

**CITY OF KUNA
PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, October 22, 2019**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	X	Troy Behunin, Senior Planner	N/A
Commissioner Cathy Gealy	X	Jace Hellman, Planner II	X
Commissioner Stephen Damron	X	Sam Weiger, Planner I	N/A
Commissioner John Laraway	X	Doug Hanson, Planner I	X

6:00 pm – COMMISSION MEETING

Chairman Young called the meeting to order at **6:00 pm**.

Call to Order and Roll Call

1. CONSENT AGENDA

Meeting Minutes for October 8, 2019.

Findings of Fact and Conclusions of Law for 19-26-DR (Design Review) & 19-11-SN (Sign)

Commissioner Hennis motions to approve the consent agenda; Commissioner Damron seconds, all aye and motion carried 4-0.

2. PUBLIC HEARING

19-03-AN (Annexation), 19-02-S (Preliminary Plat) & 19-09-DR (Design Review) – Chotika Subdivision; Don Veasey (owner) requests to annex two parcels consisting of approximately 7.67 acres into Kuna City Limits with an R-6 (Medium Density Residential) zone and to subdivide the 7.67 acres into 38 total lots (33 buildable lots, 5 common lots). The subject sites are located at 642 S. Ash St. and S. Ash St., Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APNs: R5070503050 and R5070502835).

Commissioner Gealy motions to table Case No. 19-07-ZC (Rezone), 19-03-S (Preliminary Plat) & 19-14-DR (Design Review); Commissioner Hennis seconds, all aye and motion carried 4-0.

19-07-ZC (Rezone), 19-03-S (Preliminary Plat) & 19-14-DR (Design Review) – Robinhood Subdivision; The applicant, JUB Engineers, on behalf of M3 Companies (Owner), requests approval to rezone approx. 25.08 acres and subdivide approx. 37.61 acres into 137 total lots. This site is located near the NEC of Cloverdale and Kuna Roads, Kuna, Idaho, in Section 22, Township 2 North, Range 1 East (APN #'s S1422212410; S1422212000; S1422233700).

Troy Behunin: Good evening Commissioners, for the record Troy Behunin, Planner III, Kuna Planning and Zoning Staff, 751 W. 4th St., Kuna ID 83634. The applications before you tonight Case No.19-07-ZC (Rezone), 19-03-S (Preliminary Plat) are presented for your vote to recommend approval, conditional approval or denial to the City Council. Application 19-14-DR (Design Review) is before you tonight for your decision. The project is located near the northeast corner of Cloverdale and Kuna Roads. This project is approximately 37.61 acres in size. The applicant is seeking a rezone for the portion of area that is going to make up the Robin Hood Subdivision approximately 25.08 acres, which is already zoned R-12, high density residential. The applicant seeks to change that from R-12 to R-6, medium density residential for the subdivision. As this is a small portion of the entire Falcon Crest PUD Master Plan Project, it was approved as a mixed-use general designation. Staff reviews the request to be consistent with the

