



KUNA PLANNING AND ZONING COMMISSION

Agenda for July 8, 2014

Kuna City Hall ▪ Council Chambers ▪ 763 W. Avalon ▪ Kuna, Idaho

REGULAR MEETING

6:00 pm

1. CALL TO ORDER AND ROLL CALL

Chairman Lee Young
Vice Chair Stephanie Wierschem
Commissioner Dana Hennis
Commissioner Cathy Gealy
Commissioner Joan Gay

2. CONSENT AGENDA

- a. Approval of Planning & Zoning Commission Meeting Minutes for June 24, 2014
- b. Approval of **14-04-DR: Crimson Point Villas** – Multi-family commercial project
- Findings of fact and conclusions of law

3. NEW BUSINESS:

- a. None

4. PUBLIC HEARING:

- a. None

5. DEPARTMENT REPORTS

- a. None

6. CHAIRMAN / COMMISSIONER DISCUSSION

- a. None

7. ADJOURNMENT

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Vice-Chair Stephanie Wierschem	Not present	Troy Behunin, Planner II	X
Commissioner Dana Hennis	X	Trevor Kesner, Planning Technician	X
Commissioner Cathy Gealy	X		
Commissioner Joan Gay	X		

6:00 pm – COMMISSION MEETING

Call to Order and Roll Call

Chairman Young called the meeting to order at **6:01pm**.

1. CONSENT AGENDA

- a. Meeting Minutes for June 10, 2014
- b. Approval of **14-01-PUD, 14-02-S, and 14-02-DR: Timbermist Subdivision** - Findings of Fact and Conclusions of Law.
- c. Approval of **14-01-S and 14-01-DR: Sailor Shores Meadows Subdivision** – Findings of Fact and Conclusions of Law.

*Commissioner Hennis motioned to approve the consent agenda;
Commissioner Gealy seconds, all aye and motioned carried 3-0.*

2. OLD BUSINESS:

None

3. NEW BUSINESS:

- a. **14-04-DR: Crimson Point Villas** – Multi-family project: The applicant requests approval of 39 multi-family buildings, a club house (including a swimming pool), parking lots and landscaping over 2 (two) parcels (approx. 10.68 acres) within the Crimson Point subdivision. Applicant requests to phase the construction, according to market demands.

Troy Behunin:

Good evening Commissioners, for the record, Troy Behunin, 763 W. Avalon is the address for the planning and zoning department. The application before you tonight, 14-04-DR design review, is for Crimson Point Villas multi-family and clubhouse, parking lot and landscaping design review packet. The applicant, Matt Rhees with The Architects Office, is here with us tonight and I'm sure he'll have a few words following my remarks. The applicant has submitted all the things that are required for a design review application which is required for new commercial

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

and is also required for new multi-family projects, which this is. They've also submitted all of the materials and colors to go along with those units, the clubhouse, along with the landscaping plan and also a parking lot plan that will serve the multi-family units. In total, there will be 39 buildings for the multi-family, and one clubhouse which will have an accompanying pool and changing rooms for that pool inside the clubhouse. It is properly zoned C-1, which is a commercial district zone. The site is roughly eleven acres, or just under eleven acres, located at the northwest corner of Deer Flat Road and Ten Mile Roads and neighbors to the Crimson Point PUD subdivision. The applicant has submitted everything required and hopefully you were able to read through the staff report and follow the many footprints and floor plans that they are proposing for this nice project. They have assembled quite a color palate and materials list that will be used for the buildings' construction. I will stand for any questions that you may have.

C/Young: Does anyone have any questions for Troy?

Troy Behunin: One thing that I did fail to mention is this is a public meeting and not a public hearing, so there are no publication requirements, no postings of the site, no letters were sent to owners within three hundred feet and there won't be a public hearing portion.

C/Young: Ok, Thank you.

C/Hennis: I don't have anything at this point.

C/Gay: I don't either.

C/Gealy: Um, I do.

C/Young: Ok.

C/Gealy: Well, I might not be very organized about it, and I apologize. So, it's going to go in –in phases, it looks like three phases?

Troy Behunin: At least three phases, yes.

C/Gealy: And the first phase, will the access be off of Deer Flat Road, will that be the road that is first, or will all the other roads be built first?

Troy Behunin: Well, all of the roads are built.

C/Gealy: The roads are there now?

Troy Behunin: Except for the northern part which will connect into Crenshaw. Matt Rhees is here and he can probably explain that better than I would be able to. But I know that most of the infrastructure is already in; including the streets, the sidewalks, the curb and gutter, and including the street lights.

C/Gealy: And just a general question, do you know if it is the intent for this to be rental property or is this going to be condominiums where it's owned by the people that are living in it?

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

Troy Behunin: I would imagine that it's going to be rentals for a multi-family situation, simply because the applicant or the owner will bring forth a final plat to divide these into lots. Each of the buildings will have its own lot. But there will be four different units within each building, except for the one which is a single story, two unit building. And I don't think that there is any intent for these to be condos to be sold individually. If that were the case, they would need to apply for a different kind of final plat, which would be a condominium plat or a townhome plat.

