

Kuna Planning & Zoning Commission

September 26, 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.*

Those present:

Chairman Brian Roth, Vice Chairman Brian Stewart, Commissioners Gary O'Dell, Justin Touchstone, and Holly Kerfoot, Attorney Randy Grove, City Engineer Keven Shreeve Interim P & Z Director Diana Sanders; and Planner 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

NONE

NEW BUSINESS

PUBLIC HEARING / SPECIAL USE / IN-HOME DAYCARE / 06-07-SUP / KATIE ANDERSON / 1876 W. MULHULAND CT

Interim Director Diana Sanders presented the application. The site is located on 1876 W. Mulhuland Ct in Discovery Creek Subdivision No 03. The property is zoned R-6. The applicant is requesting approval for special use permit for an in-home preschool with a maximum of 6 children per morning class and 6 children per afternoon class.

Chairman Roth opened the public hearing at 7:04 p.m.

APPLICANT PRESENTATION:

The applicant, Katie Anderson, presented the application. No meals will be served, only snacks. The front door is the only access to the preschool area. The back yard is completely fenced with gates and locks. A parking and traffic plan has been implemented and each parent will sign an agreement to abide by the plan.

DISCUSSION:

Commissioners discussed the following:

- Entrance to preschool.
- Fencing – backyard is completely fenced with gates and locks.
- If meals are provided.

SUPPORTS:

Kevin Nye, 1282 N. Yakima Way, Meridian, ID 83642, Kevin Nye stated he supported the parking and traffic plan agreement and that he appreciated the neighborhood meetings.

Mesenna Miller, 228 E. Wood Owl, Kuna, ID 83634, stated she has a 3 year old daughter who will attend the preschool and is supportive of this service in the neighborhood.

NEUTRAL: None

OPPOSES: None

Chairman Roth closed the public hearing at 7:10 p.m.

MOTION:

Vice Chairman Stewart moved to approve file # 06-07-SUP in-home daycare with the following conditions:

- Applicant shall install an alarm system on the entry door for safety.
- All staff recommendations.

Commissioner Gary Odell seconded and it passed unanimously.

2. PUBLIC HEARING / 06-04-ZC REZONE / 06-02-DA DEVELOPMENT AGREEMENT / 06-06-S PRELIMINARY PLAT / GREYHAWK SUBDIVISION / HUBBARD, KAY, ARDELL

Interim Director Diana Sanders presented the application. The site is located on the south side of Hubbard, east side of Kay and on the north side of Ardell. It contains approximately 80.18 acres. The applicant is requesting approval for preliminary plat, rezone from an agricultural zone to an R-6 zone, and a Development Agreement. Proposed amenities include a common 3.6 acre park area and paved pedestrian pathways throughout the development. Overall density is 3.95 dwelling units per acre. There is 317 buildable lots proposed in the development. The applicant is a participant in the L.I.D.

Chairman Roth opened the public hearing at 7:21 p.m.

APPLICANT PRESENTATION:

The applicant, Kent Brown, requested an R-6 zone. Amenities include a 3 ½ acre park with connecting pathways throughout the subdivision.

SUPPORTS:

Kent Brown, 1500 E. Iron Eagle, Eagle, ID 83616 (applicant)

Justin Hubble, 701 S. Allen St, Meridian, ID 83642, presented streetscapes and sample homes for the proposed Grayhawk subdivision. Overhangs shall be a minimum of 6 inches. The entrance on Ardell will have a monument sign similar to the entrance of Hubbard.

NEUTRAL: None

OPPOSES:

Tim Zamperini, 2274 N. Buteo Pl, Kuna ID 83634, stated the some of the lots were crowded together. Mr. Zamperini stated he did not approve of the type of homes built in Calico Creek. He would also like to preserve an old tree that is in the development area.

Steve Magstadt, 578 E. Black Hawk Ct, Kuna ID 83634, stated he thought most of the lots were too small for the required setbacks. Mr. Magstadt disagreed with the proposed R-6 zone request.

Kristi Morino, 855 W. Hubbard Rd, Meridian, ID 83642, stated that the developers have worked them for about 5 years. Ms. Morino stated there is a potential problem with the driveway into their property and would like Hubble to put a culvert in or be required to move the driveway to Kay. Ms. Morino stated concerns with the fence that borders on Kay and the drainage.

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

APPLICANT REBUTAL:

Kent Brown, applicant addressed the issues that were raised by the citizens and the Commissioners.

- Existing tree – not sure which location, however will look into that.
- Parking spaces at park area – could centralize park with looping pathways or could add parking stalls at south side of park.
- Morino driveway – will work with Morino's to come to a satisfactory agreement.
- Drainage issues – will work with Morino's and City Engineer on resolution.
- Developer agrees to build homes using the Signature and Legend series as proposed for a more attractive streetscape.
- Developer will fence common areas adjacent to residential lots with 4 foot solid and 2 foot lattice.