CITY OF KUNA PLANNING & ZONING COMMISSION

MEETING MINUTES Tuesday, October 22, 2019

Future Land Use Map of the City of Kuna. The preliminary plat also appears to meet all of City of Kuna standards and/or meet the requirements of the Falcon Crest Development Agreement. The applicant is proposing public streets rather than private streets for the project. Staff recommends that the applicant be conditioned to follow all standards approved in the development agreement and/or any items that were discussed and approved through the PUD public hearing process. The landscape plan does appear to meet all of the City of Kuna standards, those listed in the development agreement and PUD approvals. Staff notes that a subdivision monument sign was not a part of the design review application and reminds that applicant all subdivision signs must go through design review as well. The applicant has submitted everything required, and staff finds this application to be complimentary to the Comprehensive Plan Goals, Comprehensive Plan Map and the development agreement that was approved before City Council earlier this year. I will stand for any questions that you may have? **C/Gealy:** In the staff report there was a statement that there will be 2.76 acres of golf course lots, can you explain for the record what a golf course lot is? **Troy Behunin:** Lots that will be adjacent to one of the holes for the golf course. The back or side property line will be adjacent to a hole of the golf course. **C/Gealy:** It is not the actual golf course itself? **Troy Behunin:** Correct, they will be private lots that abut up against it, or share a property line. **C/Laraway:** Does the golf course count towards the open space requirement? **Troy Behunin:** The golf course does count towards open space. There is also a significant amount of open space along the entry road and inside the subdivision itself. There is going to be a significant amount of open space and yes, the golf course will count towards a portion of that. **C/Gealy:** In the staff report there was mention of a connection through one lot to another for the Fire District and that staff will support a no connection if approved by the Kuna Rural Fire District? **Troy Behunin:** If you look at the site plan for the subdivision in the packet block 1 lot 48 and near block 7 lot 24 there was a discussion in the pre plat application meeting about a possible need for a connection for the fire department, EMS only. If Kuna Rural Fire District doesn't see the need for that because the developer meets the street turn around requirements than staff will support the road between those lots being removed. I am not aware of any change of decision by the fire department, however there was a change at the fire chief position. The fire department will have another chance to look at this during the final plat stage of the project. Staff is unaware if the applicant has had any meeting with the fire department in between the time of the pre-application meeting and tonight. The applicant may be able to address the question at the end of their presentation. **C/Gealy:** In the staff report you suggested including a condition that the roads meet Kuna and ACHD standards, but in the ACHD report there was quite a bit of discussion that some of the roads as presented aren't meeting standards, will they work with the applicant? **Troy Behunin:** Well, for example the entry road as it is currently built does not meet anyone's standards because it is a private drive. However, when it does get converted to a public road then there will be a chance for the applicant to meet the standards from the City and ACHD. **C/Gealy:** to your knowledge is the applicant willing to do that? **Troy Behunin:** Yes. **C/Hennis:** The only thing that seemed like it was a major point of contention was the curbing. **Troy Behunin:** Yes, that is actually a very unique situation, having a private drive that is being converted to a public road with some curbing that ACHD's maintenance department and policy does not support. However, at the request of the applicant and in order to preserve the true nature of what makes a planned unit development a unique subdivision, staff did issue a letter of support for keeping the hand cut sand stones for curbing. The maintenance and repair will be the exclusive responsibility of the HOA. **C/Gealy:** Did ACHD agree to that? **Troy Behunin:** Reluctantly, they did. There are a few things that an applicant can do to make a subdivision unique and that was one that staff supported. **C/Young:** In previous meetings there was a lot of concern for water and wells. It is my understanding that the developer is now piping in from Kuna, not sinking new wells? **Troy Behunin:** That is my understanding. Perhaps the applicant Mark Tate with the M3 Companies can elaborate on that in his presentation tonight. He has been working very closely with the Public Works Department and City Engineer. **C/Young:** We will now have the applicant come forward, state your name and address for the record. **Mark Tate:** Good evening, Mark Tate with M3 Companies 1087 E. River St. Boise, ID 83702. There is a PowerPoint presentation forthcoming, but to answer your question about the water that is correct, we are planning a water main extension from Kuna all the way down Kuna Rd to serve the property. That will also include a water reservoir along Kuna Rd. and a booster station to serve the project. That is not to say that someday a well won't be drilled out in that area, ultimately as things grow around the project there is going to be another domestic well out

