

Kuna Planning & Zoning Commission
July 31, 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:

Vice-Chairman Justin Touchstone, Commissioner Holly Kerfoot, and Commissioner David, Attorney Randy Grove, and Planner Tech Tracy Rushlow and Maranda Schindel. Chairman Brian Stewart, Commissioner Stephanie Wierschem Case were 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

Vice-Chairman Justin Touchstone motion to amend agenda, table items A&B under old Business and July 10, 2007 P&Z Meeting Minutes and Facts of Findings until August 14, 2007, Commissioner Kerfoot second, all approved.

A. PUBLIC HEARING / 07-01-ZOA/ ZONING ORDINANCE AMENDMENT / COMMON DRIVEWAYS / PRIVATE STREETS /Tabled to August 14, 2007

B. NOT PUBLIC HEARING – ALREADY CLOSED – COMMISSION DISCUSSION & DECISION ONLY / PUD ORDINANCE / Tabled to August 14, 2007

C. PUBLIC HEARING / 07-02-AN / 07-04-DA /07-06-S MANUELLE HEIGHTS SUBDIVISION, S ASH AVE. Maranda Shindel presented the application. The applicant is requesting Preliminary Plat and Annexation approval with a Development Agreement for 10 single-family lots on approximately 2-acres. The site is located north of King Rd. and east of Ten Mile Road off south Ash Ave. Subdivision access will be via South Ash Avenue.

Applicant: Charles Eldridge from Specialty Groups 2525 Stokesberry Ste A Meridian ID. The applicant is developing a 2 acre parcel with 10 single family lots. The average cost of the homes intended is \$200,000 to \$350,000 custom home. Charles asked for a 365 day variance in case the sewer connections are not available.

Commissioner Case asked if it was possible to allow a variance due to the sewer situation. City Attorney Grove said when it gets closer to time of construction they can apply for an extension. Commissioner Kerfoot asked if they are putting in cedar fencing and would they be opposed to vinyl?

Applicant stated they were going with the western-southwestern theme, and stained cedar fencing fit in with the fell of a western theme but was not opposed to vinyl.

Vice Chairman Touchstone asked is they were going to have a road in conjunction with Southrock Ranch so the two are connected and was there any landscaping on Manuelle Heights.

Applicant responded that there was a landscaped berm along the western edge of property to match Southrock Ranch's western theme and a path to match up with Southrock Ranch buffer which is across the street from Manuelle Heights.

Commissioner Case stated that they like to avoid cedar if possible due to the fact that it deteriorates.

Public Hearing Opened at : 7:24 pm

Support: Charles Eldridge-no comment

Neutral: none

Opposed: Lane Saxton: S Ash Road. Has attended neighborhood meetings and was originally told that they would be 1 to 5 acre lots which are in conjunction with what is in the area already.

Then at second neighborhood meeting they changed it and said it was going to a R-6 zone. Has concerns about fire protection on this side of tracks, like the idea of vinyl fencing, cant oppose growth but would like to stay from the R-4 to R-6 zones and go with bigger lots and house to match what is currently in the area.

Close Public Hearing at: 7:27pm

Applicant response: originally submitted for it to be 1 acre lots but at that time the City Council turned down some applications with the same idea and Diana Sanders from Planning and Zoning called me and told me about what was going on and said we might want to rethink our plan. So at that point we withdrew our application and drew up new plans for the area in conjunction with the comp plan and Diana Sanders recommendation.

Commissioner Case, asked if at the second meeting was it discussed of about the smaller lots. Applicant : Yes.

Vice Chairman Touchstone asked how the smaller lots were received at the second meeting.

Applicant: no one showed up for the seconded meeting, Mr. Saxton was not able to attend that meeting but we informed him of what was going on and he was not happy about the change.

City Attorney Grove: The problem with the larger lots like ½ acre, in a relatively small subdivision is that they have a problem with flow for the sewer, not enough substance to keep the flow steady.

Commission Discussion:

Commissioner Kerfoot voiced concerns about what happened before and how it reflects now, did they change the comp plan and zoning in that area since then.

City Attorney Grove: they did away with the R-1 zoning on the comp plan when they made changes to zoning. The text on the comp plan can be changed whenever but the zoning map can only be changed once every 6 months.

Commissioner Kerfoot responded it is back to the same issues.

Applicant: When we originally purposed the plan it was for 1 acre lots with septic tanks. At that time the City Council denied several subdivisions who had this plan. They did not like the septic tanks. That's why we went back to the drawing board. In order for us to bring in the sewer connections we had to make it financially feasible. The area has lots of lava rock and the sewer pipes have to go deep in some spots and have to be brought in a ways so in order for it to be feasible financially we went with the comp plan designation of medium density.