C/Gealy: So then with the landscape plan, with respect to landscape maintenance, will that be covered in the...

Troy Behunin: In the CC&R's for the... well the common lots. There are only a few common lots, but yeah that will be covered in the CC&R's.

C/Gealy: Are there CC&R's with rental properties?

Troy Behunin: There is usually some sort of property maintenance that takes care of the whole complex.

C/Gealy: Ok, that was my question. It's really not something that's addressed in the design review today?

Troy Behunin: No.

C/Gealy: When will that be addressed?

Troy Behunin: That won't really be addressed, except through the final plat. The only thing they'll be required to do is to assemble some kind of maintenance agreement or set up a maintenance schedule so that the common lots and the yards are taken care of. But that's not...

C/Gealy: But that's not part of the design review?

Troy Behunin: That's not really even part of the final plat; I mean it's a checklist item such as: is it set up? Yes or no? But that's really it. We don't get into the who's and what's, or anything like that. It's a civil matter. But we do make sure that something is in place to take care of it.

C/Gealy: Ok.

Troy Behunin: Does that answer your question?

C/Gealy: Sort of. Thank you.

C/Young: I did come up with one more question for you Troy.

Troy Behunin: Ok.

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

MEETING MINUTES

Tuesday, June 24, 2014

C/Young: As far as the landscape plan, along Crenshaw, and at the other south entrance, there are several notations for being completed as part of the previous phase; is that long landscaping supposed to be installed before they start construction on this phase as part of the PUD of the original?

Troy Behunin: That's a very good question Commissioner Young. The landscaping along the north side of Deer Flat, that's already done. It's already been installed and that was installed as part of the Crimson Point 5 subdivision. I think there will be a little bit installed with this product, but the majority of it was already installed. And then, that along Crenshaw, that actually will be installed when Crimson Point 5-C. is installed and when that comes forward. And then that will actually be part of that plat. There's Crenshaw Road and then I forget the dimensions, whether its five feet, ten feet on the north and south side of that, which is actually a lot and block in Crimson Point 5-C.

C/Young: So it's not really a part of this plat, but a previous phase?

Troy Behunin: No, not really. It will be completed with another phase.

C/Gealy: But not of this phase file?

Troy Behunin: Not of this one, no. Good question.

C/Young: Ok. Any other questions for Troy?

C/Gealy: Not at this time.

C/Young: Ok. Thank you very much. And if the applicant would like to step forward, please state your name and address for the record.

Matt Rhees: Hi, my name is **Matt Rhees** with **The Architects Office (TAO)**. Our office is located at **499 Main Street in Boise, Idaho**. I don't know if I... I'm not really here to give a speech or a presentation. I'm more here to answer questions I think. To follow up on the previous question, it gets confusing because I think that you have many ...kind of, overlapping projects happening all at once; these different subdivisions to build the roads and all part of this Crimson Point master plan, so the road and the subdivision was kind of a separate project or that's a separate approval process and I think the whole platting process is where you have the CC&R's are required or recorded. So, my knowledge, I'm just kind of focused in on the actual apartment project and the buildings and that so that's kind of... I guess where I have more knowledge of what's going on versus all of the residential plans and what's being built now with roads and all of that.

C/Young: I do have a question for you with regard to the trash enclosures. I see they are currently listed as the entire structure as being vinyl. As far as gates go, we've always maintained that they be some kind of metal gate. Whether it is like some kind of metal panel that is painted or ... just because of the abuse that those always take. And as far as vinyl for the rest of the enclosure, that's always kind of been an issue -just because of the abuse that those always take by the residents and the trash collection folks.

Matt Rhees: Our detail does have the fence offset by concrete curb, so dumpsters and things can't get pushed up against the fence to kind of create that natural barrier for that. And the gates were going to be a steel frame gate with the vinyl slats on the front of it, just for the façade so it would match the rest of the enclosure. The trash

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

enclosure is also designed for residents to be able to access inside that, so the only person that's actually accessing the gate is the actual sanitation service.

C/Hennis: They're usually the worst abusers with those big trucks.

C/Young: Ok. I guess the representative on figure L1.1 for the landscaping for the planters in the parking area, how representative are those as far as the final layout for those? A lot of those plantings, they just look so linear. They're just set in rows. They're not set to where they fill the planter and they have some sort of a static look to those, you know, like you're just shooting rows of plants in there along the lawn.

Matt Rhees: Sure, yeah. My experience is that for the most part, the plans are there to dictate the number of units and approximate location and the landscaper does have that sort of artistic ability to space things out to where they look better. This is a project that's being built by Cory Barton. It's his project and it's being built as part of the rest of Crimson Point so he's got a pretty good track record as far as what he builds and what he plants.

