



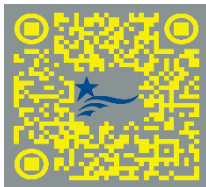
PLANNING AND ZONING COMMISSION

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, August 06, 2020 at 6:00 PM

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Agenda

Scan the QR Code to sign up in advance to provide testimony.



Public Hearings for land use applications follow this process: Once the hearing is opened, City Staff presents their analysis of the application. Next, the applicant is allowed up to 15 minutes to present their application. Following any Commissioner questions, members of the public are allowed up to 3 minutes each to address Commissioners regarding the application. If a person is representing a Homeowner's Association, they may be allowed to speak up to 10 minutes, provided those they are representing are yielding their time. After all public testimony, the applicant is allowed an additional 10 minutes to respond to comments. Commissioners may ask additional questions, and then the public hearing is closed. Once the hearing is closed, no further testimony will be heard.

VIRTUAL MEETING INSTRUCTIONS

Limited seating is available at City Hall. Consider joining the meeting virtually:

<https://us02web.zoom.us/j/88279972235>

To call in: 1-669-900-6833

Webinar ID: 882 7997 2235

ROLL-CALL ATTENDANCE

- Lisa Holland Patricia Pitzer Andrew Seal
- Nick Grove Rhonda McCarvel Bill Cassinelli
- Ryan Fitzgerald, Chairperson

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of July 9, 2020 Planning and Zoning Commission Meeting](#)
2. [Approve Minutes of July 16, 2020 Planning and Zoning Commission Meeting](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

- 3. **Public Hearing Continued from June 18, 2020 for Gateway at 10 Mile (H-2020-0046) by GFI - Meridian Investments III, LLC, Located at the Northeast Corner of N. Ten Mile Rd. and W. Franklin Rd.**

Applicant is Requesting Continuance

A. Request: Annexation and Zoning of approximately 41.28 acres of land from RUT in Ada County to the C-G (26.54 acres) and R-40 (14.74) zoning districts to accommodate the future construction of a mixed-use commercial and high-density residential development.

- 4. **Public Hearing for Pura Vida Ridge Ranch (H-2020-0064) by Jay Gibbons, South Beck & Baird, Located 3727 E. Lake Hazel Rd.**

Applicant is Requesting Continuance

A. Request: Annexation of 26.34 acres of land with R-8 (6.64 acres) and R-15 (19.69 acres) zoning districts.

B. Request: A Preliminary Plat consisting of 157 buildable lots and 35 common lots on 26.34 acres of land in the R-8 and R-15 zoning districts.

C. Request: A Planned Unit Development with a request for a deviation from the dimensional standards listed in UDC Table 11-2A-7 to allow reduced building setbacks in the R-15 zoning district.

- 5. **Public Hearing for Pearson Subdivision (H-2020-0075) by Melanie Pearson, Located at 175 W. Paint Horse Ln.**

Application Requires Continuance

A. Request: A Combined Preliminary and Final Plat consisting of 2 building lots on 3.98 acres of land in the R-4 zoning district.

- 6. **Public Hearing for Rock & Armor Fitness (H-2020-0076) by Matt Garner with Architecture Northwest, Located at 1649 and 1703 E. Pine Ave.**

A. Request: A Conditional Use Permit for a 19,162 square foot fitness and training center on 1.8 acres of land in the I-L zoning district.

- 7. **Public Hearing for 1625 E. Bentley Drive (H-2020-0078) by Clint Hansen of Land Solutions, Located at 1625 E. Bentley Dr.**

A. Request: Annexation of 1.03 acres of land with the C-C zoning district.

- 8. **Public Hearing for Jocelyn Park Subdivision (H-2020-0067) by Bonnie Layton, Located on the South Side of W. Victory Rd., Approximately ¼ Mile West of S. Meridian Rd.**

A. Request: A Preliminary Plat consisting of 67 single-family residential lots and 7 common lots in an existing R-8 zoning district.

9. **Public Hearing for TM Center (H-2020-0074) by SCS Brighton, et al., Located East of S. Ten Mile Rd. and South of W. Franklin Rd.**

A. Request: A Preliminary Plat consisting of 83 buildable lots and 2 common lots on 132.42 acres of land in the R-40, TN-C, C-C and C-G zoning districts.

ADJOURNMENT

Meridian Planning and Zoning Meeting

July 9, 2020.

Meeting of the Meridian Planning and Zoning Commission of July 9, 2020, was called to order at 6:01 p.m. by Chairman Ryan Fitzgerald.

Members Present: Chairman Ryan Fitzgerald, Commissioner Lisa Holland, Commissioner Andrew Seal, Commissioner Rhonda McCarvel, Commissioner Nick Grove and Commissioner Patricia Pitzer.

Members Absent: Commissioner Bill Cassinelli.

Others Present: Chris Johnson, Adrienne Weatherly, Andrea Pogue, Bill Parsons, Sonya Allen, Joe Dodson, Alan Tiefenbach and Dean Willis.

Item 1: Roll-call Attendance

- | | |
|--|---|
| <input checked="" type="checkbox"/> Lisa Holland | <input checked="" type="checkbox"/> Rhonda McCarvel |
| <input checked="" type="checkbox"/> Andrew Seal | <input checked="" type="checkbox"/> Nick Grove |
| <input checked="" type="checkbox"/> Patricia Pitzer | <input type="checkbox"/> Bill Cassinelli |
| <input checked="" type="checkbox"/> Ryan Fitzgerald - Chairman | |

Fitzgerald: Okay. At this time I would like to call to order the regularly scheduled Planning and Zoning meeting for the date of July 9th and let's start with a roll call.

Item 2: Adoption of Agenda

Fitzgerald: Thanks, Madam Clerk. The first item on the agenda is the adoption of the agenda. Unfortunately for our time frame this evening we don't have anything that's changing, so if we could have a motion to adopt the agenda as presented this evening.

Seal: So moved.

McCarvel: So moved. Second.

Fitzgerald: I have a motion and multiple seconds. All those in favor of approving tonight's agenda as presented signify by saying aye. Opposed same. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Item 3: Consent Agenda [Action Item]

Fitzgerald: The next item on the agenda is the Consent Agenda. We don't have anything on the Consent Agenda tonight, so we are going to skip over that.

Fitzgerald: We will move on to -- kind of let me walk through how we are going to do this. We have kind of a quasi in-person -- Mr. Seal being a champ in -- in person at the chambers headquarters, along with our staff. But on your screen you will see the rest of the Commissioners who are present for this evening's meeting. Also on the call or present are the city attorney and city clerk, staff, as well as our Planning staff. Everyone else that is online is either going to be on Zoom. We may have some-in person attendees who will be in chambers. So, you may have observe the meeting and you can see that we are here both online and in person. During the public testimony portion of the meeting you will be unmuted if you are on Zoom. If you have previously sent in a presentation that staff will help work to make sure that that presentation is running for your discussion. The Clerk can also assist you with bringing up slides if you are on Zoom. So, just let them know. If you are simply watching from home tonight we would ask that you use the city's YouTube channel, which is -- you can access that at meridiacity.org/live and you can do that. If you are in person, obviously, we will go through the normal process. When public testimony is open the Clerk will call the names of those who have signed up to testify. If you are on Zoom you will be unmuted. If you are in person you can go up to the dais and be heard. I will call on you individually. Please state your name and your address for the record and you will have three minutes to present to the Commission. After that time we may ask questions for clarification and, then, once we do so, if you are done, you can sit down in public or you will be muted and, then, moved into the participant -- or the non-participants if you are on zoom. Once all those that sign up in advance are called on, we will do one more check-in to make sure we have heard from everyone and, then, we will close the public -- public meeting and we can hopefully deliberate and make a recommendation to City Council. We do have a couple that may have -- of applications tonight that may have some input from an HOA. If you do signify you are from an HOA and representing a group of people you will have ten minutes to testify and we will make that determination at that time. So, any questions before moving forward? Madam Clerk, are we ready to go? Everything is squared away?

Weatherly: Yes, Mr. Chair, we are ready.

Item 4: Action Items

A. Public Hearing Continued from May 21, 2020, for Modern Craftsman at Black Cat (H-2020-0022) by Baron Black Cat, LLC, Located in the northeast corner of N. Black Cat Rd. and W. Chinden Blvd. (SH 20/26)

1. Request: Rezone of a total of 21.59 acres of land for the purpose of reducing the C-C zone from approximately 7 acres to 0.74 acres and increase the R-15 zone from approximately 15.1 acres to 20.85 acres; and,
2. Request: A Short Plat consisting of 2 building lots and 2 common lots on 21.59 acres of land in the C-C and R-15 zoning districts; and,

3. Request: A Conditional Use Permit for a multi-family development consisting of 195 residential units on 20.13 acres in the R -15 zone; and,
4. Request: A Modification to the Existing Development Agreements (Inst. # s: 106151218; 107025555; 110059432; and 114054272) for the purpose of removing the subject property from the boundaries and terms of previous agreements and enter into a new one, consistent with the proposed development plan

Fitzgerald: Okay. Let's move to our first item on our agenda, which is the public hearing, which was continued from May 21st for Modern Craftsman at Black Cat, File Number H-2020-0022, and let's start with the staff report. Joe, are you with us?

Dodson: Yes, sir. Thank you. Can you guys all hear me all right?

Fitzgerald: Yep.

Dodson: Okay. I know we have had audio issues, so just wanted to make sure we are good. This is a long one, so bear with me. The application before you is a request for rezone, short plat, development agreement modification, conditional use permit and private streets. The private street application is a director level administrative review and is not specifically being voted on tonight. However, the -- any motion will include all of the applications. In addition -- my apologies. The subject site -- apologize. Just bear with me, Commissioners.

Fitzgerald: Joe, while you are doing that, Commissioners, I need to disclose something to the Commission while he is -- Joe is getting squared away. I live in Spurwing and I feel like I can be fair and balanced on this application, but I will leave that to the Commission to determine if you would like me to recuse myself during this -- or do we have a quorum without me and I can just run the meeting and let you guys deliberate, but if you don't have a concern with me standing in for this application --

Holland: I don't see any concerns. I appreciate you disclosing.

Seal: I was going to say something, too. My mother-in-law lives in Spurwing as well, but she doesn't really like me, so I think we are good.

Fitzgerald: Thanks, Commissioner Seal. Appreciate that. Joe, are you ready, sir, to continue?

Dodson: Mr. Chair, we are joining the Zoom meeting. That was something we missed on the front end, so we will get that going and I will restart.

Fitzgerald: Okay. Perfect. Commissioners, did everybody get a copy of the outline for tonight's meeting in the mail or in front of you if you were at the office? Someday this is all going to be easier and we are going to be able to hang out together again. Oh, we can see what you are working on. I like it.