Vice Chairman Touchstone asked would they have to do a comp plan amendment to change the zoning to less density.

City Attorney Grove: may or may not depending on surrounding lots. The designation of zoning is only 1 component on a comp plan.

Commissioner Case responded he did not like cedar fencing due to it does not hold up and Commissioner Kerfoot agreed on the fencing.

Commissioner Kerfoot does not like the higher density and wants it to be a R-3 zone designation.

Commissioner Case, doesn't really like the R-6 either

Commissioner Kerfoot motioned to recommended Manuelle Heights to City Council with the following conditions:

- Rezone the property to R-3.

In Development agreement:

- 3.1.6 Perimeter fencing to be vinyl, mocha colored or to match Southrock Ranch perimeter fencing.
- 3.1.9 Landscaped berm and pathway on western edge of property to match Southrock Ranch berm and pathway on South Ash.
- Meet all agency and staff requirements

Commissioner Case seconded, all approved.

C. PUBLIC HEARING / 07-03-AN/07-05-DA/ 07-07-S / SOUTHROCK RANCH SUBDIVISION, S. ASH AVE

Planner Technician Tracy Rushlow presented the application. The applicant is requesting Annexation from RUT (Rural Urban Transitional) in Ada County to R-3 (Low density single family) and R-6 (medium density single family), and Preliminary Plat approval with a Development Agreement for 40 single-family lots on approximately 9.8-acres. The site is located on the west side of S Ash, 1271 and 1385 S. Ash Ave.

Applicant: Charles Eldridge Specialty Groups 2525 Stokesberry Ste A Meridian ID Wanted to clarify that originally both projects were to come in with 1 acre lots with septic. Because that was not possible they change Manuelle Heights to R-6 and Southrock Ranch to R-3 for one of the owners who wished to have a house built and they have horses and horses are allowed in R-3, and the remainder to be R-6 This was done because of having to bring the sewer in is a big expense and for the larger lots like ½ to 1 acre it was not financially feasible and there is a lot of lava rock so it has to go deeper than normal. The homes will most likely be in the 2000 to 3000 square feet range with a southwest ranch style.

Vice Chairman Touchstone was concerned about the animal smells for the rest of the subdivision. People are funny, they may know there are animals but when it comes to smell they don't like it later.

Applicant responded that it will be disclosed for every lot and in the CCR's also .

Commissioner Case asked what type of home were they planning on, family's with children?

Applicant: gearing towards family style homes, can't really dictate a preference because of laws.

Commissioner Case: Would like to see a area for the children to play, they can't really play in the streets and the lots are not that big so not a lot of room to play there.

Applicant: Well we have the buffer, it's not necessary a play area but because we are a small subdivision we are not required to have a park or open lot for playground and since we have to pull the sewer in so far it wasn't financially feasible to provide a common lot.

Commissioner Kerfoot: Would you consider a common lot.

Applicant: If we have to then we would see about it.

Commissioner Case; I am concerned about no play for the children.

Vice Chairman Touchstone: On Development Agreement 3.1.2 The development has 40 buildable lots. The single buildable lot in the R3 zone may add additional lots if it is re-subdivided. Does that need to be in there, would like to leave it in the future to match what it is now.

City Attorney Grove: Agreed, best to strike that out. If they do decide to change it would have to be a subdivision within a subdivision.

Vice Chairman Touchstone asked on 3.1.3 is there a minimum allowed for home size.

Applicant: the minimum would be 1400 square feet don't want any smaller.

Public Hearing opened at 8:23 pm

Neutral: none, Support: Charles Eldredge, applicant, Tawni Li Mescand, 1385 S Ash, no comment, David Limisand 1385 S Ash, no comment.

Oppose: Layne Saxton 1185 S Ash. Same feelings about Southrock as Manuelle Heights.

Concerned with fences, street width, no fire station and problem getting across track at times.

Again the concept was originally 1-5 acre lots and the current proposal does not meet the area. He believes that the confusion has to deal with the city because of all the changes, the mayor resigned, changes in city council, personal changes in Planning and Zoning and they need to clean up there problems before approval. The zoning and a fire station are some of the main concerns that need to be addressed before going to city council.

Public hearing closed at 8:25

Applicant: the lot sizes changed because of having to pull city sewer instead of septic tanks. In order to meet financial feasibility we had to go with the zoning R-6 which complies with the comp plan. In the area now exist several trailer homes and houses that will be comparable to the ones planned on being built size wise, just not on 5 acre lots.

Vice Chairman Touchstone some of the issues we need to discuss are the zoning, fencing common areas.

Commissioner Case: the zoning issue is not really a problem, they are in compliance with the comp plan and with the R-3 and R-6 they come out to a R-4 so that's not to bad but with no common area for the kids to play I have a real issue with that.