C/Young: Yeah, I know that sometimes, depending upon who's installing it that: 'well, the plans said put a plant here, here, here and when you go out there, it's like.. Well, that's what the plans look like so... And I, the only other question I had was, and I think I answered it myself as we were going back and forth here. It seems to be the case, but I wanted to verify; all of the units, the rear of the units face a street whether it's Crenshaw or Ten Mile or Deer Flat, is the intent for the rear of those units facing those streets to have a wainscot band built as you're driving down the street... *-inaudible-*.

Matt Rhees: No. There are essentially four building types. Technically, there are five because we have one single-story building, but all the other buildings are all two-story. There are four actual plan types, and each plan type has two elevations and two room plans for that. In the whole particular project, one building may get built four times so they're placed so that... you know; we try to alternate the roof styles, and the banding and the facades so the intent is that you're not seeing any identical buildings and then on top of that overlay is four color palates and we take the colors and try to mix them around so that it's not like this building gets this color so that building will have color palate type 'A' but that exact building that's built again may be color palate 'C'. Hopefully, for this size project, I think there is quite a bit of variation on what's happening. So, to answer your question, that there would be a continuous band going along, I think that's not going to happen in these buildings, you're going to see quite a bit of variation in the buildings.

C/Gealy: I guess I have the same kind of question, or a similar question. Is where those buildings are backing up against the public streets, I'm just looking at L1.0 where we have Crenshaw up here -and there's four buildings that are backing up on Crenshaw, there's an indication that there will be some trees planted in some different plan, but will there be fencing or landscaping, or something to break that up so people that are driving by aren't just looking at the bare backs of buildings?

Matt Rhees: There won't be any fencing between the apartment buildings and the roads. And that's kind of by design, so that it is a little more...

C/Gealy: Open?

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

Matt Rhees: Open. And so that it doesn't feel like these are individual houses or whatever -that it is part of a complex you know? So it looks like this is something which is different than the single family residential subdivision next door. But all the buildings are landscaped around the perimeter...

C/Gealy: Of the building?

Matt Rhees: Of the building, yeah.

C/Hennis: And where would we see that indication?

C/Young: On L1.3?

Matt Rhees: Yeah, so each building will have a significant amount of landscaping put around the buildings.

C/Gealy: Up close to the building?

Matt Rhees: Yeah.

C/Gealy: I see. I'm just trying to visualize how that's going to look as you're driving by. I have to say, I think it is a really nice plan and what I've seen here, I like. I think it's very considerate to the neighbors to the west, that in most cases they are abutting just one building. The parking seems to be adequate, but I just have some questions about the landscaping and how it looks from the outside. It looks like once you're in the project; it will be nicely landscaped; especially if they could stagger the plants.

So the landscaping, do you think that will break that up enough, as you drive by?

C/Hennis: It's probably better than looking at a fence.

Matt Rhees: And then each building is separated by a property line. There is a property line between each building and each apartment building is ten feet off that property line so if you scale that versus a house, a lot of houses are built like, five feet off that property line and in some cases, three feet off. Here, you'll have twenty feet between each building so there's a lot more breathing room. And with the landscaping, I think it will scale nicely and not feel so tight.

C/Gealy: One other question I had that was similar, or somewhat related, is that I notice that between the buildings, again as you said, there's landscaping around the buildings but not really landscaping between the buildings so there's not something that breaks it up from the back of one, to the back of the other.

Matt Rhees: And that's kind of by design, to be an open common area and you'll have the grass in the open area.

C/Gealy: For the most part though, it did not appear that any of the units have back door access. It appeared that most of them have their porches on the front or their accesses to the front. Very few of them have accesses to the..

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

Matt Rhees: So there's a mix. There are two building types. One building type has the decks on the corner, one building type has the deck on the back, and then two building types have the deck on the front. We tried to place those where decks weren't necessarily right next to a neighbor.

C/Gealy: It's just a mix.

Matt Rhees: It's a mix. Different people have their different preferences. Some people think the back of the building should be more private and quieter; and some people think 'that's where we want the decks because we want to hide it'.

C/Gealy: But having them out front creates more of a sense of community.

Matt Rhees: Right. So that's why half the buildings have the decks out front, or over half actually.

C/Hennis: One final thing. I think in the staff report, I read that most all of the site lighting was addressed in a previous submittal. I think Troy alluded to the fact that they were already in place -most of it. Was that mostly the roadway lights?

Matt Rhees: The roadway lights and the parking lot lights. I think they were part of a different approval process, or from when that portion of the subdivision is built. Our outside lights, or the lights on the outside of the buildings, are mostly decorative for the most part. They're really not intended to try and light the parking lot or anything like that.

C/Hennis: Right, but it's still at least illuminating the entrance for after-hours when people try to go home?

Matt Rhees: Right.

C/Hennis: Ok, what about some of the area sidewalks around some of the parking lots? Getting from the cars to the building, is that adequate lighting? We didn't see that. Has that all been addressed in a previous approval, I suppose?

Matt Rhees: Is it adequate lighting? I don't ... I mean, I guess. I mean we designed it to be...