Dodson: Perfect. Okay. Now we are all good to go. Thank you, everybody, for being patient. So, again, Item No. 4-A before you is Modern Craftsman at Black Cat, H-2020-0022. The application before you is a request for a rezone, short plat, development agreement modification, conditional use permit and private streets. The subject site consists of approximately 23 acres of land, currently zoned C-C and R-15. The requested rezone is to simply move the boundaries of the existing zoning, but not to change the zoning designations. The future land use designation on this property is mixed use community, which generally requires three distinct land uses and any residential use to be constructed at six to 15 dwelling units per acre. Modern Craftsman is proposed with a gross density of 8.7 DU per acre, which is easily within that range. When analyzing projects within the mixed use community future land use designation, the approved and/or developed land uses nearby must also be taken into account. The proposed project offers an area of commercial zoning that should accommodate multiple future uses. The commercial area is proposed of two building sites that have multiple suites, so there is potential that multiple distinct land uses will be available on site. Staff has also taken into account adjacent land uses in nearby development. Directly to the east of the site is the future Rock Harbor Church site, a different use than proposed with this project. Within a half mile to the west and off of Chinden Boulevard, a mixed use project, Central Valley Plaza and the Pollard Subdivision, is approved and will offer multiple additional uses and employment opportunities that maybe these future residences could use. Within a half mile to the east the new Costco building has been approved and is in the process of receiving building permit approval and directly across North Black Cat to the west more commercial development is proposed within the Fairbourne Subdivision. Therefore, staff finds that the -- that there is adequate commercial proposed with this site and adjacent properties to satisfy the mixed use requirements. Access for this development is proposed via private streets off of North Black Cat Road and West Tree Crest Way, which is the street abutting the north of the property. The two proposed access points to Black Cat Road have been approved by ACHD, but typically access to Black Cat, an arterial, or collector in this sense -- in this instance, is limited by the city. The applicant may request from City Council to keep the two access points as proposed in accord with UDC 11-3A-3. The applicant is also proposing an access in the northeast corner of the property that connects to a shared driveway with the Rock Harbor Church site. Private streets are propose throughout the development with two running east-west and two running north-south. Three running north-south. Access via Chinden Boulevard is prohibited and is not proposed. Due to the nature of the proposed use staff believes private streets are appropriate in this development. The proposed private streets appear to meet all UDC requirements, except for the requirement that they be on their own common lot or within an easement. Staff has recommended a condition of approval to revise the plat and correct this. Other than future commercial and proposed -- the proposed use on this site is multi-family residential. However, it is not traditional garden style apartment buildings, it is a hybrid of single family style homes within a multi-family development, which by

definition is multiple buildings on one building lot. The proposed units are a majority of single story, one, two and three bedroom detached units, without garages. The applicant is proposing traditional apartment style parking, but some units do have attached one car garages. Townhomes are also proposed along the perimeter of the site on the west side and the east side and all of these units have attached garages on their first floor. Largely the proposed residential units in this development look like detached single family homes, but have on-street parking and less private open space than a standard 4,000 or 8,000 square foot lot. Off-street parking is required to be proposed -- or sorry. Is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit. A submitted and revised plan and conditional use plan shows 497 spaces for the entire development. Four hundred and thirty-six are proposed for the residents, 28 reserved for the clubhouse and the remaining 33 for the proposed commercial. Of the 436 for the residential, 179 are uncovered, 134 are covered carports and the remaining 123 our garage spaces. The minimum amount of parking required for the multi-family portion of this development is 360 spaces, with 196 of those required to be covered. Therefore, the proposed parking counts exceed the minimum UDC requirements. The commercial areas proposed in the southwest corner of the site is shown as approximately 12,800 square feet that would -- that is to be spread across two building pads. The smaller pad, approximately 2,000 square feet, shares a plaza with the tot lot and open space near the west central portion of the site. For commercial uses the parking requirement is one space for every 500 square feet and the proposed commercial area would require a minimum of 26 spaces. The applicant has proposed 33 for the commercial area, exceeding the minimum amount. A portion -- a portion of the proposed parking directly abuts the street -- the private street on the southern end of the site and those utilizing the commercial parking would have to back out or back into or drive directly onto the private street in order to exit those spaces. This is not specifically prohibited by code, but is far from ideal. Staff believes this type of parking setup may cause additional accidents and, therefore, recommends a redesign of the parking for proposed -- for the proposed commercial area. This redesign should minimally include a five foot wide landscape Island along the edge of this proposed parking area to eliminate this conflict and the applicant should still provide the required number of parking stalls based on the gross floor area of the commercial area. Here is a blow up of the commercial area in the southwest corner. Hopefully you guys can see that a little better. Open space requirements for this project are two tiered. The project must meet the general ten percent open space requirement and the common and private open space requirements in the specific use standards for multi-family development. Based on the proposed plat area, which is 21.59 acres, a minimum of 2.16 acres of qualified open space should be provided to satisfy the ten percent requirement. Based on the size of the residential units, 55,000 additional square feet or 1.26 acres of additional qualifying open space should be provided to satisfy the specific use standards. In total, the minimum amount of common open space to be provided should be 3.42 acres. The applicant has proposed a total of 3.78 acres of qualified open space, of which 2.36 acres qualifies for the minimum ten percent requirement and amounts to approximately 10.9 percent. The remaining 1.42 acres of open space meets the requirements of the specific use standards -- or I should say exceeds them by approximately 10,000 square feet. In addition to the common open space, the applicant is proposing vastly more private open

space than is required by the specific use standards. The specific use standards require at least 80 square feet of private usable open space per unit. The applicant is proposing on average 419 square feet of private usable open space per unit, exceeding the UDC minimum requirements. The applicant and staff worked closely and diligently to design the open space in such a way to integrate the commercial with the residential as required in the mixed use community policies and goals. This integration and the proposed use allows for increased pedestrian connectivity. The open space meeting the requirements in 11-3G consists of a ten foot multi-use pathway within the Chinden Boulevard landscape buffer, common lots of open space areas and required street buffers along adjacent roadways. The area satisfying the specific use standard requirements -- I apologize. consists of MEWs between unit blocks, including a long vista that connects the east side of the development with the west side of the site and connects to the clubhouse and tot lot and plaza area shared between the commercial units and the residential. Some end cap landscape areas are also included in this and smaller areas of open space that meet the minimum 20 by 20 dimensions. All in all staff finds the proposed common and private open space as sufficient for a project of this size and the proposed use. There are a number of amenities proposed within this development. The multi-use pathway is the qualifying site amenity that meets the requirements in 11-3G-3. The following amenities are proposed to meet the specific use standard requirements. A clubhouse with offices for rent by the residents. A tot lot. A swimming pool. Picnic shelters with barbecue areas. A plaza. And a community garden. There is also a proposed dog park area seen on the open space exhibit in the northwest corner of the site, but it is not a qualifying site amenity due to it not meeting UDC requirements as such. In addition, the applicant is proposing 102 self storage lockers, each one being 12 square feet, spread throughout each of the garage buildings, so that residents may store small amounts of personal items on site and near their units. This is also not a qualifying amenity, but staff finds that these will likely be very much used. The applicant has submitted a concurrent design and re-application for the submitted elevations and staff finds the submitted architecture of the residential portion of the development complies with the architectural standards manual, except for those elevations for the proposed townhome style units. To ensure compliance with the ASM, the applicant should create differentiation between some of the six-plex townhome buildings through different architectural designs and color palettes. Staff has recommended a condition of approval to correct this. Commercial elevations were not proposed -- were not submitted with this application, but future buildings should incorporate similar architectural features to ensure a cohesive design as envisioned by the Comprehensive Plan and the architectural standards manual. A separate design and re-application will be required for the commercial portion of the development. The city has received a number of written testimony for this application. There was at least 30, so I am not going to speak specifically to each one, but generally the main points of discussion throughout the written testimony were the following points: That the project was too dense. There is minimal open space, so the residents will flock to nearby subdivisions. There was a request to make the site more like Spurwing development to the northeast. Issues with school enrollment and capacities. And some offered the option of nearby residents would prefer a 55 and up gated community or more upscale retail space. To discuss a few of these, this development is in the future land use designation a mixed use designation, so it cannot be specifically like Spurwing. It will never be able to meet those

types of densities, unfortunately. It's just the way it goes with the Comprehensive Plan. If it were to be a gated community there would be significantly less units because of our UDC requirements with gates. I just wanted to make Commission aware of that. And as always school enrollment and capacities are definitely an issue. We understand this. Overall staff recommends approval of the requested applications with the DA provisions and the conditions of approval contained within the staff report. And I will stand for questions, Commissioners. Thank you.

Fitzgerald: Thanks, Joe. Questions for staff? Commissioner Holland, go right ahead, ma'am.

Holland: Oh. Actually, I didn't mean to unmute. I was just turning my camera back on. I don't have any questions right now.

Fitzgerald: Okay. Any questions for Joe?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go right ahead.

Seal: Just a quick question on the -- where they want to make the commercial property smaller, do you have a -- a map of that? I know there is one in here somewhere, but I can't locate it.

Dodson: Within the staff report I do, yes. Roughly it's being reduced from about seven acres to a little under two acres of the commercial zoning and, then, the R-15 is growing to take over the rest of that to the north of the southwest corner.

Seal: Okay. Thank you.

Dodson: Yes, sir.

Fitzgerald: Any additional questions at this time? Do we have the applicant in the building or on Zoom?

Weatherly: Mr. Chair, we are getting the applicant set up in the room. One moment, please.

Fitzgerald: Okay. Thanks, ma'am.

Riggs: Chairman, Commissioner -- Commissioners, this is Matthew Riggs with Baron Properties. 1401 17th Street out of Denver, Colorado. I'm representing Modern Craftsman at Black Cat. With me is Liz Schloss, who will also be speaking to some points here. Would like to start with a brief introduction of who Baron Properties is. My father Jeff Riggs founded our firm in 1983. We have been in the multi-family and apartment space over the last 37 years, having owned, operated and developed over 125 apartment

communities in the Mountain West. Meridian is a place that we are looking to grow our platform. We own one 220 unit multi-family community in town already, so this will be our first ground up development that we are proposing. Let me start with kind of what our objective was when we set out for this site some year and a half ago. We studied Meridian and the surrounding land uses and what we saw was, you know, the demand for a unique, highly innovative residential product and our team, in collaboration with local engineers, architects, general contractors, consultants, counsel and staff, have worked at length at coming to what is before you today we are excited about the product we have put in front of the Commission here this evening. We are proud of the work we have done with staff. We have held two neighborhood meetings, one in January, the other June 30th, about ten days ago, working with neighboring HOAs and look to incorporate much of that commentary and feedback into this proposed site plan. I will begin, I believe, with what will be a fly through rendering of the site and, then, jump into more specifics here.

Dodson: Matt, I will do it for you.

Riggs: Okay. Thanks, Joe. Go ahead and hit play on that if you would. While Joe is teeing that up, you know, I think overall our primary objective in this is to introduce a new element of rental residences into Meridian. Over the years studying the multi-family product and the demand drivers therein, we have identified a few things that we believe improved as -- as demonstrated here and we will get into in more detail in the site plan. Go ahead and hit play if you would. Thanks, Joe.

Dodson: Yes, sir. Sorry about that.