Vice Chairman Touchstone, would you consider the current zoning if we require a common lot.
Commissioner Kerfoot: I don't like the zoning. I know that the comp plan says medium density, but we need to decide boundaries of where there needs to be dense housing and larger lots. I would like it to be R-3 to comply with the surrounding area.

Vice Chairman Touchstone suggest we can recommend a lower density to City Council. And how about lot 15 or 16 for a common lot.

Commissioner Kerfoot again I have a issue with the zoning. I want it to be R-3, smaller density, less houses because of the surrounding area.

Vice Chairman Touchstone motioned to recommended Southrock Ranch Subdivision to City Council with the following conditions:

- Rezone the property to R-3.

Change the Development Agreement to reflect the following changes:

- 3.1.2 strike: ~~The single buildable lot in the R3 zone may add additional lots if it is re-subdivided.~~
- 3.1.3 The minimum square footage of homes shall be 1400 square feet
- Right-Of-Way fencing along open space lots (Lot 31, Block 1 and Lot 1, Block 2) shall be 6' vinyl mocha colored fencing.
- Perimeter fencing shall be 6' vinyl mocha colored fencing
- 3.1.10 Designate Lot 16 as a common lot with playground equipment to be approved by staff.
- Meet all agency and staff requirements.

Commissioner Case seconded, all approved, motion carried.

Vice Chairman Touchstone request a 5 min break at 8:45pm

Reopen public hearing at 8:50pm

NEW BUSINESS

A. Scoria Subdivision / 07-01-ZC (Rezone) / 07-02-S (Preliminary Plat) / 07-02-DA (Development Agreement

Planner Technician Tracy Rushlow presented the application. The applicant is requesting preliminary plat and rezone approval with a Development Agreement for an R-6 zone with 68 single-family lots on approximately 13.94 acres and a C-1 zone with 4 neighborhood commercial lots on approximately 3.45 acres. The site is located on the north side of Meadow View Road, east side of Kuna-Meridian Road (HWY 69) approximately one-half mile south of Deer Flat Road. 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.

Applicant: Wendy Kirkpatrick Stanley Consultants Meridian ID

His project has been in the works a while. ACHD had concerns with access off of Slate for commercial use and residential. We had traffic studies done and worked hard with ACHD to resolve the issues with the streets. We have 4 lots for neighborhood commercial and 68 single family lots. The common lot has playground equipment and wrought fencing around it to ensure the safety of the kids.

Vice Chairman Touchstone: will there be a lot of high traffic use in the commercial area.

Applicant; no, it will be a neighborhood business so there will not be a high traffic use on that road, we worked hard with ACHD to ensure that it would comply.

Commissioner Case: what kind of neighborhood business are you looking to have in there.

Applicant: Like insurance or realtors that general type, where there is not a lot of traffic on a daily basis to and from the offices.

Commissioner Case: the playground area, I am concerned about how the children will get there, especially with the traffic is there any plans on a pathway or anything signage.

Applicant: there is a path along the western edge of the property so the children can t ravel safely to the park. I can check with ITD on signage and cross walk striping to see if it is allowed.

Public Hearing opened at 9:17pm

Neutral, none: Opposed: none, Support: Kandi Hall Meridian ID, no comment, Mr. & Mrs. Floyd Smart, Meadowview Road, no comment, Wendy Kirkpatrick, applicant, John Bilderback, Meridian Id, no comment.

Public Hearing closed at 9:18pm

Vice Chairman Touchstone: question about fencing, in report says vinyl you just said wrought iron, which is it.

Applicant, wrought iron.

Vice Chairman Touchstone this is the first proposal that deals with the highway 69 overlay so we need to make sure that we look at this closely as it will led the precedent for others to follow. On Slate Street why couldn't it be straight instead of that little hook? What about traffic on this street and connectively to the property to the north and since this is a frontage road do we want it to be a straight shot or curvy? And can Slate Road handle traffic for a frontage road when it goes up to the property to the north, if there is more commercial traffic up there? I guess if you look at other frontage roads they also wind or curve around. Just want the commission to know about the highway 69 overlay and if they have any questions or concerns we need to discuss them now and to make sure you are aware of the regulations of the code for the highway 69 overlay. Maybe we should talk to the city council again on the highway 69 overlay district to make sure connectively on the frontage road matches up with the properties being developed.

Applicant: We are set in stone on the streets. ACHD has made it so the street issue can not be further negotiated. It meets ACHD and ITD standards and city code.

Commissioner Case: I am still concerned about how the children will get to the park safely I would like to see some kind of crossing marked and maybe signage put up warning about children crossing.