MOTION:

Vice Chairman Stewart moved to recommend approval to City Council for File # 06-04-ZC REZONE to an R-4 zone, 06-06-S PRELIMINARY PLAT, and 06-02-DA DEVELOPMENT AGREEMENT for Grayhawk Subdivision with the following conditions:

- All staff and agency recommendations

Development Agreement amendments:

- 3.1.2 Developer agrees to plat no more than 317 buildable lots on the 80.20 acres of the property located east of Kay Avenue and is required to maintain R-6 lot area percentages on the property in accordance with the Kuna City Code.
- 3.1.3 Developer agrees to construct homes on the property ranging in size from 1,400 square feet to 3,555 square feet or larger.
- 3.1.4.2 0.91 acre strip
- 3.1.5.1 30 feet wide adjacent to Hubbard Road with an 8 foot meandering sidewalk.
- 3.1.6 Perimeter fencing on Hubbard Road, Kay Avenue, and Ardell Road shall consist of a six-foot vinyl fence constructed behind a three-foot high earthen berm for a total minimum screening height measured from the back of the adjacent sidewalk of eight feet.
- 3.1.7 Pathway lots shall be 20-feet-wide consisting of a 6-foot-wide asphalt path with the remaining 14 feet landscaped and maintained by the homeowners association. Construct a 4' solid 2' lattice vinyl fence along the pathways.
- 3.1.8 The interior street section shall include a five-foot-wide detached sidewalk located within an easement to the Ada County Highway District, offset from the back of curb by five feet. The five foot landscape area shall include grass and trees installed and maintained by the adjacent homeowner.
- 3.1.9 Construct a minimum of 16" roof overhang on all structures.

- 3.1.10 Construct a monument sign on the Hubbard entrance with a rock and water feature as noted on the plan. Construct a monument sign on the Ardell entrance.
- 3.1.11 Developer to provide the City with a written agreement for the neighbor on the west side of Kay and Hubbard Road to provide a driveway access to Kay Street and relocate the fence on Kay if needed.
- 3.1.12 Developer to construct the homes with the proposed elevations.
- 3.1.13 Relocate the park amenities to the south side of Lot 5 Block 5. Provide a 10' turn out for parallel parking on E. Yankee Basin Dr. to allow for 10 parking stalls.
- 3.1.14 Developer to construct a 4' solid / 2' lattice vinyl fence along all common lots.
- 3.1.15 Meet all staff & agency requirements with the exception of the Transportation Task Force recommendation on Kay Street.

Commissioner Touchstone seconded, and the motion passed 4-1.

Chairman Roth – Yes
 Brian Stewart – Yes
 Holly Kerfoot – Yes
 Gary O'Dell – No

MINUTES

Justin Touchstone abstained from the approval of the P & Z Commission minutes for September 12, 2006, due to his absence at the meeting.

September 12, 2006 Kuna Planning & Zoning Commission Meeting Minutes:

Vice Chairman Stewart moved to approve the Planning and Zoning Commission meeting minutes for September 12, 2006 with the following amendments:

- Motion for Silvertip should reflect the motion passed 3-1 not 4-0.
- Commissioner O'Dell is concerned with a procedural issue regarding the Silvertip rezone/preliminary plat. The applicant should be allowed the opportunity to state his case on the lot sizes and zoning, if the Commission recommends a different zone for the application.

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

FINDINGS OF FACTS/CONCLUSIONS OF LAW

Justin Touchstone abstained from the approval of the Findings of Facts/Conclusions of Law for September 12, 2006, due to his absence at the meeting.

1. 06-06-02-ZC REZONE / 06-05-DA DEVELOPMENT AGREEMENT / 06-05-S PRELIMINARY PLAT / SILVERTIP / LUKER RD.

Vice Chairman Stewart moved to approve the Findings of Facts, Conclusions of Law for 06-06-02-ZC / 06-05-DA DEVELOPMENT AGREEMENT / 06-05-S / PRELIMINARY PLAT / SILVERTIP with the following changes:

Under F. it should read Commission 3-1 recommended not 4-0.

Commissioner Kerfoot seconded the motion and it passed unanimously.

2. DESIGN REVIEW / 06-06-DR / BERNARD FISHER CITY PARK

Justin Touchstone abstained due to not being present at the September 12, 2006 P & Z Commission meeting.

Vice Chairman Stewart moved to approve the Findings of Facts, Conclusions of Law for 06-06-DR Design Review.

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

REPORTS

CITY ENGINEER / KEVEN SHREEVE:

No report.

CITY ATTORNEY / RANDY GROVE:

Mr. Grove stated that the ordinance for the LID to construct the new sewer treatment facility was passed by City Council. The displacement of the current facility to allow for a Recreational area shall be on the ballot for November 11, 2006 elections.

PLANNING & ZONING INTERIM DIRECTOR / DIANA SANDERS:

Ms. Sanders reported the following ordinances are ready for review and gave Commissioners draft copies:

- Highway 69 Overlay
- Landscaping
- Design Review
- Meanings of Words and Terms / District Schedule
- Ordinance amendment corrections
- PUD

The October 31 meeting will be held on October 24. Meridian did have a meeting on the Comprehensive Plan for South Meridian proposed area. They had three alternatives available for public review. Meridian is still showing the same area for their impact area, even though the City of Kuna has already annexed property in the area.

CHAIRMAN DISCUSSION

The Commissioners discussed:

- R-4 versus the R-6 zone under medium density in the Comprehensive Plan.
- The Comprehensive Plan revision.

- Commissioners discussed their recommendations to the City Council for the R-4 zone instead of the R-6 zone on the last two applications. They would like to see what the Council will decide, since this is the first applications with the new dimensional standards in place.

ADJOURNMENT

Vice-Chairman Stewart moved to adjourn the meeting.

Chairman Roth seconded the motion and it passed unanimously.

Chairman adjourned the meeting at 10:45 p.m.

Brian Roth, P & Z Chairman

ATTEST:

Diana Sanders
Interim Director