Roth, P & Z Chairman

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Molly Smith  
Planner I