

**CITY OF KUNA
PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, October 24, 2017**

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	X
Commissioner Cathy Gealy	X	Trevor Kesner, Planner II	Absent
Commissioner Stephen Damron	X	Jace Hellman, Planner I	Absent
Commissioner John Laraway	Absent		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

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

Call to Order and Roll Call

1. CONSENT AGENDA

- a) Meeting Minutes for October 10, 2017.
- b) **Findings of Fact and Conclusions of Law for 17-07-AN and 17-09-S:** Recommended approval for annexation with an R-6 zone, and subdivision with 18 single family, and four (4) common lots known as Saranda Subdivision located at 1105 W. Hubbard Road, Kuna ID 83634
- c) **Findings of Fact and Conclusions of Law for 17-05-AN and 17-01-CPF:** Pierson Subdivision Annexation - a request for approval for annexation with an R-2 (Low Density Res.) zone, and combination preliminary and final plat approval to create a 2-lot residential subdivision, to be a re-plat of a portion of *Dreamcatcher Subdivision*. The site is located near the south-east corner of Black Cat and Amity Roads addressed as 4400 W. Legacy Lane, Meridian, ID 83634.

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

2. NEW BUSINESS

- a) **14-04-DR (Design Review)** Crimson Point Villas: Applicant requests approval from the Design Review Committee (DRC) to MODIFY the original 2014, DRC approvals concerning the trash enclosures and the building materials used for their screening.

Kirsti Grabow: Thank you, my name is Kirsti Grabow, I am here tonight on behalf of DV Development and CBH Homes, who are the developers of Crimson Point. My address is 9233 W State Street in Boise. So, Crimson Point originally came through back in 2014, at that point they had set vinyl fencing around the trash enclosures within the project, that was approved with the general design review approval. When the developer went to build the project, he started discussion with his fencing contractors and the trash folks and both parties said, vinyl fencing is not great around a trash enclosure. For starters, you bump it once with the trash receptacle and you will crack or break it. The fence guys said they wouldn't even warranty one if they were going to do it around the trash enclosure. So, what they recommended was chain-link, with the slats in it so that it is still screened, but open for safety. Not knowing the design review had approved the vinyl, my client went ahead and made the decision in the field and went with the chain link and it wasn't until troy went out to conduct one of his inspections that he noticed as it was set on the plans. So, at this point in time, six of them have been

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built that way and there is six more to go. Basically, the application in front of you is to modify the design review approval and to allow for the chain-link with the slats in it for the trash enclosures. There are some pictures in your packet. they look nice and clean and they are well constructed, and I did notice as I was driving in to town, I noticed a few other places where the same style was used, in fact School just up the street has the same chain link with the slates in to screen their trash receptacles. I think in terms durability and the fact that trash folks said please don't use vinyl we will tear it to pieces in no time. I think that is a pretty good argument to do the chain link over the vinyl. If you have any questions for me I would be happy to try and answer them.

Lee Young: are there any questions for the applicant? **C/Gealy:** I have no questions. **C/Damron:** I have a question, you said your client didn't know what the criteria was for the fence. **Kirsti Grabow:** Well he didn't realize that the fencing had been approved to be vinyl at design review before, and so he thought he could make the decision in the field to change the style, and because he had seen the chain link with the slats around town, in fact I believe the city uses it around several of their pump stations, and so he didn't realize it wasn't an allowed screening method for trash enclosures. So that is why he made the decision in the field, and then troy said actually your specs that went through design review said vinyl, and so we realized we had a problem.

