

OFFICIALS

Lee Young, Chairman
Dana Hennis, Vice Chairman
Ginny Greger, Commissioner
Jim Main, Commissioner
Vacant

CITY OF KUNA
City Hall Council Chambers
751 W 4th Street, Kuna, ID 83634
Planning & Zoning Commission
REGULAR MEETING MINUTES
Tuesday March 28, 2023, at 6:00 PM



For questions, please call Planning and Zoning at (208) 922-5274.

ALL AGENDA ITEMS ARE ACTION ITEMS UNLESS OTHERWISE INSTRUCTED BY THE COMMISSION.

1. CALL TO ORDER & ROLL CALL:

Timestamp 00:00:13

Chairman Young brought the meeting to order and requested Roll Call be taken.

Timestamp 00:00:25

COMMISSION MEMBERS PRESENT:

Chairman Lee Young
Vice Chairman Dana Hennis
Commissioner Ginny Greger
Commissioner Jim Main
Vacant

CITY STAFF PRESENT:

Doug Hanson, Planning & Zoning Director
Morgan Treasure, Economic Development Director
Kelsey Biggs, City Attorney
Troy Behunin, Senior Planner
Jessica Reid, Associate Planner

2. CONSENT AGENDA:

Timestamp 00:00:39

Chairman Young announced the Consent Agenda.

1. Regular Commission Meeting Minutes Dated March 14, 2023
2. Findings of Fact & Conclusions of Law
 - A. Case No. 22-16-SUP Maria Bonita Bakery, LLC Alcohol Sales & Onsite Consumption
 - B. Case No. 23-01-SUP 1184 S Chalkboard Place In-home Group Daycare
 - C. Case No. 23-04-DR Boys & Girls Club

Timestamp 00:00:45

Motion To: Approve the Consent Agenda.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Main

Further Discussion: None

Aye: 4

Nay: 0

Absent: 0

Vacancy: 1

Motion Carried: 4-0-0-1

3. PUBLIC HEARINGS:

Timestamp 00:00:57

- A. Case No. 22-14-AN (Annexation), 22-11-ZC (Rezone) & 22-03-LLA (Lot Line Adjustment) for Guido-U of I Endowment Lands – Troy Behunin, Senior Planner

Timestamp 00:01:28

Senior Planner Troy Behunin notified the Commission this item was for the Annexation request only and not a Rezone as zoning is a required part of the Annexation request, and the Lot Line Adjustment application would go before the City Council at a future date. Mr. Behunin then presented an overview of the request and stood for questions.

Timestamp 00:04:26

Applicant representative David Crawford provided a visual presentation explaining the intent behind the Annexation as being for the University of Idaho Endowment Lands; her further explained there was an agreement with U of I that the lands would never be sold. Mr. Crawford then stood for questions.

Timestamp 00:09:13

Commissioner Main asked if Mr. Crawford could expound on how the Endowment lands would be used.

Timestamp 00:09:18

Mr. Crawford stated they did not know exactly but with the Agricultural zoning and based on U of I's substantial system for Agricultural studies, they assumed the use would be as such.

Timestamp 00:09:41

Commissioner Main asked if there were irrigation facilities on the property.

Timestamp 00:09:55

Mr. Crawford answered there was currently a large pivot onsite, as well as the site being fed via surface irrigation water pond and pump. He further explained irrigation easements would be protected and that there was also a ditch on the norther property line.

Timestamp 00:10:26

Commissioner Main asked if the R-20 was intended to be for student housing.

Timestamp 00:10:34

Mr. Crawford confirmed that was the thought behind that requested zone and there may be a future need for apartments; the zones being requested were to support U of I in their future endeavors, as well as staying within the Kuna Comprehensive Plan.

Timestamp 00:11:07

Chairman Young opened the public hearing.