**CITY OF KUNA
PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, October 22, 2019**

there, but for the foreseeable future that won't be necessary. **C/Gealy:** As I recall there are two wells out there now for the golf course, so those will continue to operate? **Mark Tate:** Yes, and the staff report did get into this but the pressurized irrigation system will be run off of those existing wells and we have done studies on the existing water quality and water volume monitoring the wells there really hasn't been draw down that we have been able to see over a long term period, the water quality is exceptional and the volume quality of those wells is on par with a municipal well. Over 2,000 gallons per minute with one well and 1,800 gallons per minute with the other, really big substantial wells. Interestingly it is being farmed as sod right now which uses a tremendous amount of water so as we develop the property there will actually be less water being used because we are taking more sod out of production turning it into roads, houses and that sort of thing. Just as a refresher I think that everybody remembers the property where it is at. There are 36 holes of golf out there complete with driving range, tees, greens and practice greens. The facilities they are basically converted farmhouses out there so we are excited to be able to start upgrading a lot of those facilities along with it. This is the master plan from the development agreement and it is basically a bubble plan showing the different densities. The area that the subdivision is called Golf Village A. Its that tan color that you see there, it was zoned R-12 knowing that it was going to be a higher density type of product, but they weren't sure exactly at the time what it was going to be. We have chosen to go with a small mod residential around a rebuilt golf course. That line that you see between the green driving range area and the yellow, was an arbitrary line and that is why we are doing a rezone actually, it cuts through a couple of the lots, otherwise we wouldn't have needed to rezone it we just didn't want half of a bunch of lots to be R-12 and half to be R-6. We are down zoning the whole thing from R-12 to R-6 because it does meet the R-6 standards so the rezone in front of you right now is actually a decrease in the allowable density. On the trail plan the dotted lines you see are kind of the backbone trail infrastructure along Cloverdale Rd. and through the PUD process we've enhanced our requirements for wider pedestrian pathways so we have gone over the minimum standard, so what we expect to do along the entry road is an 8 ft trail along Cloverdale. We did have some discussion with ACHD and there were two points of contention that we were talking about. One being the sandstone, two being the park path on the south side of the road which was an 8 ft trail plus a five-foot sidewalk. We were talking at one point about doing a shared multi-use path, golf and pedestrian. It seemed a little duplicative and confusing to have two parallel paths but that was the non-win with ACHD so we will be building an 8-foot path on the north side, a 5-foot sidewalk on the south side of the entry road and a cart path parallel to the sidewalk. There are some crossings at the entry but it should be a pretty straightforward result. This is an aerial of the area. We are proposing to take the current existing road basically where you see the end of the medians as you come into the project we are going to put a round a bout and the round a bout will have a leg that goes to the south that will be the main entry to the active adult age restricted area portion of the project that's going to be private streets and gated. On the north side of that round about is going to be the access to the new Robin Hood Subdivision. So you can see the area that we are developing is currently golf course. We are actually planning on building a new 9-hole golf course as part of this. The plan is as you can see the development lots, the golf generally is not part of the plat. The golf lots that were being discussed is right at the entry to the community coming off of that round a bout there are two large lots proposed to have golf holes on them. The rest of the golf lots are actually not part of the plat, the plat has a weird boundary that just includes the allotted areas. This is a kind of conceptual rendering of our club facilities, we are planning a huge number of amenities up there. A bar and grill are going to be built up there as part of our first plan for the area that would have outdoor dining, indoor dining, bar, grille, and sports events which I think is something that the south valley is really missing. It could be very successful for not only golf course use but for the neighborhood and everybody around it. I think we will see a lot of good traffic. There will be a new pro shop eventually, cart storage and a social club is planned which would kind of be pickle ball, tennis, swimming pools and workout facilities. A full on country club type atmosphere for the community. This shows more of the boundaries of the plat. It does include the entry road. Right at the entry there is a lot of beautiful, mature landscaping as you come into the project. From the landscape plan standpoint, we plan to retain the trees and the medians. Even without most of the golf course being as part of the plat we have open space and pocket parks within there so we are not short on open space throughout the project. There was a question about emergency access from the end of the cul-de-sacs. We will