Riggs: So, as noted here, this is our general site plan. The southwest corner is proposed commercial, whereas the rest of the property is proposed as townhomes, duplexes and two and three bedroom single story, standalone residences. This is the northern entrance on Black Cat entering into the project. We did gain and pull a lot of inspiration from neighboring projects, including our neighbors to the -- to the north and further to the west. This is the north -- the northern -- northwest corner of the -- of the -- of the site. This is a large dog park and open space area. As you can see townhome and single family units abut it with nice -- nice space there. This is our clubhouse, on-site leasing office, a best in class fitness center. Parcel pending lockers. A work from home, very high end conference and workstation area. We do have a tot lot, high end pool deck and spa and, then, a large open area for the residents and community to -- to gather. After extensive conversation with our neighbors and staff, we have chosen to propose -- well, here is the -- here is -- I will get back to that. This is the clubhouse interior. Again, high end, best in class interior clubhouse. That's a community conference area. Kitchen. There is sporadic seating, conference rooms, and areas that we believe will -- will work well with our residents who telecommute, work from home, or just need somewhere outside of their residence where they would like to -- to spend time and congregate. Continuing to work through I believe into what is going to be the fitness center and another -- again, more -- more seating area. This is the fitness center. This is what I was referencing. This is -- this structure here is a pop-up flex space building that we think is ideal for a farmers market, artist studios, you know, all sorts of yoga, exercise -- really anywhere that they

don't need a permanent space. We have seen, you know, restaurants with new concepts like the -- like the setup, trial dates and host dinners for the residences. So, a lot of different areas that -- that that can go. This is a central corridor walkway connecting the open space and amenities on the western side of the project with the east side of the project. Our goal in this overall was to really give the users here choice as it relates to proximity to -- to different amenities. Many of our users we believe will not want to be close to pools and tot lots and, instead, prefer privacy, so we have -- we have balanced the site plan and site amenities accordingly. These here are the townhomes. There is 42 of them on site. Direct access two car garages and two stories of living space. Really nice, private patio space and -- and not too dissimilar to a lot of the high end townhomes that I'm sure many of you have already seen here in town. This is a unique feature of our community. Each one of our single family homes and many of our townhomes will have private outdoor space for the residents. I believe that the code mandates 80 square feet or so of private space. Our average is 420 square feet of private space outside. So, I think, you know, overall that -- that adds, you know, an element that we believe is unique to our -- to our building here. Jumping to the PowerPoint, Joe, if we could, I will jump into the site plan and kind of how we ended up landing on where things are located on the site. If I can control it. There we go. So, as I noted before, 1983 was our founding. We are in nine markets. Currently have seven active development projects underway. We have been working on Modern Craftsman at Black Cat for about 18 months now and during that time -- and especially over the last four or five months we have honed in on this site plan. Beginning in the southwest corner, which is the proposed commercial area, you know, we believe that -- that a commercial element of this is -- is definitely important to, you know, the community and our proposed development. We envision, given what is surrounding the area in terms of other employment and commercial uses, including the medical campus to the west, the new Costco and a number of other elements, that a large scale commercial development is not optimal for this, but, instead, looking for something to more service on the day care, medical office, dentist office, perhaps a high end restaurant and cafe, something along those lines is really what we would look to source a user for and, then, develop the -- the building thereafter. In the eastern part of the commercial area there, as noted on this, you can see a small community garden area that we have proposed. We envision that not only for our residents, but other -- you know, just open to the general public for those that would be interested in a plot of land to garden in. So, we have seen that before in some of our other developments and believe it would be a good buffer between the proposed commercial use and the residences immediately to the east. Moving north from there is the pop-up flex commercial space that I noted. Again, we think this is a great space for the more flex user, yoga, art studio, farmers market and that area opens up to our lawn, our tot lot, and further to the north our clubhouse. So, really, what we have envisioned between the southwest corner commercial area and the flex space into our leasing office and amenity clubhouse is really a nice community congregation area that we believe, you know, will serve not only the needs of our residents, but of the surrounding community. We did after conversations over the last few months add elements of two story townhomes on the west side of the -- of the space -- of the site plan here. You can see two of those buildings proposed, one about mid block and further up to the -- up to the northernmost boundary. In between those are a couple of two and three bedroom single story dwelling units with large private

backyards. As we move further east in the project this is where the -- the density of our single family units is concentrated. We -- we believe that this single family for rent model horizontal apartment, if you will, is unique and highly valuable to -- to what the community needs here. We own a lot of two and three story walk up suburban product and what this offers is a little bit higher end, different living -- living experience than that. The one bedroom units in this product type are duplexes, so they have a shared center wall and they all have private backyards. The two and three bedroom product type are all standalone structures, so nobody living above or below the residents, nobody on either side and, again, private backyards of varying sizes between about 250 square feet up to almost 900 square feet of private outdoor living space. You know, this community overall features -- I think it's seven different floor plans across five building structures and our -- our goal here was to achieve a semi-custom feel. We have each of the residences, you know, under a number of different color palettes and roof lines, so when you drive through this community as demonstrated in the fly throughs, it is not a replication of the same structure over and over and over again, but, instead, we have drawn from our neighbors and high end, you know, single family residences throughout Meridian to pull into -- to what our design standards are here today. On the eastern north side of the site is where the concentration of our townhomes are. Those townhomes abut Rock Harbor Church and, then, complement the townhome development -- the for sale townhome development that's currently under construction north of Rock Harbor. A lot of this is what I just covered, you know, we -- we really were looking towards making resident choice and resident privacy a big -- a big component of this community. We have added the private direct access garages. We have added the private garages, standalone carports and surface parking as a means to park all of the residential and as noted by staff we -- we did add over a hundred self storage lockers, as that was another common theme of -- of a resident need is more storage in these type of dwelling units. These are a couple examples of what we are building here. This is the one bedroom, one bath, duplex model. As you can see it is relatively modern, high end exterior and interior finishes is what we are envisioning there. A couple of different two bedroom options, including the two bedroom with direct access one car garage. The three bedroom two bath surface park and, then, the townhome that we have already talked about, of which there will be 42 of those proposed. Where we drew our inspiration from and where we see the residents is really a couple of different areas. We think that newly forming households, call it Millennials, are going to be a big component of this resident base. This is a type of product type that is great for an early -- an early household, maybe they have young kids, maybe they don't, but they are not quite ready for homeownership and this is a good step over the traditional apartment experience. The other pillar that we have seen really draw to this product type is retirees and baby boomers who are looking to simplify and downside -- downside their house into a more management free call when -- when you -- when you have something of need with on-site management, use the amenities and work from home space as necessary. Both of these require a lot of storage and that private yard space as noted and, then, quickly here, Liz, I know I am running out of time. If you would jump into -- or I will cover it. You know, some of the more, you know, high level community amenities that we are looking for, 24 -- seven day a week management on site. We will plan a valet trash service that picks up the trash from each -- each resident's door step. We have on-site coworking space and conference rooms. We have great outdoor living

space and connectivity as mentioned, multiple sustainability initiatives and -- as it relates to our construction. Lots of shared space for entertaining and congregation and the ever increasing need for online delivery parcels are all highly considered. The apartments are all spacious floor plans with ten foot plus ceilings. Very good light. That's really one of our main focal points. We will have security systems and smart technology in all of the units. High end finishes and, again, ample storage. That kind of wraps up my quick 15 minutes and looking forward to questions and any other detail I can provide to the Commission. Thank you.

Fitzgerald: Matt, we appreciate it. Any questions for the applicant?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go ahead.

Seal: Just real quick. Could you show us again the -- exactly where that pop up is located?

Riggs: Yes. So, it is immediately north of our proposed commercial area, between our clubhouse and the commercial area. So, the pop up is that structure right there.

Seal: Okay. Another quick question. On the response you said you were in agreement with pretty much everything in the staff report, with the exception of 2.9. When I looked that up it has to do with the selection of trees. Is that the one that you were referring to or --

Riggs: No. I believe it had to do with the timing as it relates to some of the horizontal infrastructure that goes in place. I think it's necessary for, you know --

Borton: Matt, you're breaking up a little bit. We can't hear you very well.

Riggs: So, our intent was not to talk through the -- the trees, it was to discuss the street signs that are to be in place. The sanitary sewer and water system shall be approved and activated, roads -- road base approved by ACHD and the final plat for the subdivision to be recorded prior to submitting for building permits. That is what we would push back on. Not be in agreement with.

Dodson: Mr. Chair?

Fitzgerald: Go right ahead.

Dodson: Thank you, Mr. Chair. Commissioner Seal, the -- that is a standard condition for Public Works and the point in there that's the hiccup is the final plat. This is a request for a short plat, so there will not be a final plat, so that condition is -- that portion of the condition is not necessary. They will be able to go to building permit prior to that recording.

Seal: Okay. Thank you for your explanation.

Riggs: And I would add that -- apologies. I would add, Commissioners, that we envision this as a single phase residential development, so we will go in and build the roads and -- and an infrastructure and, then, build the residences from west to east all in one construction time frame if you will. We do envision the commercial as being a future development as soon as we source a user for -- for that area, just to put that on record.

Fitzgerald: Joe, do we need to be specific about that in our recommendations or whatever our direction is?

Dodson: Mr. Chair. No, that shouldn't be necessary. If you strike out the whole condition we will still be able to take care of everything, sir.

Fitzgerald: Okay. Additional questions? Commissioner Holland, did you have questions?

Holland: My question was the same as Commissioner Seal's about the location of the flex space and if that was an addition to the commercial product. I think that that is pretty clear that that's an additional piece.

Fitzgerald: Additional questions? Commissioner McCarvel.

McCarvel: Mr. Chair. Yeah. Could you -- in the staff report -- or in the staff narrative they talked about the parking spaces on -- by the commercial abutting up to the main road and could you talk about what your thoughts are on redesigning those parking spots?

Riggs: Yes. Absolutely. Thank you. So, we are open to redesign those parking spaces. Our -- our concept here that we put out -- we tried not to put a very detailed commercial site plan here, as our expertise is primarily residential, so, you know, we would more than adhere to what staff is recommending and any conditions therein and -- and make sure that the future daycare or whatever it is that goes there meets those standards, including making sure that the parking doesn't need to back up onto that roadway -- that private street there.

McCarvel: Okay. Thank you.

Holland: Mr. Chair?

Fitzgerald: Go right ahead.

Holland: One -- one thing I -- well, first of all, I want to thank you for creating the visual, because I think it's always really helpful when we can kind of visualize exactly what your concept looks like. You have clearly done a lot of work getting ready for this presentation, so we certainly appreciate all that hard work and effort that goes into it. One question I have for you are is all of the units that are going to be along Chinden Road, are those all

the single story kind of units that you were -- you were showing us? And, if so, what's the plan for buffering those from the highway.

Riggs: Thank you. Yes, those are proposed to be single story residences and duplexes there. Our plan is to have a large landscape buffer with the appropriate landscaping thereon. I believe we will have a berm that is -- a berm and a wall -- combination of berm and wall that is -- that's required by code. And we actually -- we like the idea of incorporating some of that berm and wall into the single family homes. In our experience in our tours of Meridian we think that it's pretty unique what the community has relative to the berms, walls, and heavy landscape buffers along all the major roadways, like Chinden, and we think that it actually provides a pretty unique living experience for the residents that will be adjacent to or near that berm. So, that's something we have tried to -- we have talked at length about and believe will be received very well by the user base that will end up at this property.

Holland: I know one -- one recommendation, if I may, Mr. Chair, follow up.

Fitzgerald: Go right ahead.

Holland: One recommendation we have given to some other projects that have been off of Chinden Road, especially if they have residential, would be to increase the amount of the landscaping buffer height, instead of increasing the fencing on top, just to give a little bit extra buffer because it's a very busy highway and I know I have been stuck on that highway many times driving to and from different places. So, it's certainly something that you -- you see a lot of traffic and you can hear a lot of traffic noise and so we want to make sure that it's -- if there are residential behind it we want to make sure they are buffered well.

Riggs: Understood. Uh-huh.