C/Hennis: For basic safety.

Matt Rhees: Well, yeah I see. Yeah.

C/Hennis: Troy?

Troy Behunin: I could actually speak to that. We have a standard where street lights can only be 250 feet apart maximum. There were a couple of challenges with regard to the parking lot but I can say that I worked with Alloway Electric who's the lighting contractor on this. They actually added two lights just because at the farthest extent, they just said 'hey, do we need to add some?' and I told them to add more, and they went ahead and did it. Many of them are under the 250 foot maximum distance.

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

C/Hennis: Ok. But that basic illumination has been covered?

Troy Behunin: Yeah. The streets are all covered and every one of the parking lots has at least one light on it.

C/Hennis: Ok. Just when you had stated that before, you hadn't said whether this previously was addressed by another plat, with the parking lots, and those access points.

Troy Behunin: Sorry. Yes, there should be plenty of lights.

C/Hennis: Ok. No problem. I just wanted to clarify. Thank you.

C/Gealy: I still have a couple more questions. So, what do you anticipate will be your proposal for the maintenance of the outside spaces within the entire project? Will the landscape maintenance be the responsibility of the occupant or...?

Matt Rhees: You know, I guess it's set up to be that it's an association that's to be in charge. So all of the landscaping will be... It's set up so that the property line, the way they are done out with all these flag lots and everything, that's just a City of Kuna requirement and how they had designed those lots. But essentially, each building is on its own lot but all the landscaping and the parking and the open area is all common.

C/Gealy: Ok. It's all common? Thank you.

Matt Rhees: Yeah, so each building essentially pays the association due. How the ownership structure works, I couldn't really answer that. Since each building is on its own lot, each building would have a different owner, theoretically. But chances are, it's probably an investment group where maybe one partner maybe has five lots and then somebody else has something different.

C/Gealy: But the landscaping and the maintenance will be...

Matt Rhees: No matter how they structure that, or how the properties are owned, they are bound by a CC&R which means common area maintenance and common use of the clubhouse. So, it's like there's essentially no designated parking spots, so nobody really owns their parking spot per se, it's all common area.

C/Gealy: And then, with respect to the clubhouse, will the landscaping for the clubhouse be a part of that, or the future filing? I didn't see any included in here.

C/Hennis: I didn't either.

Matt Rhees: Yeah, there will definitely be landscaping on the clubhouse.

C/Gealy: Because, right now there is a tree.

Matt Rhees: What you probably see is the right-of-way landscaping.

C/Gealy: Is there a color palate?

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

C/Young: Yes. There is. Right after DR 3.5

C/Gay: There are some really nice colors in here. Here, let me show you.

C/Gealy: I don't seem to have them. They aren't in my packet.

C/Hennis: She has the defective one for once.

C/Gealy: I can look on Joan's. No, it's ok. I just would like to glance at it. I'm sure it's fine.

Matt Rhees: So again, with the colored elevations, not every option is colored. Like I said, you have four buildings, each building has two different designs, and so that means essentially, kind of eight elevation types. And then the colors are kind of randomly applied to each one so... what does is that? Thirty-two combinations or something like that?

C/Gealy: Thank you. Sure. Yeah, I just wanted to see them.

Matt Rhees: So I think this product, in terms of an apartment, multi-family style project, it uses painted hardboard siding that you'd find on a single family residences instead of vinyl siding. And it has quite a bit of veneered stone on the buildings which, often, on a lot of apartment buildings, you don't see that.

C/Hennis: I have nothing further.

C/Young: Any other questions.

C/Gealy: No other questions for the applicant, thank you.

C/Young: Ok. Thank you very much. I think the architect did a really nice job of putting the packet together. I think the variations in styles of the buildings give a really nice presentation as they get built out.

C/Hennis: I do agree. On the use of these materials, I think it is better than average for this type of project.

C/Young: My only concern is I go back to the trash enclosure. I know they propose a curb around the vinyl. I've seen vinyl after it's been there for five or six years and the neighbor kids knock it apart, and it's a trash enclosure so everyone comes to visit it. It's in and out -so it is a heavy traffic area. And just the abuse it takes over time -that it just really looks bad. And with the gate on it, in the past we have always wanted a metal gate. Not just the frame, but the metal panels as well. So I would also propose that they use a block wall with similar colors to the surrounding buildings and install that metal gate. Just as we typically would with a 'V' deck with those materials as well.

C/Hennis: Mr. Rhees, would you or do you know if the owner would be opposed to that?

Matt Rhees: I would say, because we do a fair amount of apartment buildings, and I know what you're saying about the vinyl fence and how durable it is. The vinyl fence does tend to give it a little more of a residential feel. The concrete block with the metal gate kind of gives it a more commercial-industrial feel or look, although

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

certainly more durable. But, I would say that vinyl fencing and/or... I see a lot of vinyl or chain link with the slats is used. You know, it's not my favorite either.

C/Young: I think that one is actually prohibited.

