

Kuna Planning & Zoning Commission

February 27, 2007

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 Stewart, Vice-Chairman Justin Touchstone, Commissioner David Case, Planning and Zoning Director Diana Sanders, Attorney Randy Grove, and Planner Tech Tracy Rushlow.

Commissioner Kerfoot was absent.

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

OLD BUSINESS

None

NEW BUSINESS

1. PUBLIC HEARING / 06-12-DA/ 06-15-S / 06-13-ZC / FALCO CATENA / SWAN FALLS RD.

Diana Sanders presented the application. The applicant is requesting preliminary plat and rezone approval with a Development Agreement for an R-4 zone with 440 single-family lots and 20 open spaced lots on approximately 159.57 acres located on the east side of Swan Falls Road, between King and Kuna Mora Roads. Proposed density is 2.76 dwelling units per acre, with an average lot size of 9,240 square feet. The property was recently annexed into the City with an Agricultural zone and is a participant of the Local Improvement District for the new wastewater treatment plant. ACHD is recommending a stub road to the south and to the west. They are also recommending curb and gutter on collector roads with no ribbon or grassy areas. Some entry islands are being proposed along with fencing and hard surface pathways. The applicant is proposing some wood fences which do not comply with City code. The pathways need to be paved, per City code. The Comprehensive Plan calls for 2-3 dwellings per acre. With the open space that the developer is proposing the density does comply with the Comprehensive Plan.

APPLICANT PRESENTATION:

The applicant, Rob Roosevelt, from Sunrise Engineering, introduced himself and said that this proposed project is located south of the Mora Canal and east of Swan Falls Road. It has 159.57 acres with 440 residential lots. The average lot size is 9,240 square feet. The Fire Department is requesting 2 accesses with phase 1. They have changed the Phasing plan to accommodate the Fire Department. The plan for the sewer connections is on a first come first serve basis for connections in the current sewer facility. They will work with phase 1 until all the connections are used then they will wait until the new facility is completed. They will put a booster station in Swan Falls Road to accommodate the potable water for the subdivision. They have irrigation rights from an existing well located in the out parcel. The developer is proposing swales for drainage in the

subdivision with ribbon curbing. ACHD is requiring regular curbs along the collector roads within the subdivision. There will be multi-use drainage areas in the proposed open space. ACHD will allow the swells in the development if it is not feasible to construct regular curbs and gutters. The two conditions from ACHC are shallow bedrock and no available outlet for the storm drainage. The development does have the shallow bedrock and normally the storm water naturally drains to the Mora Canal, which the storm water cannot drain into. ACHD is requiring two turn lanes on Swan Falls Rd., a stub road and the applicant to trust ½ of the cost design and construction of a bridge to connect to Luker Road to the east. The applicant discussed the fencing along the pathways and the right of way. The developer was proposing wood fencing, but will construct vinyl. In the CCR'S vinyl fencing will be required. For the right of way fencing along Swan Falls, the applicant is purposing a berm only. Diana explained that the City code specifically requires a fence on the right of way. The Commission would have to abide by the current code, but could look at changing the code in the future. As to the requirement for vinyl fencing in the CCR'S, the City does not enforce the CCR'S of the subdivision.

CHAIRMAN DISCUSSION:

The Commissioner discussed the types of fencing proposed in the subdivision and the open space for drainage. Diana asked if the proposed irrigation well is in the development or in the out parcel and if there was an agreement with the out parcel owners to use the irrigation well. The applicant has discussed the irrigation well with the owners, but there is not an agreement at this time. Chairman Stewart asked if the irrigation would be dealt with through the City Engineer? Diana explained that the irrigation would be through the City Engineer. The Commissioners discussed the amenities in the open space. The applicant is proposing a tot lot and gazebo. Chairman Stewart asked if the developer would object to a basketball court in the open space. The developer said that they want to provide amenities in the open space for the subdivision. The applicant also stated that this would be a picnic area. Diana asked if the developer is willing to place picnic tables in that location. The developer stated that they would consider that.

Chairman Stewart opened the public hearing at 7:49 p.m.

SUPPORT:

Dennis VanderStelt, 2777 S. Swan Falls Rd., is in support of the development. The development is on his parent's property, and the developer has done a good job on the subdivision. He does not feel that the dairy will be an issue next to the development.

NEUTRAL:

Ginny Greger, 2011 S. Luker, is concerned with the wrought iron fence spacing along the canal. She would like to make sure that the spacing will not allow for children or dogs to go through the fence by the canal. She lives to the north of the project and would request that the developer construct single level homes along her property line. She is concerned with the proposed bridge connecting to Luker Rd. Diana explained that unless the developer agrees to single level homes abutting her property the City is unable to make it a requirement. The developer does not want to limit the homes to single level.