Seal: Mr. Chair?

Holland: That's all for now.

Fitzgerald: Okay.

Seal: Mr. Chair?

Fitzgerald: Yes, Commissioner Seal, go right ahead.

Seal: I just -- a question on the -- the pop up area. Since potentially a business might operate out of there, is there -- more of a question for staff. Is there some -- something we should consider in that as far as a potential business operating out of that, since it's not -- it's not a commercial space?

Dodson: Mr. Chair, Commissioner Seal, it is going to be zoned commercial, so it -- it is a commercial space. So, there won't be any issues. It -- what Mr. Riggs is stating is it's not necessarily intended for more outside commercial, but it could be used by residents within the community, which I thought was a good integration of the commercial with the residential.

Seal: Okay. Thank you.

Dodson: You're welcome.

Riggs: Thank you, Joe. And if I would add to that, I would say it's -- we envision the -- the community residents using this and, then, like I said, I think there could be community involvement. Where it differs from a traditional commercial space I believe would be the duration of use. You know, we don't envision a nail salon setting up a shop in there for a three or five year lease period, but instead shorter duration users that are starting businesses, maybe only need the space part time and don't want to commit to, you know, a year's long lease, something in those effects. I have used the example of a farmers market as another, you know, potential use to set up a farmer stand in there. Obviously, that could be led by our management and/or residents on site, but it could very well be led by, you know, people outside of our community as well. So, it is -- it's a little bit of a nuanced space with the spirit of it being to bring people together and provide a little bit of a different option for individuals and businesses over a traditional, you know, in line retail or commercial space that you will see in other developments around town.

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer, go right ahead.

Pitzer: Thank you. So, maybe I'm -- I thought I knew where this was and now I'm confused again. So, is that pop up area where I'm looking at the map here and I go to the north of this and I see like four little gray pieces in a -- and a green tree, is that the pop up, that right there?

Riggs: Yes. Believe so.

Pitzer: And that's going to be part of the two acre commercial?

Riggs: Yes.

Pitzer: Okay. Thank you. Thank you for that clarification. I appreciate it.

Grove: Mr. Chair? Question. It would be -- we had a lot of public comment and feedback. How -- how have you integrated that feedback from your two sessions into what you have brought in front of us tonight?

Riggs: Thank you. Yes, we did. We have had -- we have, I believe, received over 30 letters from -- primarily the residences to the north of our community, as well as other neighbors and in the two neighborhood meetings that we have -- that we have hosted and talked through our plans for the development with, we believe that we have in essence alleviated a lot of those concerns in that this is single story unique for rent products. We are not proposing three or four story traditional walk-up apartments here, but instead looking for something that will be -- or looking to develop something that will be much more subtle and much more complimentary to the high end residential that abuts our community to the north and eventually to the northwest. We have also integrated and moved our -- our clubhouse and open space from its original location to the proposed location it is today. We have added the pop up concept that we have discussed here. We have added the community garden. We have added more easterly open space and community gathering areas and really aimed, you know, on our amenity packages to be best in class and a fully self contained site. A lot of what we heard from our neighbors was concerns about, you know, overflow into their community and what we have aimed to do here is -- is mitigate those -- those risks and that overflow potential by providing, you know, on-site trails, dog parks, and extensive amenities for our residents to use, so that, in essence, they will not have a need to go northwest or -- northwest or northeast into the abutting single family larger lot areas and, instead, you know, can -- can remain in large part on our site. So, again, we have -- we have worked hard on that. Obviously we can't fulfill every concern, but we have opened up to that discussion and made significant evolutions to our -- to our site plan and our product looking to accommodate, you know, some of those concerns that have been brought up. I would also add that, you know, parking was -- was another concept that we have touched on. I believe that according to code -- I don't know the exact count, but I believe we are -- we are above the parking requirements by 76 spaces on our site. Again, not only looking to alleviate, you know, parking concerns from our neighbors, but also to alleviate any potential for that one off time where things are quite busy on site. Our resident base and the anticipated rental rates that we foresee here are going to be very high touch folks with -- with high expectations of how this site lives and if one of our residents is having a Super Bowl party and doesn't have any areas for three or four friends to come over to park, that would be a major concern for them and -- and in tow us. So, we have looked at those types of elements and looked to design around that with -- with really an aim and a target of finding a tenant base that is renter by choice and that tends to stay in these types of residences for longer than a typical apartment renter would stay in their apartment home. We have seen that through our other communities of -- of similar single story for rent living that we have owned, operated and managed in different markets, albeit this product has taken that to the next level as it relates to quality and -- and some of the other design considerations that we have layered in here, such as the large private backyards and storage areas and high end clubhouse with work from home space.

Fitzgerald: Mr. Grove, do you have follow up there? Thank you for that.

Grove: No. Thank you. Appreciated that.

Fitzgerald: Any additional questions? Well, we will come back to you gentlemen shortly after -- after we take public testimony. So, hang tight and we will be back momentarily.

Riggs: Thank you, Chairman, Commissioners. Thank you.

Dodson: Mr. Chair?

Fitzgerald: Thank you. Bill, go right ahead.

Dodson: Before we go real quick I just wanted to clarify on the condition that we were discussing, 2.9. I think it would be better if we leave the condition and add an additional condition that says that construction can occur prior to plat recording, but all other improvements are still required. We don't want to strike through a condition and possibly run into issues with those improvements not being required in the conditions.

Fitzgerald: Thank you for the clarification, Joe. We appreciate it, sir.

Dodson: Yes, sir.

Fitzgerald: Madam Clerk, do we have folks that would like to testify on this application?

Weatherly: Mr. Chair, we have several people signed in, several of which have indicated a wish to testify. The first of which Mr. Scott Freeman. He is on the phone. Scott, you have the ability to unmute yourself.

Fitzgerald: Scott, welcome. Please state your name and your address for the record. The floor is yours, sir.

Freeman: Mr. Chair, Commissioners, my name is Scott Freeman. Address 4699 West Star Hollow Drive. I'm across Tree Crest directly north of the proposed development. Can you hear me okay?

Fitzgerald: Yes. Sounds good. Go right ahead, sir.

Freeman: How long -- how long do I have? Is it still like two minutes?

Fitzgerald: Three minutes.

Freeman: Oh, excellent. I have got plenty of time. A couple of quick ones and, then, I would like to actually propose a condition for consideration. First one is -- and maybe staff can answer this or maybe a Commissioner can when I'm done. I noticed that at the east end of Tree Crest and on Tree Farm there are no parking signs posted along the street and those postings are not occurring on Tree Crest where we live at Spurwing Heights Subdivision and I don't know if that is going to be designated no parking or not. It certainly should be. That's probably outside your purview and more in the highway district's, but still that's something that ought to be considered and I haven't heard whether

that's addressed or not. Second quick thing. On that commercial lot it seems like it's already been greatly reduced and I -- not that this is important, but I'm actually an architect, designer by trade. Actually used to sit in your seat, Mr. Chair, for several -- several years under -- under Mayor de Weerd.

Fitzgerald: Very good.

Freeman: Yeah. Well, I won't -- I won't comment on whether you enjoy that or not, but, anyway, that lot is already so small that in order to fix that parking it looks to me like it's either going to -- the commercial space is either going to have to expand or the actual square footage of that commercial space is going to be further diminished in order to get that parking in. So, it kind of makes me hesitant to say, hey, we will -- we will fix that parking issue, because I think unless the commercial lot is expanded that's not going to fit and I just don't see it without reducing whatever that footprint is we see even smaller and I would be surprised. The last -- the last thing I want to touch on real quick is just if -- I know there is a lot of opposition to this. I also am opposed. However, recognizing that this very well may be passed, a condition I would propose would be this: In the original iteration of this plan I thought that it was very appropriate and well thought out by the developer that the -- the two story townhomes were actually over on the east side only. It kind of created a natural graduation from the east of their property, which is already -- already two story townhomes, to two story townhomes on the east side of their lot and, then, moving west and north it moved into the more single family, single story kind of thing -- not necessarily single family, but single story. Almost every house along Tree Crest to the north is single story and any two story that's along that north side along Tree Crest is going to essentially look down into all of our properties and it's going to reduce our privacy to some degree. So, as a -- as a proposed condition for discussion anyway, I thought it would be appropriate to limit the townhouse -- townhouse units over to that east border where they already are or internal to the development, because they seem very inappropriately placed along Tree Crest where they effectively will look down into the properties along there. That's all single story, except for the far northwest corner, which is the only two story there. That seems more appropriate to me. So, if it does pass I was disappointed to see two stories being directly across from us in Spurwing Heights, rather than single story and it will reduce our privacy in our backyards. I don't think there is any way around that. I was pleased to see a tot lot. That was one of my written comments, instead of a dog park, a tot lot, and/or playground seemed appropriate. I see that that's there. That's a good thing. And I think that's it. I don't know if you now ask me questions or I'm done and you go onto the next one, but thank you for your consideration and I hope to hear answers on the no parking along Tree Crest and whether that's a possible condition that might be reasonable if it passes.

Fitzgerald: Mr. Freeman, we appreciate it and thank you for your service to the city before. Appreciate that, too.

Freeman: Thank you.

Fitzgerald: We will see if there is any questions. Do we have any questions for Mr. Freeman? Thanks, Scott. Have a great evening. Thanks for being a part today.

Freeman: Thank you. You, too.

Fitzgerald: And we will get you some answers from staff on the no parking signs.

Freeman: Thank you. I will go ahead and mute.

Fitzgerald: Thanks, sir. Madam Clerk, who do we have next, ma'am?

Weatherly: Mr. Chair, next is Joe Warchol. If you want to head over there with Chris, he will help you with the testimony. We can't use the podium tonight due to technical issues. Thank you.

Warchol: All right. Good evening. My name is Joe Warchol. I live at 7045 North Callery Pear in Meridian. And just in case I run out of time, I -- the first thing I would say is that I'm not in favor of the proposed apartment complex. Looking at the entire area kind of like a systems approach, the project is in the middle of a very congested area already, which will only get worse with the new Costco, the megachurch, the townhomes, the New Fairbourne housing projects and our houses that are already there. I won't beat up the project when it comes to traffic. It's already been written up. But the parking seems to be an issue for me and, then, last of all, going into it, apartment complexes in general I have noticed they have access to public transportation and I don't see where that's going to really be helpful. I understand that there has been a number of attempts to, you know, talk about recreation within the project itself. But, you know, I just -- I'm a math person and you have 194 units and you had only two people in there and they all showed up at the pool or they all were taking a walk at similar times, there is not enough room and because of that -- and there is not enough recreation around that development to help out. So, that's some of the concern of -- of the residents of Spurwing that -- that comes into thinking that there is going to be an overflow of residents going in there. The last thing I wanted to say was last year I spent a wonderful ten, 11 months in apartments. They were advertised as high end. They were costly. They are expensive. It's a very transient population. I realize that -- that people doing this project have high expectations for high end people coming in there, but the population in there -- you know, if you are -- if you are going to rely on, for instance, income from Costco, Winco, and small shops and whatever else that's going on there, there is not enough income. Those people make 15 to 18 dollars an hour and if their gross is 2,800 dollars a month, they are not going to be able to afford these apartments. When I lived in these apartments in -- in Meridian, brand new, it was transient, there were plenty of drug deals going on. There were abandoned cars. There were break ins. My car included. There were even people trying to make ends meet, which, you know, I feel for them, but you had two and sometimes three families living in the same apartment. So, you know, overall I think it's a great project. I think that apartments are needed in the community, but I think that the congestion and with all the building going on it's not a good fit. Thank you very much.