Matt Rhees: Yeah. So what we've tried to do over the years is where the gates get abused, try to strengthen those up so the most effective thing for us is to set that curb. Sometimes those dumpsters can kind of get pushed up against that fence. And the fence itself is a fairly inexpensive item in terms of—if it does get damaged then, it's more likely to get repaired. The fence just matches the fence that's around the project and just kind of better fits in with the scale. Obviously, the block and the steel gate is more money to build that kind of a structure.

C/Gay: Is that something that, as far as time-frame, that could be identified in the CC&R's? That they had to take a look at it, once it's done? We don't have any way to ensure that it would be fixed if it was...

C/Young: You mean as far as the maintenance would go, around that?

C/Gay: Yeah, I just wondered if it was something...

C/Young: Well, we can't dictate the CC&R's. That's something that is a civil matter with the owners. That is something which planning and zoning couldn't dictate, that part.

C/Gay: Oh, ok, I see.

C/Gealy: Well, I have some questions for staff, and that might be one of them.

C/Young: Thank you (to applicant). Thank you very much.

C/Gealy: Thank you. Do we have any opportunity to require that the trash enclosures and the landscaping be maintained?

Troy Behunin: I would think. I believe with your authority tonight with the design review, if you make that a condition; that they provide that into perpetuity, that they could find a way to make that a reality. It doesn't necessarily have to come through the CC&R's, but it would become a part of the approval of this body. And how that is implemented is up to land owner. Whether that's through a separate instrument or whether that's through the CC&R's and their enforcement... I don't know... I don't see how...

C/Gealy: We can't really dictate how they do it, but we can dictate that it happens.

Troy Behunin: You can dictate that it happens. For example, with Ridley's, for six other pads in addition to Ridley's and Ace, they have what is called a property owner's association which is similar to a homeowner's association. There is one owner who owns all of the lots, and all of the common lots, so everybody who buys into that commercial subdivision must comply with all of the requirements. Some of those requirements, through their own making, and through their property owner's agreement -is that landscaping will all be taken care of promptly and that damaged things will be repaired in a timely manner. Now this is a similar situation, *inasmuch as*, this is a multi-family development, so it's a rental unit. At this point, it appears to be a rental situation and so to address

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

the landscaping and the maintenance, not only just maintenance of the trash enclosure and the landscaping, there's also going to be repairs to the parking lot. Parking lots have a shelf-life, and when that expires, who's going to repair it? Well, somebody has to come up with a property owners' association to maintain all of that. I would think that a requirement for landscaping and trash enclosures could be included with that.

C/Gealy: So the second part of my question is similar, but not, because we've had multiple experiences recently where new owners coming in with new plats or proposals on property that has previously been designed and uses proposed. Our understanding is, over several times now, that all of those promises that were made initially, in the initial proposal... well they don't count anymore. Because that was someone else that made those promises, or we now have a new owner, so we start over again. Do we have an opportunity in this process to address the concerns on the common property? Whether or not all of the phases are built out, do we have an opportunity to address the concerns with the phases? Are there commitments that we can require that 'yes, in fact, there will be a clubhouse at some point' whether the property remains with this owner or another, that's part of this property.

Troy Behunin: I see what you are saying.

C/Gealy: Does my question make sense? Can we prevent in the future, what has been happening in the past?

Troy Behunin: Yes, it does. So what you're asking, basically, I'm just going to place it in a nutshell, and correct me if I'm wrong; you want to make sure that the clubhouse and the pool, which is being promised, actually get's delivered.

C/Gealy: Yes, whether it's this owner, or another. And that the common areas are maintained, in common for the entire project, whether or not it's developed.

Troy Behunin: You can make that a condition that the site plans, which have been proposed for this design review, are considered binding. And I believe that it is listed in the conditions of approval where it lists them by date. If not, we can certainly add that. Or maybe not.

C/Hennis: They're very brief in description.

C/Gealy: Well it does say, in the event the uses are enlarged, expanded, or altered in any way—the uses of the buildings, the applicant will seek amendment to the approvals.

Troy Behunin: This body does have the authority to say that this project shall be carried out as construed in the packet that's included with the dates that are shown. That would make it a binding thing for future owners as well. Does that make sense? And I don't know why I didn't have it this time, but it should have been—all site plans, all landscaping plans, and the parking lot plans should all be listed by date and it should say that they are considered binding site plans. The only way to change that is to come back through for an amendment your decision, at a future date should they choose.

C/Gealy: Should they choose to change it, they'd have the opportunity to change it by coming back to planning and zoning. Not just by saying, 'we're a new owner, and we don't have to do what they said'.

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

Troy Behunin: Yes, because this approval is for the parcels which are listed. You'll notice that there are two parcels: a 7.4 and a two point something, or a 1.2 acre lot...

C/Gealy: Right up next to Ten Mile?