In Favor

Kathy Guido, 7744 Bella Terra Lane, Meridian, ID 83642

Joseph Guido, 7744 Bella Terra Lane, Meridian, ID 83634 – Testified

Neutral

None

In Opposition

Beverly Coleman, 7578 S Old Farm Lane, Meridian, ID 83642

David Coleman, 7578 S Old Farm Lane, Meridian, ID 83642

Amy Wittmuss, 7549 S Old Farm Lane, Meridian, ID 83642

Kevin Wittmuss, 7549 S Old Farm Lane, Meridian, ID 83642

Jerri Meyerpeter, 7693 S Old Farm Lane, Meridian, ID 83642 – Testified
Robert Kampczyk, 7624 S Old Farm Lane, Meridian, ID 83642
Richard & Christy Jones, 7597 S Old Farm Lane, Meridian, ID 83642
Chris Brown, 7670 S Old Farm Lane, Meridian, ID 83642 – Testified
Richard Durrant, 7592 S Ten Mile Road, Meridian, ID 83642 – Testified

Timestamp 00:11:44

Joseph Guido testified that he and his wife had spent a considerable amount of time planning the future of their farm and chose to donate a large portion to the University of Idaho. Mr. Guido also explained they had reviewed their donation extensively with Planning and Zoning; because of the reviews, they felt it was best to keep the U of I ground on the West of Bella Terra Lane & the other uses on the East along Ten Mile Road. He stated that education is the strongest pillar for a sustainable, quality community and U of I would educate many future generations. Mr. Guido explained the Kuna Future Land Use Map required two types of uses in a Mixed Use designation and their requested commercial and high density zones would benefit the university in the future.

Timestamp 00:14:42

Jerri Meyerpeter thanked the Commission for their work in striving to make a good community, then thanked the Guido's for striving to do something good for the community. Mrs. Meyerpeter commented that the density had changed between the Neighborhood Meeting and the hearing from R-12 to R-20; she requested the density be restricted to the R-12. She also explained that she was unaware of what uses were allowed within the C-2 zone; she was curious if that meant users like Wal Mart and a gas station or doctor's offices and others like that which would benefit the community. Mrs. Meyerpeter explained her, and her neighbors had bought homes in the country for a reason and were concerned certain uses may affect their property values and their quality of life. She asked that if development was not to happen right away, if there would be additional opportunity to input or if there were a way to limit the type of commercial uses that could be there, as well as expressing concern with how dense potential apartments could be. Mrs. Meyerpeter again expressed thankfulness for the endowment lands and asked if there was a possibility if they could be changed in the future.

Timestamp 00:18:24

Chris Brown asked if staff could indicate where the R-20 zone would be located as the density was different than what was presented at the Neighborhood Meeting (*the Chairman indicated that the map could be brought up after testimony was concluded*) and the neighbors were very concerned with that and would like more clarity.

Timestamp 00:20:13

Richard Durrant testified he was trying to figure out what the R-20 zone was going to be as he operates a business which operates 24/7 at harvest time; he explained he already contends with other neighbors regarding things like lighting, sounds of equipment, and even their pivots. Mr. Durrant further explained he was concerned with traffic on Ten Mile which already backs up; their 4-axle tractors are wide and slow to get moving on roadways, which is another issue to contend with. Mr. Durrant also explained that one of the signs had been posted on a closed roadway then moved to his side of Ten Mile road; he explained he tipped the sign over as it was in the wrong place and people were contacting him thinking he was proposing something for his property.

Timestamp 00:24:35

Mr. Crawford rebutted by explaining the extensive conversations he and the Guido's had regarding R-12 or R-20; he explained that the notice to neighbors for the second Neighborhood Meeting they held was corrected to R-20. He explained the 53 acres on the West side of Bella Terra Lane would be Agriculture lands, the northeast portion would be R-20, and the area directly on the corner of Ten Mile Road and Columbia Road would be C-2. He explained that future University students and staff would need things like coffee and doughnuts, and listed additional permitted uses within the C-2 zone, art galleries, baked goods, banks, barber shops, bike shops, etc. Mr. Crawford expounded that he the Guido's believed an R-20 zone to be the highest and best use for the residential area. Mr. Crawford addressed the sign posting and explained he believed an issue arose when construction began for the infrastructure project in Ten Mile Road, the sign was moved by the crew; however, the sign complied when posted. Mr. Crawford also stated that notices were provided for the two Neighborhood Meetings via a mailing list provided by the city. He explained that they were not currently aware of what would be constructed within the R-20 and commercial zones as it would occur in the future, but that any development would be required to go through the city processes, Design Review, and a host of other things, as well as the future development being subject to a Traffic Impact Study. Mr. Crawford explained that development in conformance with Master Plans is what brings in sidewalks, etc.; the Developer installs them. Mr. Crawford then stood for questions.