CITY OF KUNA PLANNING & ZONING COMMISSION

MEETING MINUTES Tuesday, October 22, 2019

work with the fire department if they decide they need to have emergency access between the end of the cul-de-sacs and the eastern cul-de-sac up to the club, we are planning to accommodate that, so we will need to sit down with them to confirm exactly what they want there. It wouldn't be vehicular the reason for that is it is a golf course and the fewer amount of times you send cars across the golf course the better. This is a photo of the entry and that sandstone curbing. It was a really interesting discussion with ACHD and they very reluctantly accepted the possibility of sandstone, so that is where we are at right now. We want to get their maintenance people on sight to look at the sandstone that has been there for 20 to 30 years and see that the road is not falling apart because of the sandstone. It is in really good shape considering the age of the road. You can see that this is hand cut sandstone quarried from Table Rock. The owner of the golf course the Barbonas family who owns the quarry out there and has for many years. It is kind of a fun historical thing to do but ACHD's initial reaction was to rip it all out and pour a vertical concrete curb and we asked that they use a little bit of common sense. We are glad to see that there is a glimmer of hope out there, but it is nice because the landscaping is matured, the trees are mature, there's ponds, nice views and golf right along the corridor. We will basically be rebuilding the road bed itself, adding pedestrian facilities and bringing it up to the ACHD standard up to the round a bout. At the end of the round a bout is when it becomes a private road. As we continue development beyond the round a bout, we will come through with the same process to rebuild the road and bring it up to the public road standards. Another view, this is looking to the southeast that initial lake as you come in there. The entry road, this is not the final version this was the second to final version which showed a shared multi-use pathway, so picture that but with an extra sidewalk. That was really it. I did have one comment on City memorandum from the City Engineer there was a comment in Exhibit B. Section 3 D., that says Robin Hood Subdivision is part of a PUD, streets shall be constructed, owned and maintained by the Falcon Crest Development, it's successors, heirs and assigns. These streets are proposed to be public so I did just want to clarify that on the record, it was a little bit confusing. From the south side of that entry road is going to be private streets, but this we are proposing to be public. Other than that, we are excited to get moving on this project, as Trot eluded to, we spent a lot of time with Public Works and the City Engineer on the offsite utilities. That is the biggest time commitment, getting all of that squared away, but we are planning on starting utilities this winter to get the project going. It is a big, huge commitment on our part with this amount of infrastructure, that will not only benefit this project but all of Kuna along that corridor, those utilities will benefit a lot of other people. With that I will stand for any questions. **C/Young:** Are there any questions for the applicant at this time? **C/Gealy:** I have one question, it is more for clarification to help me understand. Staff in their report asked for a condition that you provide sod wherever turf was indicated and I have to be honest I don't know the difference between sod and turf and I don't know what the implications are for a golf course? **Mark Tate:** I'm not completely sure either. **C/Gealy:** Somebody must know? That condition was not actually included in the staff report it was suggested. I wanted to find out if you had an opinion. **Mark Tate:** I didn't see that, I figured it was a clarification in the staff report wanting to make sure that it was turf grass sod. I did have this argument with somebody on a design review capacity that put artificial turf in the front yard that said your design guidelines let you do turf, and this is turf. We then had to go back and tell them no, we talked about live plants, not AstroTurf. **C/Gealy:** I apologize to staff for not asking while you were up here since it is more of a question for staff. **Troy Behunin:** Commissioner Gealy, fellow commissioners, again **Troy Behunin**, Kuna Planning and Zoning Staff. The reason I put that in there is if you remember last year about this time we had another project come through and they labeled an open area as grass, what they wanted to do was put seed in rather than put sod in and it didn't meet the standards so we just wanted to make sure that we dot that I and cross that T and make sure that areas are either sod or proposing seed. **C/Gealy:** In this case they are proposing turf. **Troy Behunin:** Yes, and it sounds like the applicant indeed does mean sod. **C/Gealy:** Do you see that as a need to add a condition, or do you think this clarification is sufficient? **Troy Behunin:** I don't think so at this point. I just wanted to make sure that it came up during this discussion. **C/Gealy:** Thank you. **C/Young:** We open up public testimony at 6:34 pm. I don't see anybody signed in that is listed to testify. I have one person signed in but he's marked not to. Is there anybody here who has not signed in that would like to testify? Please sign in and after that state your name and address for the record. **Richard Leonard:** Richard D. Leonard, 10863 S. Cloverdale Rd. I don't know if this is pertinent to the subdivision or not. I am concerned and thought maybe I could find out how much