Troy Behunin: There are two parcels and that's the third phase. They actually have to come through and do some rezoning with the property owner to make this work, but they wanted to get design review approval in the event that is what they do. And that is what they're choosing to do. They want to come back through and do that. But your decision tonight would make that a legal and binding approval for the entire project, as proposed. So they would not be able to get out of a clubhouse and a pool, and landscaping.

C/Hennis: Plus the other thing that we've contended with, in the recent past, is reevaluating or getting new PUD's have approached us, not just where this is just a DR. So those that we've been battling with or dealing with had more extensive reviews so...

C/Gealy: Right.

C/Hennis: But yet, you have a good point.

Troy Behunin: The instance that I think you are referring to where things were promised and not delivered, or rather under-delivered, this will all be completed in phases and the one thing that we will have if promises aren't kept and things are happening that are not a part of this approval, then we have the ability to stop permitting for future buildings until things are remedied. Because each of these buildings will require their own separate building permit, one permit is not going to cover the entire phase. Because they are all going to be lot and blocks, just like a residential subdivision, and they'll be each issued their own individual building permit and if things start progressing that shouldn't be, then we can hold those and say 'let's get back on track'. –Would you like to add something?

C/Young: Does that clarify it for you?

-Inaudible discussion-

C/Gealy: But we can't say how? We can say that it happens, but we can't stipulate how they do that.

C/Hennis: Tell them we'd rather get it all fine, so we don't have to go through it a couple more times, the paperwork.

C/Gealy: So would that satisfy your concern with respect to the trash enclosures?

C/Young: I guess.

C/Gealy: What about your concern with plants in rows?

C/Hennis: Just to reiterate or expand, I was thinking about putting that in as a condition, that it just needs to be aesthetically...

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

C/Young: That's what I was going to say as maybe, part of the motion.

C/Gealy: So then, how many additional conditions do we have?

C/Hennis: I have four in here as of now. Talking about the landscape planters, like we just spoke about, the landscaping at the clubhouse needs to be in accordance with the rest of the project, because what I think they are doing is just fine, but they need to do something similar around the clubhouse. The other one I have is the maintenance of the common areas and the trash enclosure be taken care of in a healthy and safe manner, and be maintained as such. And then the last one is the plans, as shown in the packet, I'm talking about the landscape plans, the colors, the site plans, elevations as shown in the packet. How it addresses your concern is if it varies from that. Can you guys think of anything else?

C/Gealy: On the maintenance of the common areas, I would include that they need to be maintained in good order and in a timely manner. I think those were Troy's words.

C/Hennis: Ok.

C/Gealy: And then your last one is the one that's binding to future owners, pending another design review.

C/Hennis: Yes

C/Gealy: I don't have any other questions.

C/Young: Then, if there isn't anything else, I will stand for a motion.

C/Hennis: Mr. Chairman.

C/Gealy: (to Commissioner Gay)...Did you have something you wanted to add? Do you think we left something out?

C/Young: (to Commissioner Gay)...Did you have a question? I just didn't want to cut anybody off.

C/Gay: No, no I didn't.

C/Young: Ok, then I will stand for a motion.

C/Hennis: Ok, Mr. Chairman, I move to approve 14-04-DR design review of Crimson Point Villas multi-family home and clubhouse area, with the conditions as stated in the staff report and additional conditions being that: 1) in the landscape plan, the planters in the parking lot that, the **plants be arranged in a an aesthetic manner instead of linearly**. The other condition is that 2) the **landscaping of the clubhouse area would be in a similar manner to the rest of the project**, as it is not included. Thirdly, 3) **maintenance of the common areas and the trash enclosures be taken care of in good order, and in a timely manner**, and fourth 4) the **plans as shown in the packet**, the elevations, the site plans and the landscape plans **be part of this binding document**.

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 24, 2014**

Commissioner Hennis motions; Commissioner Gealy Seconds, all aye and motion carried 4-0.

The Commission Chairman thanked the applicant.

4. PUBLIC HEARING:

No public hearings

5. DEPARTMENT REPORTS:

C/Young asked if there were any departmental reports:

The Planning and Zoning director, Wendy Howell announced that Commissioners may be seeing some changes to the comprehensive plan in the future. No date was specified due to ongoing negotiations with the City of Meridian regarding the planning area. Also, the Planning and Zoning staff are extremely busy.

6. CHAIRMAN / COMMISSIONER DISCUSSION:

No Discussions.