Timestamp 00:30:30

Mr. Guido wished to add to the rebuttal and Associate Planner Jessica Reid notified the Chairman that the rebuttal time had elapsed so he would need to decide to allow the extra time. Chairman Young chose to provide Mr. Guido with three (3) minutes.

Timestamp 00:31:49

Mr. Guido added to the rebuttal by further explaining that more than likely, U of I would develop a Life Sciences type use, not something like a school of law, and that it would encompass buildings to serve students; many college age students are usually looking studio type housing, not 4-bedroom homes. Mr. Guido also referred to Mr. Durrants business East of Ten Mile Road, stating that as Life Sciences studies are about microorganisms and things which enhance the food process, they (students and U of I) would be ecstatic to go across the road and maybe, hopefully, work with the Durrants operation and vice versa. Mr. Guido concluded by stressing that there are no zone options between an R-12 and an R-20, so you cannot request an R-16, R-17, or R-14. He then stood for questions.

Timestamp 00:33:29

Commissioner Greger asked if Mr. Guido had an idea of how many students would be housed; Mr. Guido was unsure because the development would be in the future.

Timestamp 00:34:31

Chairman Young closed the public hearing and the Commission proceeded into deliberation.

Timestamp 00:34:47

Chairman Young explained initially he was concerned with the R-20 density but after hearing the testimony of the Applicants, it made sense for students; there was a chance the density would end up there (R-20) or not quite. Chairman Young addressed the crowd stating that there would be additional opportunities to comment as certain applications came forward (Preliminary Plat, Special Use Permit, etc.). The Chairman also commented that based on his experience, the

commercial portion was not quite large enough to see anything like the size of a Ridley's being developed there; he believed it was more so the intent to encompass the U of I facility in a way that would hopefully not impact Mr. Durrant too much. He was encouraged that higher education would be addressed within our community, in areas that could benefit from it. Chairman Young explained he understood the neighbors' concerns with an R-20, but without a Preliminary Plat, it would be hard to pre-determine what the actual density would be.

Timestamp 00:37:46

Commissioner Main commented he was still back and forth with the R-12 and R-20; he believed something in the middle would be more appropriate.

Timestamp 00:37:57

Vice Chairman Hennis agreed with Commissioner Main; he loved the idea of endowment lands, but the R-20 was a bit much. He explained he could understand the R-20 density if it was dorms but didn't believe the whole complex was going to be full of students (if apartments were developed). Vice Chairman Hennis commented the Durrant's were here to stay and he encouraged future development to be mindful of the neighbors. He further expounded that there was currently now way to monitor what potential future apartments would be servicing and that an R-12 would have larger apartments or even townhomes, which may not be what students wanted; an R-12 wouldn't quite provide what the intent was, so he was still undecided. The Vice Chairman explained the residential zoning had better specs (min. lot size, max. heights) and that an R-20 could potentially be a three-story and an R-12 could potentially be four-plexes.

Timestamp 00:40:41

Chairman Young commented that endowment lands were awesome, and the C-2 location was appropriate as there would be a future roundabout at Ten Mile and Columbia Roads. He stated the Commission was the recommending body to Council and it came down to what the Commission believed was the appropriate density wise for the residential; he was still torn on recommending an R-12 vs an R-20. The Chairman expounded that Ten Mile Road was the next major corridor after Meridian Road, which was why Ada County Highway District was putting in roundabouts at every mile.

Timestamp 00:42:19

Commissioner Main asked Director Doug Hanson how the project could get between an R-12 and R-20.

Timestamp 00:42:28

Doug Hanson answered that could potentially be address using a Development Agreement but that based off Net Density and what was going to be required when a development application moved forward, realistically, the residential portion would only be able to utilize about 75% of the density; 20 units per acre was not possible to achieve because required landscape buffers, required open space and right-of-way had to be factored in.

Timestamp 00:43:24

Chairman Young commented that hard intersections on Ten Mile were designated as they were on the Future Land Use Map because of their location; Mixed Use was appropriate and that an R-20 may not be as bad.

Timestamp 00:44:25

Commissioner Main agreed that Ten Mile would change rapidly in the future.