Fitzgerald: We appreciate your time tonight. Thank you. Andrea -- or Adrienne, sorry, who else is next?

Weatherly: Mr. Chair, next up is Nancy Everard. Nancy, you have the ability to unmute yourself.

Everard: Hi. Thank you. Can you hear me?

Fitzgerald: Yes, Nancy. Welcome. Please state your name and your address for the record and the floor is yours, ma'am.

Everard: Okay. This is Nancy Everard. My husband Steven and I are residents in Spurwing Heights at 6935 North Exeter Place. Thank you very much for -- first of all, for hearing our concerns and while I appreciate the effort that the developer has made to address some of the concerns, there still are concerns that we have with respect to the City of Meridian's commitment to the smart growth initiative. It's been kind of touched on in some of the previous comments that this area already at this point is quite congested and the different areas of smart growth with a density of a project of this size there are specific things that I would ask be addressed. One is how will the City of Meridian provide an additional four acres of park land for our immediate area? Currently there is no public park or recreation area that is located north of Chinden in our area. A deficit already exists in the commitment of four acres per one thousand residents in Meridian. This development particularly being quite dense would further increase that deficit. So, are there -- I was unable to find online in any of the plans that shows that there is a future public park area that is planned, so if there is could you, please, share that. Second, Meridian, which was also touched on in general, is severely lacking in public transportation. Northwest Meridian is the furthest removed from what little public transportation exists, as well as from the higher density employment areas. How will the city be able to promote alternative forms of transportation by approving the proposed high density apartment complex at this location, particularly when land does exist in other areas that are closer to the I-84 corridor, closer to the higher density employment centers where a high unit rental complex might be more appropriate. Secondly, are there plans -- we are very disconnected here in northwest Meridian to bike paths. We have no service really safe links to the greenbelt or to other ways that would promote alternative means of transportation. So, are there any plans in place that I am unaware of that would solve that -- that concern? Also the opportunity for entry level home ownership is severely lacking in this area. Developing a rental property in absence of those opportunities for smaller square footage homes that are affordable leads to individuals who won't ever be able to buy a home. How can high end rental development meet the need of Meridian's housing opportunities better than a development and the design and idea of the single level units and multi-family is great, but in my mind it being a development that is for purchase for first time home buyers for the young millennials, for the true empty nesters that don't want to downsize to a 2,500 square foot home, that really would like something that is small. But it's something that enables the first time homebuyers, particularly in our rising real estate market, to enter the market. Without an opportunity to do that they will find themselves chasing it and never be able to truly call northwest Meridian home by

having that entry into the market. And the last -- and this is really kind of a bad one, because it was something that particularly when we made the choice to purchase our home looking at the plans for the area we really liked the idea that there was going to be community commercial that was planned both for that seven plus acre area there on Black Cat and Chinden, as well as on the other side of Black Cat adjacent to where the Fairbourne development is going to be. Because we like the idea of having the ability to walk places, have local businesses to have restaurants, a coffee shop, somewhere that we could walk a short distance to -- to enjoy. So, were very disappointed to see that area reduced. Even as it was originally planned, seven plus acres still is not that large. The plans that they would have the commercial integrated into, yeah, it might be great for the development, but I would say that's more development commercial and not really community commercial, because it's just way too small. If that were left as community commercial, combined with the other commercial and the feature that was mentioned in the staff report, that could be done in very level ways to link everything and make it something that expands the area and creates truly a multi use. I kind of feel like the small size --

Fitzgerald: Could you wrap up your comments, please?

Everard: Okay. Just thank you very much. I would like to see the commercial (unintelligible). Thank you very much.

Fitzgerald: Perfect. Thanks, ma'am. Madam Clerk, can you give us our next public testimony person, please. I will remind everybody on the -- online and in person we are trying to stick to our three minute timeline. I know it's kind of awkward. I have a timer in front of me and I know you guys aren't standing in front of a dais where it normally is, so I don't want to cut you off, but try to keep your -- your testimony to that three minute time frame, please.

Weatherly: Thank you, Mr. Chair. Next up is Richard Gilkey. Richard, if you want to meet Chris over there he will help you out.

Gilkey: My name is Richard Gilkey. I live at 4629 West Star Hollow Drive. My property backs up to Tree Crest, so I will be looking out at the project. I am strongly opposed to the project. I am strongly opposed to the retail area being reduced. It will look like a postage stamp, look like kind of sort of out of place. I'm a former builder, home designer. Forty-five years. And a lot of what I see in this project I'm not particularly fond of, but that's a personal thing. My concern is that the postage stamp commercial area -- by the time you put parking in there it's going to be even smaller. I would like to see more of a buffer zone between Tree Crest and the development, mainly since they have added two story units to the west end of the project, because they will be looking into the backyards into our houses, so that's pretty much everything else that's going to be said and what has already been said. There is no sense in duplicating it. So, I thank you for your time.

Fitzgerald: Mr. Gilkey, we really appreciate your candor and -- and your points. So, thank you for being here tonight. Madam Clerk, who is next on the list, ma'am?

Weatherly: Mr. Chair, last signed up is Dave Jacobs.

Jacobs: How are you doing? Dave Jacobs. I live at 6980 North Exeter Place. Simply put, not to reiterate a lot of the things that have already been said, one of the things I would like answered is how many parking spaces are allocated for the development. If you have 195 units, a lot of them being two and three bedrooms, you are going to have a lot of young people living together. Roommates. Not so much families, but roommates. What we all did when we were young. You have 400 parking spaces and also for their guests you have an additional 30 or 40. Because if not they are going to be parking in our neighborhood. On top of that, the postage stamp is -- to use the phrase just used -- or the putting green that the -- the green space has, is that enough for the influx of five to six hundred people, including some families? That doesn't look big enough to be able to facilitate the green area for, you know, five or six hundred new -- new people coming into the neighborhood. Where are they going to go? They are going to go across the street, guys. And, then, finally, is -- there is a white elephant in the room -- literally property value. I have talked to at least a half a dozen realtors that have said if you are in close proximity -- especially within a quarter mile or so, you can expect future loss on equity because of where you are at. So, with that said is the City of Meridian willing to compensate us should we lose future property value. It's hypothetical, but, again, I'm just putting it out there. And that's about it.

Fitzgerald: Mr. Jacobs, we appreciate it. That was the end of our list. Are there additional members of the public who would like to testify on this application, either via Zoom or in the audience tonight? Mr. Seal, you can be my eyes.

Weatherly: If anybody else in the room wishes to testify, please, raise your hand. That goes for the people listening online as well. If you want to use the feature in Zoom to raise your hand. Mr. Chair, no one has raised their hand either in person or on Zoom.

Fitzgerald: Okay.

Weatherly: Excuse me, Mr. Chair. We do have one more.

Fitzgerald: Okay.

Weatherly: If you want to go see Chris he will help you out. Thank you.

Fitzgerald: Thanks, Madam Clerk.

Southam: My name is Lynn Southam. I live at 6408 North Salvia Way. That's in Spurwing Greens. I really don't have any testimony to give, I just simply have a question and it's something that the developer and the city could perhaps address and tell all of us, which is has the developer or the city anytime in the past ever compensated the owners of property for their loss of value as a result of their development and that's the question. Thank you.

Fitzgerald: Thank you, sir. Last chance for additional comments from anyone online or in the hearing room? If not, I will turn it over the applicant to answer some of the questions that have been presented.

Weatherly: Mr. Chair, at this time no one else is indicating a wish to testify.

Fitzgerald: Thanks, Madam Clerk. Mr. Riggs, are you still on with us, sir?

Riggs: Yes, Chairman.

Fitzgerald: Do you want to go ahead and close.

Riggs: Yes. Would love it. And I'm sitting here with Liz Schloss, who is the president of our operations and management division of our -- of our firm. She will speak for the record here as well. I think overall, you know, I would like to emphasize that the proposed development, you know, does meet and exceed the Comprehensive Plan in terms of its use. The seven acres of C-C -- currently zoned C-C ground I believe does permit high density residential within that area and we are looking for this rezone, you know, not to change the use by right, so to speak, but instead upon staff's request as we work through the pre -- pre-development and short plat process. I would also like to add that as it relates to the privacy for the residents immediately to the north, we meet or exceed all of the setback, landscaping buffer and other requirements as it relates to privacy. The vast majority of our dwelling units on the northern side of our community are single story. There will be fencing along the northern boundary and fencing within the private residences. In addition, the west and east end where we are proposing townhomes, those dwelling units are oriented east-west, their patios and livability will be viewed to the east and to the west, not to the north and the south. So, it's natural for the residents in our townhomes to be looking east or looking west, as opposed to looking due north. As it relates to the parking, again, I would like to emphasize that we do meet the Comprehensive Plan and have exceeded all the requirements therein as it relates to the number of spaces. We do not envision a circumstance where overflow parking comes off of our property as, you know, supported by the 76 access spaces that we have proposed here over what is required. I would like to turn it over to Liz here to talk about our resident base and how we see, you know, the -- the demographic and who will actually live here, as well as some more on-site management related items, to address some of the concerns stated. Liz.

Schloss: Good evening. My name is Elizabeth Schloss. 17550 North Perimeter Drive, Scottsdale, Arizona. As Matt stated, I oversee all the operations and the management of Baron Property Services. Excuse me. One of the things that I wanted to highlight on that we have received a lot of comments on and/or concerns regarding the residents, the surrounding residents of the Modern Craftsman, is the management piece of everything and what we have to offer. Baron Properties is a best in class management company. We have been since 1983. I, myself, have been in management for the last 20 years and our on-site teams are extremely qualified as well and have a lot of experience on the overall management perspective of what we have to offer on a daily basis. Mr. Warchol,

he had commented a little bit about -- regarding the transient population that we do have within -- that he has experienced within his community that he lived in prior. I do believe that the management base that we provide as -- at Baron Properties will -- and the specific rental criteria will flush any of that activity out within the community. We also offer courtesy patrol opposite -- excuse me -- courtesy patrol services to help manage the noise, as well as unwelcomed activity after hours. So, just to highlight on that. And, then as it relates to the demographic that we are trying to achieve here -- and we actually have experience with this in our Phoenix portfolio in managing this type of product -- is what Matt has mentioned to the barbell, where we do have the -- it isn't the entry level renter, it is the more established renter that is -- that does have it, you know, they are more established within their career. They are probably wanting -- wanting to start a family. And, then, on the opposite side of that we do have the -- you know, the baby boomer generation, if you will, that is ready to just lock and go. They want to go travel. They don't want any responsibility of a pool or any maintenance within the community or their home. Excuse me. So, we will provide all of those services to the residents that live within our community and I -- we think that that will be an addition and it will be very complimentary to what -- to the surrounding neighborhoods.