7. ADJOURNMENT:

Commissioner Hennis motions to adjourn at 6:53pm; Commissioner Gealy Seconds, all aye and motion carried 4-0.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

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



City of Kuna

Design Review Findings of Fact

P.O. Box 13
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
Kunacity.Id.gov

To: Planning and Zoning Commission; acting as P&Z and Design Review Committee

Case Numbers: 14-04-DR (Design Review)

Location: 1403 N. Meridian Road
Kuna, Idaho 83634

Planner: Troy Behunin, Senior Planner

Meeting Date: June 24, 2014
Findings Date: **July 8, 2014**

Applicant: **The Architects Office, PLLC,**
Matthew Rhees
499 Main Street
Boise, ID, 83702
208.343.2931
matt@taoidaho.com

Table of Contents:

- A. Course Proceedings
- B. Applicant Request
- C. Vicinity Maps
- D. History
- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Comprehensive Plan Analysis
- I. Decision by the Commission

A. Course of Proceedings:

1. Applicant proposes 39 (total) new multi-family (commercial) buildings and an accompanying club house (with Pool), parking lots, landscaping in an existing C-1 (Neighborhood Commercial) zone. According to Kuna City Code (KCC) Title 5, Chapter 4 (Design Review Overlay); all new multi-family (commercial) buildings, landscaping, parking lot and signage are required to submit applications for review by the Design Review Committee (DRC). As a public meeting item, this action requires no formal public noticing actions.

a. Notifications

- i. Agenda June 24, 2014

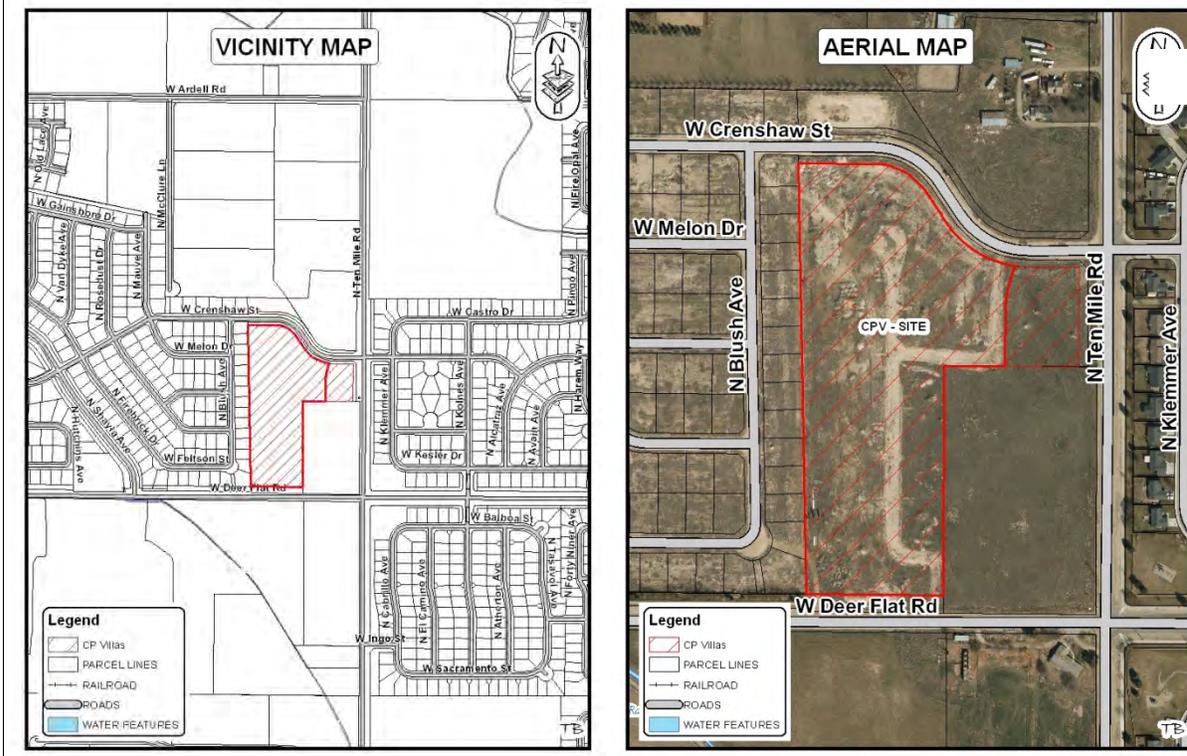
2. In accordance with KCC Title 5, Chapter 4, this application seeks DRC approval for 38 Two-story (four units in each building), and one Single-story (two units in the building) multi-family buildings and a club house (with Pool), parking lots, and common-lot landscaping.

B. Applicant Request:

1. Applicant requests approval from the DRC for all 39 multi-family buildings, the club house, parking lots and landscaping over 2 two parcels that are approx. 10.68 acres in size, within the Crimson Point subdivision. The applicant requests to phase the construction, according to market demands.

- The applicant has submitted all necessary documents and materials for DRC review and are included as exhibits.

C. Vicinity Maps:



D. History:

The two parcels are another phase of the Crimson Point (PUD) subdivision and they were zoned for commercial uses (C-1) in March 2003. The site was previously farmed and has followed the natural progression of the general area in terms of development.

E. General Project Facts: This is within the Crimson Point (PUD) subdivision at the NWC of Deer Flat & Ten Mile Roads – Kuna, Idaho.

- Comprehensive Plan Designation:** The Future Land Use map (FLU) approved by City Council, indicates the site is within a commercial designation. In accordance with KCC 5-3-2, staff views the request from The Architects Office to be consistent with the FLU map as the applicant has applied for a DRC.