C/Damron: Okay. **C/Young:** Anything else for the applicant at this time? Okay thanks. We will have Troy come on up. **Troy Behunin:** Good evening commissioners, Troy Behunin, Planner III, Kuna Planning and Zoning Department. I really don't know what else I can say, staff really went through the code book to find out if there was something that would prevent this request from even being considered, or if it fell in line with everything. You will notice that in your staff report staff did point out that there are a few places in code that talk about what types of materials we would like to see for screening methods. In fact, the design review guideline book that is available for all of our applicants, I believe it is page 18, shows pictures of types of desirable screening methods. However, the design review guide book it is not part of code, it is more of this is what we would like to see. I hate to say that this is only I suggestion, I would like to say that this is more than that. We have a lot of other commercial projects that do have the cinder block or they have another method that is not chain-link, or it is not vinyl. However, for this project it was difficult for staff to find anything that says thou shall not do this. Now if this was another application then, it might warrant it, but staff has nothing in terms of thou shall not. **C/Young:** Any questions for Troy at this time? **C/Hennis:** I thought we had a specific code ordinance that said what to use or at least what not to use. But chain link is not advised against or how does that read? **Troy Behunin:** There is a code that talks about the type of fencing that goes around the perimeters of subdivisions or maybe divides up phases, but that is a perimeter fence application, this is a screening application. **C/Hennis:** Well I thought we had a code that was specifically addressing trash enclosures, because I know it had to be durable material. **Troy Behunin:** I could not find anything. **C/Hennis:** We don't have one? **Troy Behunin:** We do have something that says how they need to be constructed in terms of placement, and size and things like that and that the J&M sanitation group should have review over them. I don't recall why we didn't get J&M comments on this application from 2014 but... **C/Hennis:** If I remember right, they kind of advise against vinyl in the past haven't they? **C/Young:** Yeah, in fact in our previous hearing for this one specifically, we talked about how flimsy vinyl is. But, we also discussed how the chain link with the slats in a residential condition is not something that we want to see, that it is more industrial like the applicant suggested at our pump stations, but in these residential areas it is not something that we like to see. I remember that the wearability of the vinyl was a topic at the first hearing and there was also a discussion about a CMU for trash enclosures, and the applicant at that time had indicated that they do this in other places and that it is fine and we will just take care of it as a repair thing if it is a vinyl issue, and that is where we ended up with this as far as my recollection of how that hearing went. **C/Hennis:** I mean it doesn't look all that bad and I think as the arborvitaes grow in it is going to block a lot of it. But I think vinyl, knowing the trash guys, doesn't last that long. But, typically like you said, chain link is something that we don't like to see in the subdivisions. **C/Hennis:** And, I think in other C-1 applications where we had housing of this type, we have pushed for more of the durable CMU. For me, and it