Commissioner Kerfoot motion to approve with the following conditions:

Change in the Development Agreement:

- 3.1.3 Open space to have connectivity to the pathways; and have approved ITD pedestrian crossing marked and signage for crossing over Slate Street to the common lot.
- 3.1.2 Perimeter and common lot fencing will be 6' foot wrought iron.
- Meet all staff and agency conditions.

Commissioner Case seconded, all approved.

B. PUBLIC HEARING / 07-08-AN/ Monte Davis Annexation

Planner Technician Tracy Rushlow presented the application. The property is currently being used as agricultural and zoned as Rural Residential in Ada County. The applicant is requesting annexation with the designation of A-(Agricultural). There are no immediate plans to develop this property. This property is being annexed in to give a path to the Idaho Baptist College.

Public Hearing opened at 9:44 pm

Neutral, none, Oppose, none, Support, none.

Public Hearing closed at 9:44

Vice Chairman motioned to approve

Commissioner Case seconded. All approve motion passed.

C. PUBLIC HEARING 07-09-AN/ Annexation/ Idaho Baptist College Inc

Planner Technician Tracy Rushlow presented the application. The applicant is requesting annexation designation of C-1. There will be built a Baptist College with a Bookstore and office space in the Administrative Building and eventually classroom space for kindergarten through high school, Church, gym and amphitheater. Applicant is going through Design Review, Development Agreement and Special Use in a separate report and file in the next couple of weeks.

Applicant: Buzz Copple: 4551 Saddleridge Boise Id , as staff said we plan on putting in the college with eventually having grades kindergarten through college there, book store and the other features

mentioned. We believe this will be a great addition to the City of Kuna and look forward to working with the city.

Public Hearing open at 9:44

Neutral-non, opposed-none

Support-Glenda Emerson 790 W Mendi-no comment, Roy King 539 N Great Oaks Ave, no comment, Buzz Copple 4381 W Saddle Ridge Boise, applicant, Dr. James Brandon 4381 Chochess Way Boise-no comment

Barbara Brandon 4381 Chochess Way Boise: Is the representative for Idaho Baptist College. Want to thank the girls in Planning Zoning for being so helpful and looking out for them. We want to build the college soon and other buildings in the future. The college will have room for the community to use as well as a library and we hope to build a good relationship with the community and believe it would great assets as well.

Public Hearing closed at 9:52

Vice Chairman motioned to approve with the following conditions;

- . A development agreement be submitted at time of Design Review and Special Use application.

Commissioner Case second- all approved- motion passed

Public Meeting- GODSILL SUB. 07-05-DR

Planner Technician Tracy Rushlow presented the application. The applicant is requesting Design Review approval to construct one (1) 4,200 square-foot office buildings located on Lot 1, Block 1 and on lot 2, Block 1, will construct one (1) 3600 square-foot building in Godsill Subdivision, a commercial subdivision. The site is located on the northwest corner of Linder and Deer Flat Roads, directly north from the exiting Deer Flat Crossing building.

Brian Hampton, Holly Mount Dr Eagle Id. The property was previous approved with 2 building 4900 square feet. We bought the property and because of parking we made the buildings smaller to accommodate more parking. The previous owner had metal roofing and we have gone with shingles. Looks much better. The colors and type of structure blend in with the other buildings in the areas.

Commissioner Case, do you know what type of use they are going to have.

Applicant : in the 4200 building is tentatively going to be a Orthodontist and a dentist. We don't have one (tenant) for the other building yet, but office building type.

Commissioner Case motion to approve with the following conditions:

- . Meet all staff and agency conditions.

Commissioner Kerfoot second- all approved- motion approved.

REPORTS

PLANNING & ZONING DIRECTOR: Just building permits down and code enforcements up. Interview a good applicant for the Planner 2 position.

CITY ATTORNEY RANDY GROVE: Nothing to report.

MINUTES

June 12, 2007 Kuna Planning & Zoning Commission Meeting Minutes:

Vice Chairman Touchstone tabled until August 14, 2007 meeting as only one member was present at than meeting.

FINDINGS OF FACTS/CONCLUSIONS OF LAW

1. 07-07-ZC / 07-12-DA / SWAN FALLS STORAGE: Vice Chairman Touchstone tabled until August 14, 2007 meeting as only one member was present at than meeting.

CHAIRMAN DISCUSSION

Commissioner Case wanted to know who got the school packets, Planner Technician Maranda Schindel reported that Jay Hummel , he also would like a subdivision map if possible.

ADJOURNMENT

Commissioner Case moved to adjourn the meeting.

Commissioner Kerfoot seconded the motion and it passed unanimously.

Vice Chairman Touchstone adjourned the meeting at 10:20 p.m.

Brian Stewart, P & Z Chairman

ATTEST:

Tracy Rushlow
Planner Technician