Timestamp 00:44:41

Vice Chairman Hennis stated that the density drops since basically only 75% could be utilized for dwellings which would drop the density quite a bit, but they could still stay on the higher side. He discussed code restrictions that he believed maxed at 40 feet, so three-stories were about the most you could get.

Timestamp 00:45:40

Commissioner Main stated the Commission would have another shot at it when it (a development application) came forward; if they went with an R-20, they would still be able to review how it was laid out.

Timestamp 00:45:56

Vice Chairman Hennis responded that this would be the only time the Commission had a shot at what the zone was. He explained they would be able to see in the future how it looks and is laid out, but the density needed to be decided; there was also potential a Rezone could be requested in the future. Vice Chairman Hennis was still concerned about the R-20.

Timestamp 00:46:42

Senior Planner Troy Behunin addressed the Commission explaining that since there is a gap between the available R-12 and R-20, other projects within the city occurred where a Developer was restricted to a lower density and actual number of units, even though they were within an R-20 zone. Mr. Behunin explained that if the restriction was discussed in the public forum and the Developer agreed, the Commission could make a Condition of Approval that limited a development to a certain number despite the R-20 zone.

Timestamp 00:48:15

Chairman Young asked if that was something the Applicants would be amenable to.

Timestamp 00:48:33

Kathy Guido answered that her and Mr. Guido were open to the Commissions thoughts; they believed R-20 was too high of a density but an R-12 was too low. She understood there were height limitations so she didn't believe a three-story building could be built but wasn't sure because they were not the ones who would be developing the site, they were just getting correct zoning in place for U or I for future development; it was all for future planning. Mrs. Guido agreed with Mr. Behunin that whoever would develop it would have to present to the Commission and go through all the necessary hoops they themselves did not want to go through.

Timestamp 00:49:37

Vice Chairman Hennis asked if the Applicants would be willing to do something more applicable, like an R-16?

Timestamp 00:49:50

Mrs. Guido answered that would be something her and Mr. Guido would need to discuss with their engineer.

Timestamp 00:50:02

Mr. Crawford asked if the reduction in density would be on the Gross or Net as Gross density was much easier to apply because, as Mr. Hanson noted, 25% of all the lands were typically dedicated to roadways and the like. He also explained that when it came to multi-family units (apartments), you also ended up dedicating a lot more of the area to parking and things like that. Mr. Crawford stated an R-20 was never actually 20 units (per acre), just like an R-6 zone was somewhere around an R-4. Mr. Crawford explained the Guido's were just trying to do what was best for their endowment lands in support of the University of Idaho, and that he believed they would be open to something less than an R-20. Mr. Crawford asked where the Commission was trying to hit on the density or was comfortable hitting.

Timestamp 00:51:18

Mr. Hanson addressed the Commission and stated he thought it best that if the Commission wanted to see a different zone (density) brought forward, the meeting be continued to a date certain and reopen the public hearing with that additional information provided in that meetings packet, so additional testimony could be provided. Mr. Hanson stressed much of the information needed to be discussed while the public hearing was opened.

Timestamp 00:51:57

Vice Chairman Hennis asked Mr. Behunin what the official height limitation was within the R-20 zone. Mr. Behunin answered that it was 40-feet, as was the R-12 zone; Mr. Behunin did not believe three-stories was achievable.

Timestamp 00:52:43

Chairman Young summarized that it came down to if the Commission was comfortable recommending an R-20 or asking for an R-20 with a restricted Gross density. Commissioner Main mentioned an R-20 with something like an R-16 Gross density; Commissioner Greger and Vice Chairman Hennis agreed with that statement.

Timestamp 00:53:44

Motion To: Table Case Nos. 22-14-AN & 22-11-ZC for the Guido-U of I Endowment Lands to a date certain of April 11, 2023.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Main

Further Discussion: None

Aye: 4

Nay: 0

Absent: 0

Vacancy: 1

Motion Carried: 4-0-0-1

Timestamp 00:54:22

Chairman Young thanked the attendees for coming and recessed the meeting for those who wished to exit had the opportunity.

Timestamp 00:56:06

B. Case No. 22-15-AN (Annexation) for Rising Sun West – Troy Behunin, Senior Planner

Timestamp 00:56:14

Chairman Young stated that staff requested the item be tabled to a date certain of April 11, 2023.