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is just my thought, I know these are in place and it's not something that we wanted, because I know we talked about that previously, but I don't know about tearing out something that is there, but I think anything going forward should be CMU in lieu of the chain link knowing that in the past we have said we don't want this and we have forced others to do the CMU. **C/Gealy:** Is CMU the blocks? **C/Young:** The concrete block, yeah. We have had them do a split face, that kind of has a textured face to it, and it would come in a colored block that would be a warm color that blends in with the rest of the subdivision. That is my thought anyway. **C/Gealy:** When they do that, what do they do for a gate? **C/Young:** In the past we have had them do something similar to a metal decking material. It is not corrugated metal, but it is more of a metal gate, it is more heavy duty and they have cane bolts that keep them in place. They are durable and they are used in everything from this application in a residential area to commercial uses in strip centers. They wear well, they look good and they don't have any of the issues that vinyl does. Once the strips dry out and crack away, you are just left with chain link. **C/Hennis:** Would the applicant please come on up. Would you be opposed to doing the remaining ones out of CMU like we are indicating. **Kirsti Grabow:** You know I think at the end of the day if that is what it comes down to, I think they would comply, I think they kind of need to right? Their argument against it, is that they feel that it becomes a safety hazard, because you can't see through the metal, and it becomes a place where kids could hide out and get into trouble because you can't see through the cinderblock at all. The perk of the chain link is while it provides screening, you can actually see through it a little bit and it provides an extra level of public safety. That would be there argument against it in addition to the fact that continuity throughout this apartment complex. You have six so far that are this chain link with the slats, they would like would like to finish it out with chain link and slats. **C/Hennis:** Okay, thank you. **C/Young:** I am just fearful of setting a precedent as well of something that we don't like to see. **C/Hennis:** Yeah, but having half of them one way and half of them another way is just as bad in my eyes at that point. We could just have them add additional landscape screening. I am not necessarily against the vinyl and just carrying it through, but it is just a cheap way out at that point. Safety I can kind of see, but being it also if it is controlled by an HOA, it has to be in good care. If the slats break they have to repaired or replaced, etc. **C/Damron:** I mean if we had vinyl required before they can always go up. I don't know material prices or anything if this is a direct ***Inaudible*** or if it is less money, I can understand the durability of vinyl, I would say go something with even a better structure if they are worried about breaking it or banging it into stuff. If some of these start getting bent and the gates don't get repaired they look horrible. **C/Hennis:** But again, still it is going to be required by the covenant, whoever is controlling this that that would have to be maintained. Visibility is an interesting though to. **C/Young:** Yeah, but at the same time we got the same type of enclosures at some of the schools and in commercial areas and back areas. **C/Hennis:** Well it is the same type as the chain link. **C/Young:** Well I guess some of the commercial areas have the CMU and I don't know if there has been an issue with them. **C/Damron:** Do we know how many more of these trash units are going in? **C/Hennis:** I think she said six. **C/Damron:** Six more? **C/Young:** Are the six that are installed are they all at the one end of the parcel. **Troy Behunin:** The six that are existing are in the south half of the project. The north half remains. The entire project is actually paved with curb, gutter sidewalk and street lights and most of the parking lots are paved. But, the six remaining trash enclosure sites have either been paved around or are open still. **C/Young:** So, no concrete has been poured for them yet. **Troy Behunin:** I am unaware of any concrete being poured for anything. **C/Damron:** Are these trash enclosures invisible or visible from the road? **Troy Behunin:** From Madderlake, the one that runs through the project? **C/Damron:** Actually, the one that runs to the subdivision to the west of it? **Troy Behunin:** One of them, the existing ones is viewable somewhat from Deer Flat road, but it does have a hill between the roadway and the trash enclosure and then there is landscaping up against it. The remaining trash enclosures, most of them I believe are at the end of the parking lot. **C/Young:** So, Crenshaw, that goes into the next subdivision along there, there would be others viewable from Crenshaw as we are going through. Like right out here, it is almost on the side walk. **Troy Behunin:** I believe there might be a total of three that could be viewable, however there is an existing 6-foot,