2. Surrounding Land Use:

Direction	Current Zoning	
North	C-1	Neighborhood Commercial – Kuna City
South	C-1	Neighborhood Commercial – Kuna City
East	RUT, R-6	Rural Urban Transition – <i>Ada County</i> , Med. Den. Res. – Kuna City
West	R-3	Low Density Residential – Kuna City

- Parcel Number:** APN: S1315449305, APN: S1315449455

4. **Parcel Size, Current Zoning** Parcel 1: Is approx. 9.64 Acres, C-1 (Neighborhood Comm.), Parcel 2 is approx. 1.03 Acres, C-1 (Neighborhood Comm.).
5. **Services:**
 - Fire Protection – Kuna Rural Fire District
 - Police Protection – Kuna City Police (Ada County Sheriff’s office)
 - Sanitary Sewer– City of Kuna
 - Potable Water – City of Kuna
 - Pressurized Irrigation – City of Kuna (KMID)
 - Sanitation Services – J&M Sanitation
6. **Existing Structures, Vegetation and Natural Features:** There are no existing buildings on site, however, the site is under development and has utilities in the ground, and the central road paved.
7. **Transportation / Connectivity:** Access to the site will be from Deer Flat Road and will eventually include access from Ten Mile Road at the Crenshaw intersection.
8. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflict. This site’s topography is generally flat and the bulk of the infrastructure for the site is complete.

F. Staff Analysis:

Staffs review of the application revealed there is adequate parking assigned for this use and application. The architecture style, materials and colors appear to follow the guidelines in the Design Review Handbook for Kuna.

Staff views this application to be consistent with the approved uses and the approved FLU map designation. Staff forwards a recommendation of approval for case No. 14-04-DRC to the Design Review Committee.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230.
2. City of Kuna Design Review Ordinance, 2011-08.
3. City of Kuna Comprehensive Plan.
4. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

H. Comprehensive Plan Analysis:

The Planning and Zoning Commission may accept the Comprehensive Plan components as described below.

1. The proposed Design Review for the site is consistent with the following Comprehensive Plan components:

GOALS AND POLICY – *Property Rights*

Goal 1: *Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.*

Policy 1: As part of a land use action review, the staff shall evaluate with guidance from the City’s attorney; The Idaho Attorney General’s six criterion established to determine the potential for property taking.

GOALS AND POLICY – *Economic Development*

Goal 1: *Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.*

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

GOALS AND POLICY – Land Use

Goal 2: Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.

Objective 2.1: Assist in retaining or expanding sales opportunities in entertainment, sit-down restaurants, and neighborhood/convenience shopping categories. Encourage neighborhood and community-scale retail.

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

Policy 2.3: Retail and residential land uses should be appropriately mixed and balanced with professional offices and service facilities to provide residents with a broader mix of services within walking distance from their homes.

GOALS AND POLICY – Transportation

Policy 1.1.2: Pedestrian and bicycle activities should be separate from automobiles road system – where possible.

Policy 3.2.1: Encourage developers to create mixed use developments that will reduce travel demand through trip capture.

Policy 3.2.2: Increase Kuna’s employment opportunities as a means of reducing commuter trips.

Policy 3.4.9: Assure that commercial ventures have a secondary means of roadway access.

Policy 3.4.10: Require shared driveway access where possible.

Policy 3.4.12: Promote ease of access to all portions of the City.

I. Decision by the Commission:

Note: This proposed motion is for approval or denial of this request. However, if the Design Review Committee wishes to approve or deny specific parts of the requests as detailed in the report, those changes must be specified.

On June 24, 2014 the DRC voted 4-0, to approve Case No. 14-04-DR based on the facts outlined in staff’s report, the case file and discussion at the public meeting of the Design Review Committee of Kuna, Idaho, and hereby approves Case No. 14-04-DRC, a Design Review request by The Architects Office, PLLC, with the following conditions of approval:

- Follow all plans as shown in the packet for the DRC, date stamped May 7, 2014 (site and landscape plans) and May 8, 2014 (Building elevations), and they shall be considered binding plans.
- Applicant shall arrange plants in the parking lot islands to be aesthetically pleasing, rather than all linear.
- Applicant shall install landscape around club house and pool similar with the rest of the project.
- Maintenance of the common area landscaping shall be cared for and remain in a healthy condition. The trash enclosures shall be cared for, kept clean, safe and in good condition or repaired in a timely manner.

Conditions of Approval:

1. In the event the uses, any of the buildings or any other DRC elements for this application are enlarged, expanded or altered in anyway (even temporarily), the applicant shall seek an amendment to the approvals of this DRC.

2. Signage for the site shall comply with current Kuna City Code, as well as, obtain a sign permit prior to construction.
3. The applicant shall follow all staff and appropriate agency recommendations.
4. The applicant shall comply with all Federal, State and Local Laws.

DATED: This 8th day of July, 2014.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Troy Behunin, Senior Planner
Kuna Planning and Zoning Department