Timestamp 00:56:49

Motion To: Table Case No. 22-15-AN for Rising Sun West to a date certain of April 11, 2023.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Main

Further Discussion: None

Aye: 4

Nay: 0

Absent: 0

Vacancy: 1

Motion Carried: 4-0-0-1

Timestamp 00:56:49

C. Case No. 22-10-S (Preliminary Plat) & 22-32-DR (Design Review) for Valor West Subdivision –
Troy Behunin, Senior Planner

Timestamp 00:57:12

Senior Planner Troy Behunin requested the item be tabled to a date certain of April 11, 2023, so staff could compile the appropriate information.

Timestamp 00:57:47

Motion To: Table Case Nos. 22-10-S & 22-32-DR for Valor West Subdivision to a date certain of April 11, 2023.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Main

Further Discussion: None

Aye: 4

Nay: 0

Absent: 0

Vacancy: 1

Motion Carried: 4-0-0-1

5. BUSINESS ITEMS:

6. ADJOURNMENT:

Timestamp 00:58:28

Motion To: Adjourn.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Main

Further Discussion: None

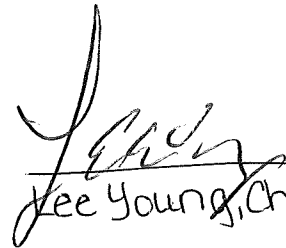
Aye: 4

Nay: 0

Absent: 0

Vacancy: 1

Motion Carried: 4-0-0-1


Lee Young, Chairman


Doug Hanson, Director



CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274

Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

March 28, 2023 – P & Z Commission, Public Hearing

Case Name: Joe & Kathy Guido, U of I Endowment Annexation Request:

Case Type: Annexation Request.

Case Nos.: 22-14-AN (Annexation).

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Council/Commission.

IN FAVOR

NEUTRAL

IN OPPOSITION

☐ Testify ☒ Not Testify

KATHY GUIDO
Print Name
7744 Bella Terra Ln
Print Address
Meridian ID 83642
City State, Zip

☒ Testify ☐ Not Testify

JOSEPH GUIDO
Print Name
7744 BELLA TERRA LN
Print Address
MERIDIAN ID 83642
City State, Zip

☐ Testify ☐ Not Testify

[Signature]
Print Name
7549 S. Old Farm Ln
Print Address
Meridian ID 83642
City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☒ Not Testify

Beverly Coleman
Print Name
7570 S. Old Farm Ln
Print Address
Meridian ID 83642
City State, Zip

☐ Testify ☒ Not Testify

David Coleman
Print Name
7570 S. Old Farm Lane
Print Address
Meridian ID 83642
City State, Zip

☐ Testify ☒ Not Testify

Amy Withmuss
Print Name
7549 S. Old Farm
Print Address
Meridian ID 83642
City State, Zip

☐ Testify ☒ Not Testify

Kevin Withmuss
Print Name
7549 S. Old Farm Ln
Print Address
Meridian ID 83642
City State, Zip

IN FAVOR**NEUTRAL****IN OPPOSITION**☒ Testify ☐ Not Testify

~~Jeri Meyerpeter~~
Print Name
~~7693 S. Old Farm Ln~~
Print Address
~~Meridian ID 83642~~
City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☐ Testify ☐ Not Testify

Print Name

Print Address

City State, Zip

☒ Testify ☐ Not Testify

Jeri Meyerpeter
Print Name
7693 S. Old Farm Ln
Print Address
Meridian ID 83642
City State, Zip

☒ Testify ☒ Not Testify

Robert Kampczuk
Print Name
7624 S. Old Farm Ln
Print Address
Meridian ID 83642
City State, Zip

☐ Testify ☒ Not Testify

Richard & Christy Jones
Print Name
7997 S. Old Farm Lane
Print Address
Meridian ID 83642
City State, Zip

☒ Testify ☐ Not Testify

Chris Brown
Print Name
7610 S. Old Ln
Print Address
Meridian ID 83642
City State, Zip

☒ Testify ☐ Not Testify

Richard Dunsant
Print Name
1392 South Ten Mile
Print Address
Meridian ID 83642
City State, Zip