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solid vinyl fence already along the north portion of this project. So, from the road way, unless you are in a lifted truck, or a delivery truck no one will ever see them. Like I said most of the trash enclosures are at the other end of these parking lot pods. Madderlake runs north and south through the middle of the project and then at the northern end connects into Crenshaw. You will see that most of these pods, four buildings share a parking lot and the trash enclosures are at the end of those parking lots. **C/Young:** I am still in the mind that given the south end of that is developed and the north isn't, I almost think we should go CMU, that is my thought anyway, on the remaining half. **C/Hennis:** I like the idea of going to the CMU, but I just don't know if I like the discontinuity. I don't like the look of chain link, but being able to see in it is one thing. **C/Gealy:** I guess at this point my opinion is that they finish it out with what they started with and not change in the middle, but I would also like to ask staff to meet with J&M and determine a suitable material for these trash enclosures that is acceptable for them, so that going forward we can avoid this. **Troy Behunin:** Commissioner Gealy I can tell you that staff has conferenced with Chad Gordon of J&M and their preference is for durability and esthetics really plays no part in theirs. So, that is not in any of their considerations. But, in order of preference there first choice would be the most durable which is steel gates with CMU Block, they are both very durable both in terms of wear and tear and weather and they last the longest but, it would go CMU, then chain link and then the vinyl. When I talked to Chad about this he said they would be replacing those vinyl fences within a short period of time. Not just from the abuse of trash enclosure, but of people. But, perhaps we need to shore up the trash enclosure code and revisit that in terms of acceptable uses of material. **C/Gealy:** I think so, I would like us to look at what other communities do, trash enclosures aren't a new thing and how they balance the esthetics with the safety and the durability. But, as I have said, I am inclined to say finish what you have started, but let's fix it for the future. I am not inclined to say let's change in the middle of this. I am waffling a little bit because it is a multi-family development it is a commercial development, it is in a C-1 Zone. The application of the chain link is not uncharacteristic in this commercial application from what I understand. But, I would like for us to be able to address it deliberately and intentionally in the future. **C/Young:** I can see both side you know, finishing it out. I don't want to set a precedent where somebody can come back and say whoops. But, I think I agree that there is some consistency I think we need to have. So, I guess in this one instance I wouldn't be opposed to finishing this out, but as far as other jurisdiction and agencies that I work with, CMU is the only one they will use period. You don't have a choice to go another direction. Our intent with what we talked about previously was specifically so we can avoid this situation, and chain link is not something that we want, even though it is a C-1 in a residential condition, we don't want it, and we haven't wanted it and we don't want it going forward. But, I think we have maybe painted our self in a corner in this instance. **C/Gealy:** This is beyond the scope of the application maybe, but I wondered about some of the other applications we have seen and approved without really considering the materials that the trash enclosures are made up of. We have seen a lot of multifamily development come through here. **C/Young:** I think every one of them had CMU, because after this one came through I was kicking myself for not speaking up more about the vinyl that was there. **Troy Behunin:** That is correct, Chairman Young, that is what has happened with the other three that has been proposed. And it specifically calls out CMU. **C/Hennis:** Well if we allow this variance, do we want to have the applicant provide a little more landscape screening? **C/Gealy:** I think that is a great idea. **C/Young:** I think so. **C/Hennis:** I think that is at least a happy medium. **C/Young:** I mean they have definitely saved cost with the chain link versus other applications so, maybe something that is something they can work with staff on in terms of the density. **C/Hennis:** I think that is kind of fair, that way it fills in so it's not too terribly visible.

Commissioner Hennis motions to approve the modification of 14-04-DR (Design Review) for Crimson Point Villas for the trash enclosure with the conditions as outlined in the staff report, and with the condition that the applicant work with staff to provide additional landscape screening around all 12 existing (6) and future (6) trash enclosures; Commissioner Damron Seconds, all aye and motion carried 4-0.

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3. PUBLIC HEARING

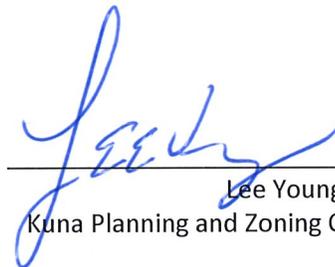
- a) **17-06-AN (Annex), 17-08-S (Pre-Plat), and 17-18-DR (Design Review);** A request from Steve Arnold (A-Team Land Consultants) representing Yuji Matsuyama (Owner) to annex approximately 15.82 acres into Kuna City with an R-4, residential zone, and to subdivide the property into 42 single family residential lots and 4 common lots and have reserved the name Wapiti Creek Subdivision. A Design Review application for the common areas and buffer landscaping accompanies this application. The site is located at the north-east corner of Ten Mile and Ardell Roads, the site address is 2480 S. Ten Mile Rd., Kuna, Idaho, In Section 14, T 2N, R 1W, APN #: S1314244345.
- Staff requests this item be tabled to the regular Planning & Zoning Commission meeting on November 14, 2017

Commissioner Hennis Motions to approve 17-06-AN, 17-08-S and 17-18-DR until the next regularly scheduled planning and zoning meeting on November 18, 2017; Commissioner Gealy Seconds, all aye and motion carried 4-0.

4. COMMISSION DISCUSSION AND REPORTS

5. ADJOURNMENT

Commissioner Gealy motions to adjourn; Commissioner Damron 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