CITY OF KUNA PLANNING & ZONING COMMISSION

MEETING MINUTES Tuesday, October 22, 2019

land I am going to lose across the road, when all of the bare land and all of the profit is being made on the other side? I understand that there is supposed to be 21 feet of our front property taken for the highway. I think it is very unjust and unfair that folks living on the highway, some within short distance of their bedrooms. If this is true, I know that there are already 4 or 5 people that have moved out and people are selling their homes like crazy. Does anybody have any answers on that highway? If this is passed its going to be too late. On the frontage I realize they have 13 steel poles with that new high-rise electricity and it is going to be costly to move them. It is also going to be costly for eminent domain to buy the property on the other side also. I have lived on the other side for 42 years and have been in Kuna for 44. I was a deputy sheriff with the county and am pretty well known in Kuna. I could see this coming, the highway and I just thought that maybe I could find out tonight if anybody had an answer? **C/Young:** The applicant will address that in just a moment. Any other questions? Richard Leonard: That is all. **C/Young:** Seeing nobody else signed up I will have the applicant come back up and see if we can address the question. **Mark Tate:** That is an absolutely fair question regarding the Cloverdale widening. I believe that the current right of way can accommodate a 5-lane road and that is what the long-term plan for ACHD calls for. That is also what our traffic study has indicated for long term widening. Cloverdale is considered a major arterial for ACHD so the work along that is covered in their long-term transportation plan. ACHD does have a lot of projects slated along Cloverdale Rd. coming in the 5-year work schedule, starting up north and working their way down. ACHD's process is every 5 years, minimum 5 years but more like 3 years, they go through and reprioritize the projects. If you are seeing more growth in a certain area or higher traffic counts and needs, they are able to reshuffle the order of those projects. I anticipate that Cloverdale Rd. won't continue to move u the list in priority as growth comes along that corridor. Back to his original question about needing to take that right of way, it would be a very long time if ever that they would need to take right of way along that corridor, given that they already have the right of way as a section line road. Those section line road right of ways go back a very long time to when they mapped the valley and took the right of way along the section line. It certainly can accommodate a 5-lane road, anything beyond that would be discussed in the future. **C/Young:** With that I will close the public testimony at 6:41 pm which brings up our discussion. **C/Hennis:** I think the rezone is a good idea because it is dropping the density in half. Ultimately, I like the idea of the single-family development there versus the multi-family that we have seen prior. I like the layout, it's different, not the standard boxy design. I like the way it runs, the landscaping looks nice they are probably going to do nice work along there. I don't see any issues from my point of view. I think they have done a nice job and reduced it quite a bit. The points I want to get across if you didn't get my voice before are: the density reduction is good, the non-linear layout seems nice it is something different than we have been seeing, the landscaping seems far more than what is standard. I like what they have done. **C/Laraway:** I agree with what you are saying. What I like about the concept is it seems like the R-6 just is wonderful for me, but being that it is the first phase I don't see the bar being lowered for the other phases down the road. I think the concept will outdo the one previous and that is what I am excited for. I think it is a good idea, I like what they have done and I like the layout, the future for that area. **C/Young:** As far as the streets are laid out, it is nice to see that they are accommodating topography to a degree. Even as the fairways run through there, the streets are curved so as you look down a street you are not looking from one end to the other. It's a relief that there isn't that whole linear path that happens too often. I agree as far as landscape, given the nature of what is existing that the golf course and the landscaping and the design of that is good. It seems like through ACHD recommendations that they will be addressing some of the deceleration lanes and widening issues as well. I don't have any issues with it as it is laid out currently. **C/Damron:** My only concern would be as future development comes down with the size of this one, where the neighbors that live across Cloverdale that would lose property due to increased traffic and the increased size of the subdivision. Do we have any indication Troy from ACHD what their 5-year plan on that was? How wide they are going to make it or if they are going to look at expanding on the other side of the road? **Troy Behunin:** With an expansion that goes beyond 5 lanes is something beyond a 5-year window. That would be more like a 20-year window. Typically, what happens is that any development, whether it is this size or one tenth of this size, ACHD and the City both require that they improve their half plus 12 feet. The developer must focus the improvements on their half of the road. Sometimes you do have a shift in right of way and I think we have all been down roads where they kind of go back and forth and that is a result