Riggs: Thank you, Liz. This is Matthew Riggs again and just to add to that a little bit as it relates to our resident base, I think Mr. Jacobs noted, you know, between five and six hundred people may live at this community. In our portfolio and what we have seen in our history, we anticipate closer to 400, if not under that, as folks living on -- on site to be determined, the demographic of that, but if our Redtail luxury apartments on Meridian Road and Victory are any indication, we believe that upwards of 50 percent of this tenant base will be retired or at least in the later stages of their careers. Redtail has over 25 percent of its resident base today being retired without a permanent job and that is three story walk up product. We believe that this product without the stairs and with the enhanced amenities and private outdoor living spaces will attract a lot of retirees into the community. As it relates to the public transit aspect of this, we emphasized our connectivity to Chinden and our plans and obligations to build the pedestrian pathway along Chinden to the north side there and whatever public transit is available along Chinden Boulevard will be readily accessed by our residents. I believe that's about everything I have to touch on here. Thank you, Commission.

Seal: You are on mute; right?

Fitzgerald: Commissioner Seal, yeah, go right ahead.

Seal: I just had a few follow-ups here. I will just -- I will start with the easy one. As far as the -- since the -- the residences will have private yards, are they responsible for caring for that or is that something that's going to be taken care of?

Schloss: Yes. So, it will be a combination. They will be monitored by the onsite management team, but we will also be going in on a quarterly basis to help maintain those, as they will have small shrubbery. But most of the landscaping back there is rock and turf.

Seal: Okay. So, for the grass areas they will be responsible for trimming that?

Schloss: It's actually artificial turf.

Seal: Oh. Interesting.

Schloss: Yes.

Seal: Okay. That solves that problem. On the -- there is a couple of things before we close down the public comment. In looking at this and the reduction of the commercial part of the property, would you be amenable to basically moving where the clubhouse is and everything to the east and keeping that as commercial? The entire area.

Riggs: To clarify -- this is Matthew Riggs. To clarify moving it to the east adjacent to Black Cat?

Seal: Moving it -- sorry. I meant the west. I have got my directions messed up here. So, moving that -- that area to the west and keeping that -- that area that's being reduced as commercial.

Riggs: Thank you. Matthew again. As we have proposed and designed this, you know, the mixture of uses that we have incorporated between the different residence types, townhomes, duplexes, single family and, then, incorporating, you know, not only the corner commercial space, but also the pop up space, the storage units on site, the work from home space on site, we believe that, you know, we are meeting the intent of the Comprehensive Plan as it relates to multiple commercial uses, so to speak, within our residentially zoned community.

Seal: Okay.

Fitzgerald: Commissioner Seal, do you have follow up? Go right ahead.

Seal: Yeah. I like the idea of the -- the pop up space in there, you know, and understand we have to -- we have to -- we have to take in everything that's being said. So, I mean, essentially, there is a lot of public comment that's in here about the reduction of the commercial space. So, my question was more leaning towards, you know, trying to find harmony in the project and I think that if there were more commercial space that was left in that area, that people would be more amenable to it, simply because it lends itself to being a -- you know, a local coffee spot, a restaurant, a business that they can frequent, basically, and it cuts down on the residential that's -- that's abutting Black Cat Road there. So, that's the reason for my question on that. I do like the pop up and the ability for that. So, you are aware that Boise State does have an SBA incubator program that would probably be really good. Because that's exactly the kind of spaces that they are looking for, for different things like that. So, our community already does have things like that that are available to help grow that as it would be. And, then, if that commercial space

isn't -- isn't going to be -- or where the commercial space is being reduced would you be amenable to keeping everything along that to a single story?

Riggs: Thank you, Commissioner Seal. So, I would like to emphasize the collaboration we have had with staff as it relates to how the commercial lays out and how the commercial integrates into the surrounding community with all of the other commercial uses to the east and west of our -- of our site. That in large part is where we felt it appropriate to -- to reduce the -- the size of purely commercially zoned area and looking at it a little bit more as a whole. I would also like to comment that as it relates to the single story versus two story along Black Cat, in collaboration with staff we landed on a mixture there to not only buffer the community from Black Cat, which will get ever -- ever busier as the community continues to grow, but also we think it gives a good semi-custom mixed use, multiple roofline appearance of the community from the exterior and from off site of the property, which is why we landed on the proposed two townhome -- row home units along the west side there. So, we would -- we would aim to keep the -- the development and the residences as laid out here if possible.

Seal: Thank you.

Dodson: Mr. Chair?

Fitzgerald: Commissioner Holland, go ahead, then, we will go to -- oh, Joe, did you have a comment?

Dodson: I did, yes, sir, regarding this -- since additional commercial has come up. One of the discussions that staff did have with the applicant was, you know, in order to help them keep their unit count was due vertically integrated along the west side, to have retail and commercial on the first floor. I'm not sure if that's an option for anybody, but that is something that has been discussed in the past. Would offer the same type of two story integration and truly mixed use integration.

Holland: Thanks, Joe. And, Mr. Chair, if I may?

Fitzgerald: Go right ahead, ma'am.

Holland: So, my -- my background, as most people on the Commission know, is economic development and so I work with a lot of people who have projects and trying to figure out where commercial makes sense and typically, from my experience, four to five acres is kind of a sweet spot for size of what a commercial project should be, because commercial projects don't like to tend to locate by themselves. If you have a one acre lot it's usually enough for one independent user, if you are going to look at a fast food retail or you are going to look at a coffee shop or you are going to look at a small restaurant. If you are looking at a larger restaurant sometimes they need more space, so they can have enough parking. So, typically, retailers don't want to be by themselves, they want to be in kind of a complex that brings people to the area and certainly you are on a highway and you have got great -- great accessibility and it's a killer spot to try and attract retail services

to, because they have got great visibility and you have got Black Cat close by with the ability to get in and out relatively easy. I was going to bring up the same point that Joe did, that seeing some vertically -- vertically integrated mixed use commercial might help to make it a little bit easier on the concepts or maybe you could kind of have that four to five acres of commercial, but some of it might be first level commercial, where maybe that's where your -- some of your flex spaces are and you have got your -- kind of apartment units above them. Just some thoughts for consideration. But I also know that you have got a great visibility corner with Chinden and rather than seeing big berms and landscaping buffers and fencing there, I would love to see a little bit more kind of a commercial appeal, instead of just this small little window of one commercial building that you have got after you have passed the big brick wall. So, my hope would be that maybe we can have you look at removing some of those units off of Chinden and widen the space that you have got for commercial there and I think that the comment made earlier by one of the gentlemen testifying that to fix the parking really the only way you could do that is either reduce the amount of commercial building space or to increase the amount of commercial and I think that that was pretty spot on. So, my hope would be that you would consider adding at least a little bit more commercial and maybe we can find some middle ground between where you were approved at originally or what it was zoned at and where it is now, that maybe we can look at somewhere in that four to five acre sweet spot.

Fitzgerald: Commissioner Holland, appreciate that. Additional comments or questions for the applicant? Hearing none -- no?

Riggs: Is it my turn? Sorry, Commission. This is Matthew. As it relates to the commercial land use and four to five acres, in evaluating the surrounding land uses and the, quote, you know, more destination retail or commercial areas, we see that on both sides of the property, you know, very close by. Between Costco and the medical campus to the west there is intermittent larger commercial areas that are designated and planned for under much larger development parcels. We are over 20 acres here when you count, you know, all buffers and right of ways and what have you, but as we -- as we view this community we don't envision the access and the location as one that should be centered on a destination retail or commercial area, but rather a use that will service the neighborhoods and -- and the needs therein without major -- without major development standards. We also have access issues as it relates -- you know, we don't have any -- any access off of Chinden, but for Black Cat and as it stands right now, you know, we have our northern entryway to -- to Black Cat and are looking to Council to approve a right-in, right-out only. So, if the commercial area were to grow we would still run into issues as it relates to access and, you know, I believe our -- our belief is that as proposed the development, you know, provides that neighborhood commercial or retail use while complementing the larger retail and commercial developments that are very close by to -- to our property.

Fitzgerald: I didn't mean to cut you off there in answering the question. So, in regards to that, I mean I think the history of Spurwing was to be like Bown Crossing -- and you may not know that development or maybe you do in east Boise. The same developer developed Spurwing. It's been chopped up now into a -- a significantly over -- it's

residential dominance, where it was supposed to be a pretty mixed use community with a significantly dominant commercial component to it. Lots of restaurants, coffee shops, small retailers. That was the original concept and so for me it's -- it's challenging to shrink this thing down significantly to two acres. I agree with Commissioner Holland's point that it doesn't leave much and I understand there is -- there is stuff to east and stuff to the west, but the original concept for this development long term was significant mixed use and so as that's my -- I guess my concern is that without a significant commercial component we are missing the original design that's been barred -- kind of taken away from it and I would like to see some more commercial as well. But that's just my thoughts. Do you have any feedback there?

Riggs: Thank you, Chairman Fitzgerald. I understand what you are saying, but I think I would reiterate that given the size of the community being, you know, roughly 20 acres -- or the property being roughly 20 acres and ingress-egress challenges related to it, combined with the surrounding commercial uses, you know, we -- we aim to develop what we have here as this mixed use community development, incorporating, you know, multiple different uses that are -- that are commercial. You know, 106 storage units, work from home offices and conference rooms, community gardens, you know, multiple, you know, pedestrian plazas, we have -- we have really aimed to -- to lay out a site plan and a proposed development that albeit doesn't have seven acres of purely commercial, does in our mind meet, you know, the intent of these multiple commercial uses throughout the -- the property and -- and, you know, again, I think in our evaluation of the C-C zoning in place, you know, this -- this medium to high density residential is a component of that zoning and believe that, you know, by -- by backing off of the purely commercial side of things, you know, we are meeting, you know, the intent of the Comprehensive Plan with this submission.

Fitzgerald: Appreciate that. Commissioners, we have one person that's raised their hand that has not testified previously. Like to give her a chance to speak and, then, we will allow Mr. Riggs to finalize his comments. Is that okay? Becky, you are currently joining us. I think we will unmute you really quick or, please, click unmute. Or, Adrienne, can you help her, please.

Weatherly: Becky, I just asked you to unmute. It's not giving me the ability to unmute you, but you should have the ability to unmute yourself. Sometimes there is a delay.

Fitzgerald: Bottom left corner of your screen. Yeah.

Pogue: Mr. Chair?

Fitzgerald: Oh. Go right ahead.

Pogue: Yeah. I think I would like to weigh in at this point we have had the applicant respond. There were no other public at that point on to testify. The applicant responded. To stay on process, on track, we should actually now turn it back to the Commission.

Fitzgerald: Agreed. Thank you. Sorry we couldn't grab you as far as technical difficulties. Mr. Riggs, you want to finalize just a couple minutes -- a couple quick points and, then, we will close the public hearing.

Riggs: Sure. Thank you, Chairman Fitzgerald. Without reiterating too much of what I just covered, you know, I would like to emphasize the consideration and time that we have spent really laying out the details of this community and how each dwelling unit integrates with its neighbor, with the open space, and with the proposed commercial, as well as the surrounding community. You know, it was -- it is typical in Meridian to see, you know, three and four story walk-up apartments and we sought to do something highly innovative, highly unique in proposing what we have here. We believe it meets a resident demand that is -- that is really not available in Meridian today, this high end, you know, renter by choice, single story product, emphasizing private backyards, best in class amenities, best in class on-site management and integration with, you know, the different commercial uses, whether it be the corner parcel, our amenity and work from home, storage uses, et cetera, you know, we have -- we have worked hard to -- to fulfill, you know, as many of those as we could and we believe that if approved this product will be something that garners significant local and national attention. We think that the product type and the quality of it is something that very few developers have -- have built to date in the western U.S., let alone Idaho or in Meridian and we are pretty proud of that and believe that, you know, if able to develop what we are -- what we are looking to do here, it will be very well received by not only the future residents, but the community. So, really appreciate everyone's time, especially our neighbors and staff. We spent a lot of time working with, you know, staff and all the approximate agencies to -- to hone in on -- on the details of this and as it stands, like I said, we are pretty proud of where we landed and -- and encourage, you know, a positive outcome here this evening. Thank you.