Neil Schornack, 2401 E. Condor Ln., explained that he owns the property to the east of the subdivision. He does not think that the road should connect to Luker. The visibility is poor. The drainage into the open space makes it unusable. Wood fences are hard to maintain. The tot lot should not be located by the canal.

OPPOSE: None.

APPLICANT RESPONSE:

The applicant does not agree with the bridge that ACHD has required him to trust for. The fencing will be addressed in the CCR'S, which will not allow for wood fencing. They can look at the wrought

iron fencing and make sure that it will be safe along the canal. The drainage will not be designed for a drainage pond, but allow for the drainage if there is a major storm.

Chairman Stewart closed the public hearing at 8:03 p.m.

CHAIRMAN DISCUSSION

The Chairman and Commissioners discussed the development agreement and the fencing proposed.

MOTION:

1. Vice Chairman Touchstone moved to recommend approval to City Council of 06-12-DA / 06-15-S / 06-13-ZC / FALCO CATENA / SWAN FALLS RD. with an R-4 zone and the following conditions:
 - Meet all staff and agency requirements.
 - 3.1.4.6: The developer shall construct 10 to 20-foot wide pedestrian pathways with 5 to 6-foot wide hard surfaces and landscaping throughout the subdivision. The Developer shall construct paved pathways leading to the proposed common areas, and continue throughout the common areas. The developer shall construct some wider meandering pedestrian pathways (as shown on the proposed landscape plan) which lead to the Kuna Mora Canal pathway.
 - 3.1.4.7: The Developer shall construct a landscaped pathway along the Kuna Mora Canal, located along the northern and eastern property boundaries. The pathway shall include a 10-foot wide asphalt pathway, grass, trees and shrubs. The pathway is located in the following area: from the north connecting to the sidewalk on Swan Falls Road, east along the Kuna Mora Canal, and along the entire southern property line, connecting to the sidewalk to the southern end on Swan Falls Road. The 10-foot wide asphalt surface shall be located along the Kuna Mora Canal, and a 5-foot wide asphalt surface will be located along the southern boundary.
 - 3.1.6.4: Internal Pedestrian Pathway Fencing (Pathway without landscaping as identified on the submitted landscape plan): The Developer shall construct 4-foot solid, 2-foot lattice vinyl fencing along both sides of the pedestrian pathways throughout the subdivision.
 - 3.1.6.6: The Developer shall construct six-foot maintenance free fence around the out parcel on Swan Falls Rd.

Commissioner Case seconded, and the motion passed unanimously.

REPORTS

PLANNING & ZONING DIRECTOR DIANA SANDERS: Diana told the Commissioners that the Design Review ordinance is almost ready to move forward. There are a couple of issues that were not addressed in the ordinance. The Commission may want to look at language for pedestrian friendly parking areas for large scale commercial development. Also it does not address shopping cart return areas. Commissioner Gary O'dell has resigned as Commissioner. The City is trying to work with the City of Meridian on the area of impact again. The area for Kuna would be Lake Hazel on the north, to Hwy 69, south ½ mile, east ¼ mile to Columbia Rd.

CITY ATTORNEY RANDY GROVE: Randy Grove explained that the City is moving forward with the sewer design and they will go out to bid this spring and begin building the first part of September.

MINUTES

February 13, 2007 Kuna Planning & Zoning Commission Meeting Minutes:

Commissioner Case moved to approve the Planning and Zoning Commission meeting minutes for February 13, 2007.

Vice Chairman Touchstone seconded the motion and it passed unanimously.

FINDINGS OF FACTS/CONCLUSIONS OF LAW

1. **06-15-ZC / 06-14-DA / 06-10-SUP / 06-12-DR / LASTING IMPRESSIONS CHILD CARE CENTER / 321 W. 4th St. & 310 W. 4th St.**
2. **06-14-ZC / 06-13-DA / 06-16-S / IRON GATE SUB / 1093 S. SCHOOL ST.**
3. **06-12-SUP / 07-01-DR / KUNA LIFE CENTER / DEERFLAT**

Vice Chairman Touchstone moved to approve all of the Findings of Facts and Conclusions of Law. Commissioner Case seconded the motion and it passed unanimously.

CHAIRMAN DISCUSSION

- The Commissioners asked if the City had anyone interested in the Commission position. Diana stated that the Mayor had a few people that had shown interest in the position.
- The Commissioners stated that they had enjoyed working with Gary O'dell and will miss him on the Commission.

ADJOURNMENT

Chairman Stewart moved to adjourn the meeting.

Vice Chairman Touchstone seconded the motion and it passed unanimously.

Chairman Stewart adjourned the meeting at 9:00 p.m.

Brian Stewart, P & Z Chairman

ATTEST:

Diana Sanders
P&Z Director