**CITY OF KUNA
PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, October 22, 2019**

of that. In the ACHD staff report, on page 2 of their report or 73 of the packet, item number 8 under capital improvement plan or the integrated 5-year work plan, Cloverdale Rd. is listed in the CIP or Capital Improvement Plan to be widened to 3 lanes from Columbia Rd. to Kuna Rd. between 2031 and 2035. The intersection of Cloverdale Rd. and Columbia Rd. is listed in the CIP to be reconstructed as a single lane round a bout, with a westbound right turn pass lane between 2036 and 2030. As Mark Tate indicated ACHD revisits these integrated 5-year work plans and the CIP projects regularly, even yearly. As the need changes and more subdivisions happen at this size or any size, as the impact hits Cloverdale Rd. ACHD will reevaluate that and they will handle it the best that they can. Sometimes they make the developers take care of more than their portion because the impact is so great. **C/Damron:** That is what I am looking at right now, if we can mitigate that before something happens, because across the street they have the high power lines and it is not only the road that they will encroach you will have to move the power lines back so there is another 30-60 foot easement for the power lines. That was my concern and my question. **Troy Behunin:** that is something that ACHD would have to work out with the applicant and would have to workout with Idaho Power. Typically, we all know many of the very expensive capital improvement projects happen as a result of a project, not leading up to it. So, there are very few projects that actually get out in front of anticipated traffic because they won't be able to build it unless they come. **C/Damron:** Yes, that is what we have been through before and that is what I would like to prevent for those people. **Troy Behunin:** That is not our call. **C/Hennis:** Inevitably it is going to be more later than it is sooner, but they won't be widening that road too much. **C/Young:** From what I got from Mr. Tate, if they can build a 5-lane road in the existing right of way area, that much like Meridian Rd. **C/Damron:** It shouldn't be any larger than that. **C/Hennis:** We are only talking 3 lanes out to 2031, I don't think that they are going to be digging too much too soon. **C/Damron:** I just wanted to make sure that we were in the clear. **C/Young:** Any other thoughts? **C/Gealy:** I appreciate reduction in density. I did note that in their letter that they said when they come back and ask for an increase in density in another part of the project at a later date, so we need to bear that in mind. From what I recall from the annexation hearing one of the biggest concerns was water and the impact on people's wells and it seems like that concern has been addressed. By bringing in a water line, that takes care of all of those concerns until a later date when we can perhaps have ore information about exactly how much water is available and what the impacts might be. I appreciate that solution to the concern as well. It looks like a beautiful property. It looks like every lot has access to open space, it looks like a place where people will want to live.

Commissioner Hennis motions to recommend approval of Case No. 19-07-ZC (Rezone), 19-03-S (Preliminary Plat) & approve 19-14-DR (Design Review); Commissioner Damron seconds, all aye and motion carried 4-0.

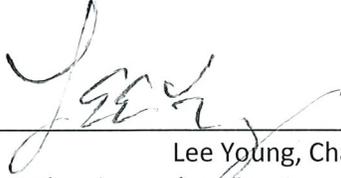
3. COMMISSION REPORTS

4. ADJOURNMENT

Commissioner Gealy motions to adjourn; Commissioner Laraway Seconds, all aye and motion carried 4-0.

**CITY OF KUNA
PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, October 22, 2019**



Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:



Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department