Fitzgerald: We appreciate it. Can I get a motion to close public hearing?

Pitzer: So moved.

Seal: Second.

Holland: Second.

Fitzgerald: I have a motion and a second to close the public hearing for H-2020-0022, Modern Craftsman at Black Cat. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Okay, team. The application is properly in front of you. Anything -- anyone want to kick off?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer, go right ahead, ma'am.

Pitzer: I will start out. You know, I like the concept of what -- what these guys are trying to do with the modern -- putting it out there. I think it's an innovative product. I like the style of it. The modernness. And having a lot of community assets. I think that where my problem is coming in with this project is the lack of commercial. As they have stated over and over again, they are on 21 acres. If I am at the end of that 21 acres and I am in this community, where is my coffee shop? Where is my -- all of those type of amenities that should be within that corner commercial and it's not going to fit. If there is a daycare I think that's what you are going to have is a daycare. I think Commissioner Holland was spot on. It needs to be at least double that. I'm not opposed to seeing that go to five or six acres. So, while I like the project, I think there needs to be some give on that commercial. And that's my initial thoughts.

Fitzgerald: Appreciate your comments, ma'am. Commissioner McCarvel. You took yourself off mute, ma'am. You are fair game.

McCarvel: Yeah. I think I would have to agree with Commissioner Pitzer. I love the project overall. I just -- being on that corner I -- I would like to see just a little more commercial be part of it. That little itty bitty spot just isn't going to do much. But I hate to take away from -- I think the innovativeness of the amenities that they do have is a nice change, but somehow -- you know, Commissioner Holland referenced going vertical and I would just say it needs to be a couple more acres, but overall -- I mean I really like the change and the differentness of the product. It -- it would be I think a welcome change to what we traditionally see as far as multi-family projects go.

Fitzgerald: Commissioner Holland.

Holland: I apologize. My husband's mowing the lawn, so sorry if there is any feedback behind me. I would say overall there is a lot of things that are really nicely done. I think they -- they certainly put a lot of work into the visuals that they brought to us. We appreciate that. I like that they are single family multi-families -- or single story multi-family. That's pretty rare to find. And I think the amenities package, the -- the thoughtful design -- they did do a really nice job with that. Twenty acres is a lot of land for a multi-family project. I mean when I think about what size lot my house sits on, you know, if you are on a quarter acre lot you have got four houses within a -- within a one acre square and you are talking multi-family where they is much -- much more dense in their -- in their smaller -- smaller square, so you can fit a number of units in a 20 acre space. I still think they have got the option of going vertical to do some of that mixed integration, so that they don't lose the number of units if they do it right and they could still, you know, put some other flex space in there and have that -- that capability to have the yoga studio, to have the workout gyms or a pop up coffee shop or whatever it is, maybe it's even food trucks that come in there. But I would still lean towards wanting to see a little bit more commercial. One of the other comments I made was if you are driving down Chinden it's really awkward to pass a big brick wall with a bunch of nice landscaping and, then, see this small little gap where you have got one little commercial building. So, that's why I

said I think four or five acres of commercial -- and especially utilizing that frontage corridor would be a good advantage for them. I know there is certainly access issues whenever you are trying to go off of a highway and they may have to have some further conversations with ACHD and ITD on that to figure out what makes the most sense on -- on how that access can be reconfigured and work with staff on that. On the specific conditions, if we want to get into that, I don't see a problem with adding a condition that they could do construction before the plat recording. I do agree, though, that the commercial lot still needs to be bigger and I thought the other proposed condition of two story townhouses on the east side only, single story in the west and north, was an interesting concept, but it made me feel a little bit better that the units aren't facing to the north or south, they are facing to the east and west. I appreciate that they put some thought into that. I don't know that I feel like I need -- we need to condition that specifically, but I would be leaning towards almost asking the applicant to continue the project and bring it back to us with some different configurations for the commercial. Otherwise, I would be probably leaning towards recommending denial just based on the -- the lack of commercial there.

Fitzgerald: Commissioner Grove, thoughts?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove, go right ahead.

Grove: I will jump in real quick. I agree with, you know, what everyone has said so far, with just a few things. But before I do that, I always like to comment on the community feedback, especially when it's very constructive and informative and so just wanted to commend the community that had weighed in tonight. Thank them for being constructive in their feedback. I appreciated that. To the developers, I -- I really like the innovation and the uniqueness of this project to provide something different and I like, you know, the overall layout and concept that has been given to us. I would like to see, you know, as everyone said, more commercial. I -- I particularly like the, you know, quick comment by Joe for, you know, adding commercial on the first level on -- on that west side and putting residential up above. I would -- I would be a huge fan of being able to do that along that entire west side if possible, just to do as Chairman commented with the Bown Crossing concept of, you know, that mixed -- true mixed use development. I really am a huge fan of what the developer has done, especially in terms of that pop up section and that whole community aspect that's built around the clubhouse, pool, pop up space, I think that's a -- a really unique way to approach this. So, overall I really like this project. If there is a way to add in additional commercial somehow I would be even more in love with just being able to move forward.

Fitzgerald: Thank you for your comments, Commissioner Grove. And I agree completely with your comments on the constructive feedback from the community. I think they were extremely good comments that came back. Commissioner Seal.

Seal: Mr. Chair. I'm in agreement with what everybody else has said. I really like kind of the valet trash service. I have seen some things in some of the multi-story high density residential that are somewhat appalling as far as the -- basically the trash becoming heaped over. I mean just -- just saw that last week in a -- in a residence. So, knowing that that's going to be something that's taken care of takes one of my questions off the table right away in an area like this, you know, with the folks coming in and it being -- you know, people moving in and out and everything, I mean there is all kinds of stuff -- furniture being thrown in the dumpsters. So, having a valet and somewhat monitored controlled is something that's -- I really appreciate. I like -- I like the way that it's laid out. I think everybody having an individual space is going to lend itself to not pride ownership, but, essentially, just pride in appearance, you know what I mean. That is your space where if you are going into a multi-story building you don't necessarily have that, you are just walking up a set of stairs that aren't yours into a door that nobody else really knows is yours, unless they know you. So, in this it's your residence, it's a place that you are going to live, you are going to have your family there and, of course, you are going to want it to look as nice as it can. So, I think that does help with some of the concerns that are out there as far as pride in ownership, so -- I do have to say there is other things about it -- the -- the pathway coming down the middle, tying the whole thing together, I really like that. Walkability. Rideability. All of that seems to exist within this space. So, I'm just a huge fan of that. I wish we had more of that everywhere else -- that we had anything even close to this. So, very innovative. Really like the concept of how the clubhouse ties into the pop up and how that space is utilized. But I do agree with the other commissioners, though, I would like to see that commercial space come back. More of it. You know, doing the integrated commercial with the first story to me seems like a homerun, you know, as far as trying to make more commercial -- commercial use out of that space with a minimal amount of change. Again, with our local universities having small business incubators that would be something that might even be financial -- might be a financial boost for you to get in there, because I know they have money to help out with things like that. So, that said I mean the overall project itself I really really like, but I do agree that the commercial needs to come back.

Fitzgerald: Thank you, sir. Commissioner Holland, are you getting ready to have additional comments?

Holland; I was thinking about it. I was going to say I have looked at -- I knew that there is 47 pieces of public testimony earlier and there is 49 in there now. Since 4:00 o'clock there were a couple of additions in there. So, I wanted to thank the community, too, for -- for showing up and giving some good constructive comments. I had a note that -- about the -- the no parking signs and I don't know if we answered for one of the people testifying, so I wanted to make sure we covered that as well.

Fitzgerald: Yeah. You were reading my mind. Andrea, I need your comments and probably feedback on the discussion on reduction in home pricing, because I don't think that's something we ever get involved in, so -- but I want to make sure general counsel has a chance to weigh in on that and, then, I'm going to ask Joe to weigh in on the no parking signs.

Pogue: Mr. Chair, that's correct. That shouldn't become part of your consideration. There is not evidence or testimony presented with any data or statistics to go along with it, but it isn't something that we can evaluate in terms of meeting code or --

Seal: Mr. Chair?

Fitzgerald: That's not our job as -- yeah, Commissioner Seal, go ahead.

Seal: And part of that I would just like to thank -- thank the previous Planning and Zoning before I got here and City Council for helping my home value in six years to go up a hundred percent, so I think we are all going to get -- get through this.

Fitzgerald: Agreed. I -- it's one of those things that there is lots of impacts that come from a lot of different places and I -- that's not something that comes in -- our job is to determine if this project meets our code and future land use planning map and all of our requirements in the city and that does not plug into our decision making. That's for other people to work through. Joe, can you comment on the no parking signs on Tree Crest. Is that something that you are aware of?

Dodson: Mr. Chair, yes, sir. I have been educated recently and --

Fitzgerald: Okay.

Dodson: -- North Tree Farm Way is a collector, so it should be no parking. However, it was not conditioned to have no parking signs, so we will have to reach out to ACHD and make sure that they are labeled as no parking.

Fitzgerald: Perfect. Thank you.

Dodson: You are welcome.

Fitzgerald: And just as we are finishing up, my comments I think -- kind of got the gist of my comments. I think you guys -- I -- vertical integration of product is not done enough in the city. I have lived in a couple different places and we talked about the apartment complex that they are building next to Kleiner Park that they are parking underneath. Pool is on an upper deck and it's vertically integrated. We need to see more -- something like that. So, I would love to see -- with the innovation that's in this product -- because I am really impressed with the innovation of a rental product that is bringing exceptional design kind of amenities in their packaging, but there is a -- there is just one piece missing and that's that commercial side. I think if it could be solved with that vertical integration down the west side. I would be happy with that. The comments about not having access -- there is a light there and so I don't know how that cannot be utilized for access. I mean it's the businesses that don't have a light that I would be more concerned about not having access to. So, I think there is plenty of opportunity to utilize that. The -- you know, Costco spent 45 million dollars putting -- you know, expanding that road and putting a new light in there that's going to get done here pretty quick. That could be utilized to make sure

that there is access for that community with additional commercial. So, that would be my thought. Even though I do want to commend the applicant, because it is an exceptionally innovative product, lots of amenities, different thinking, much like Commissioner Seal said, the different aspects they brought into services I think are impressive as well. So, I -- it's just not one piece that's bugging me, it's the commercial piece that's missing and we have broken up so far from this original concept that it's bumming me out, because I think it would be -- it would fit if that commercial was a little bigger. Commissioner Holland, I think you are trying to speak.

Holland: Mr. Chair, I was just going to say with the comments that we have made I think we are leaning towards the continuance to see if the applicant will be willing to make some changes and bring it back to us and if they don't, then, we would probably lean towards a denial. So, I'm going to make a motion to reopen the public hearing to ask the applicant if they would be willing to continue the project to come back to us with another concept.

Seal: Second.

Pitzer: Second.

Fitzgerald: I have a motion and a second to reopen the public hearing for input from the applicant on a continuance. All those in favor say aye. Any opposed?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Mr. Riggs, are you with us, sir?

Riggs: I am. Thank you, Chairman and Commissioners. Really appreciate everyone's time, community and all of you -- your time. We are taking to heart the commentary about the commercial side of things. It's definitely something we will revisit and reconsider. We aim to fulfill some of the commercial uses through the flex space, but -- but clearly we are going to go back to the drawing board or to other concepts that we have discussed and look at ways at mitigating your concerns as it relates to the commercial. You know, ultimately our goal here is this residential single story and townhome product and integrating it well with the community and the adjacent commercial on the property and so, yeah, we will -- we will definitely revisit, continue the process and -- and look to pick this back up again with the Commission at a later date.

Fitzgerald: We really appreciate your -- your willingness to look through it and consider the comments that were provided and, Joe, do you or, Madam Clerk, do you guys have a date -- or Mr. Riggs, do you have a date that you would need to get everything squared away and come back to us? We have a pretty full agenda the next six months, but we want to make sure we fit you back in, so any -- how much time do you need?

Riggs: You know, with -- with our team anxious to continue work on this, we would love to -- to get back in front of you as soon as we can. As discussed we have had -- we have

had discussions about other ways to integrate different commercial uses into it, so we will not be starting from zero here, so to speak. So, as soon as -- as soon as possible we would move to try to get back in front of you.

Fitzgerald: Thank you, sir. Joe and Adrienne, do you have feedback on a -- on a next opportunity we can put them back in our calendar?

Dodson: Yes, Commissioner Fitzgerald. I have three projects on August 6th, so, please, don't. But my wedding got postponed, so I can do the Planning and Zoning Commission hearing on August 20th now, so that would work if we are aiming towards a continuance.

Fitzgerald: Okay. Commissioner Holland? Or Commissioner McCarvel, go right ahead.

McCarvel: Okay. I --

Seal: Just to confirm, was that the 6th or the 20th?

Fitzgerald: Hold on one sec. Yeah. Andrea, do you have a comment?

Pogue: I just wanted to suggest that the person making motion consider limiting for reopening -- or the continuation for the purpose of receiving more information and, you know, other options on the commercial side of the project. So, to limit testimony for that, so that we don't have to re-hear all the testimony on the whole project.

McCarvel: Okay.

Fitzgerald: Thank you. Good feedback.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: I move to continue file number H-2020-0022, to the hearing date of August 20th for the sole purpose of reviewing the applicant's new proposal for additional commercial.

Seal: Second.

Fitzgerald: I have a motion and a second to continue the public hearing on file --

Holland: Mr. Chair?

Fitzgerald: Yes, ma'am.

Holland: Just one comment to Andrea's point. Do we need to be more specific in the motion to say that we are going to only reopen the public testimony for the purpose of

discussing the commercial and not for the multi-family component? Or if we are just opening it up for the applicant. I'm not sure if we have to open it up for -- for public comment, so -- but --

Pogue: I think the public would be able to -- to comment on the -- what's brought back for the -- for more commercial and if that impacts on -- in a new way on the rest of the project they would be able to testify about that, too. But it's -- the purpose that I'm hearing the Commission wanting to base its continuance on is on the commercial -- wanting to see more commercial brought into the project.

Fitzgerald: I think that we are -- the motion seems fine, I believe, so I have a motion and a second to continue the public hearing of H-2020-0022, Modern Craftsman at Black Cat. All those in favor say aye. Opposed same? Okay. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thank you all. Mr. Riggs, thank you and your team. We will see you in August.

Riggs: Great. Thanks, everyone. Appreciate your time.

B. Public Hearing for Epic Storage Facility (H-2020-0058) by Jarron Langston, Located at 1345 W. Overland Rd.

1. Request: Rezone of 4.43 acres of land from the R-8 zoning district (Medium-density Residential) to the C-G zoning district (General Retail and Service Commercial) for the purpose of developing commercial storage on the site; and,
2. Request: A Conditional Use Permit for a 29,400 square foot storage facility and associated outdoor storage on 4.43 acres in the C-G zoning district.

Fitzgerald: Moving on to the public hearing for Epic Storage Facility, H-2020-0058. Joe, I'm turning it back over to you for the public -- or for the staff report, sir.

Dodson: Thank you, Mr. Chair. Can everybody see my screen now? I want to make sure I did this right. I think we are good. Okay. So, yes, as stated next item, Item No. 4-B, Epic Storage Facility. The request before you is for a rezone and conditional use permit for Epic Storage Facility, a 29,400 square foot storage facility. The applicant is requesting a rezone to change the existing R-8 zoning to C-G zoning, general commercial. The applicant is also requesting conditional use permit approval for a storage facility. The subject site is surrounded by existing City of Meridian zoning and development to its northwest and south. Directly to the east is a new residential subdivision that the city is currently processing. Directly across West Overland, an arterial street, there is I-L zoning with two RV users currently existing, Bish's RV and Camping

World of Meridian. Directly to the west along the northern half of the site is the new Meridian Fire Station and abutting the site on the southern half of the west boundary is a multi-family residential development. This parcel has both the commercial and medium density residential future land use designations as seen in the future land use map on the left-hand side of my screen here. The addition of the commercial designation spawned this proposal to rezone the property. There we go. The propose new land use is a form of RV storage and is a conditional use in the proposed C-G commercial zoning district. However, the proposed use is not a traditional self -- RV self storage as our code depicts. Staff must assess proposed uses with those listed in the UDC Table for each zone. Precision Storage Concepts, the actual business proposed here, is a more encompassing commercial business than traditional self storage by providing a valet -- valet drop and go system that requires customers to only drop off their trailers and RVs. They will not park them, nor store them themselves. Precision Storage Concepts is intended to be a full service RV and trailer business that includes they wash before each use, supply stocking of the vehicle and maintenance checks on standard items, such as batteries, water, refrigerator and tire pressure. In addition, a majority of the storage and business will occur within a large single story building. That is the 29,000 square foot storage facility. There is also intent for ancillary outdoor storage of vehicles and trailers that will be stored on the asphalt area between the office and the back of the parcel, the southern end, and the main building that is closer to Overland Road as seen on the site plan. Because this property is already zoned residential and development to the south, southwest, and to the east is residential, or planned to be, staff has concerns with the requests for C-G zoning. This concern lies with the potential for a higher intensity of commercial use next to said residential if this property is rezoned to C-G, but never develops as proposed, barring any bad economic downturn. Staff would prefer to see lower intensity zoning on this property that is still commercial and would help staff ensure a more disruptive use is not principally permitted and so easily attainable if this project is not completed fully. Therefore, staff is recommending changing the requested rezone of C-G to be C-C instead. Self service storage, the use staff has to place this use into, is still a conditional use in the C-C zone and will not affect the future operation of this use. Access to this site is proposed via an existing curb cut from West Overland Road in the northeast corner of the site. ACHD approved this access point as the proposed use as -- it's only a commercial use and vehicle trips to location is presumed to be minimal when compared to a residential development. The specific use standards for Self Service Storage require a secondary access for storage facilities and the applicant is proposing one at the eastern boundary that lines up with the proposed common driveway and the adjacent Sagewood West Subdivision currently being processed by the city. This applicant and the applicant for Sagewood West have worked together to align this emergency only access. As part of proposing a commercial zoning and use, a 25 foot landscape buffer is required adjacent to any residential uses. The applicant is showing this buffer on the submitted landscape plans as seen on the screen, but the buffer does not appear to meet the UDC requirement of landscape -- the amount of landscaped vegetation within the buffer. Staff has recommended a condition of approval to correct this. That condition is that all of the landscape buffers, the 25 feet, need to be at least 70 percent vegetated at the time of maturity. The applicant submitted conceptual renderings and conceptual elevations of the new proposed storage building. The originally submitted plans do not meet all the

standards as required for commercial development in the architectural standards manual. This application does not include design review, but staff recommended certain conditions to ensure any future building on this site is built to a premier standard as intended by the ASM. In response to these conditions, the applicant has provided revised renderings that appear to respond to most of staff's concerns to some level. I will click through a few of these for you. Staff believes some additional tweaks should take place, but these can happen upon certificate of zoning compliance and design review application submittal. Overall the revised elevations are very much improved. There was no written testimony on this, at least as of 4:00 o'clock'ish. Staff does recommend approval of the requested rezone and conditional use permit pursuant to the DA provisions and conditions in the staff report. Because the applicant has responded to my condition about the elevations, I recommend that Condition Five in the staff report be stricken as it is no longer applicable and we will handle the rest of it through certificate of zoning compliance and design review. Thank you.

Fitzgerald: Thanks, Joe. Are there questions for staff? Okay. Hearing none, Madam Clerk, do we have anyone signed up to testify or in the audience that would like to testify?

Weatherly: Mr. Chair, would you like to hear from the applicant first?

Fitzgerald: Oh. Sorry. Yes. Thank you. I'm discombobulated with all the different things going on. Yes. Would the applicant like to come forward and testify or join us online to testify. Are they joining yet?

Walker: Mr. Chairman, Members of the Board, my name is -- excuse me -- is Glen Walker. 1891 North Wildwood Street, Boise. I am representing the ownership group for this project, which is -- this project is actually called Precision Storage Concepts. That's the name we would like to use. We have submitted this project for a rezone and a conditional use permit application. We originally were requesting to rezone to a C-G zone, but after reading the staff report we would agree that a rezone to C-C zone would work if the facility works in that same zone. I apologize, because I will probably be restating same -- some of the same statements that Joseph read, but I would like to restate it again. The site is located at 1345 West Overland Road, which it has been designated a commercial zone under the future land use map. We feel this project will fit in nicely with the surrounding uses. This site is surrounded by existing City of Meridian zoning and development to its northwest and south. To the east this site is a new residential subdivision. Across Overload Road is the I-L zone, which has two facilities or projects, one being the Bish's RV and the other one being Camping World, which we feel this facility will fit in nicely with those two users across the street. To the west is a new fire station, which is really a nice convenience and as mentioned to the east of us is a residential subdivision that's being proposed. There is an existing home and accessory building on the site. The home will be removed upon the development of this project. However, the -- however, the accessory facility we are going to be keeping and in that accessory building is the ADA restrooms and an office, which is going to be used for this new proposed Precision Storage Concept facility. The new facility we are proposing is a high end storage facility for storing RVs, trailers, boats, et cetera. The storage facilities is a more encompassing

commercial business that -- than that of a traditional self storage facility. Precision -- Precision Storage Concepts was established with a valet system that comes with a drop and go system, a wash before each use, and includes maintenance checks on standard items, such as batteries, water, refrigeration and pretty much an overall check of the RV that's going to be stored in that facility. Precision Storage Concepts -- it will -- it will -- this facility will blend in nicely -- we feel that it will blend in nicely and perfectly with the convenience of the city and its beautiful surroundings. People move here to play with their toys and will love the valet system and the care and precision that this facility will offer. It will help the City of Meridian to continue -- to continue to offer all -- the people that live around this facility --

Fitzgerald: I think we are having some technical difficulties in hearing you, sir. Either speak into the mic or -- we have some challenges -- having some technical challenges hearing you, so if you could speak up a little bit or talk into the mic a little bit closer it would be greatly appreciated.

Walker: Sure. I will move in here and I will start from in there. Can you hear us?

Fitzgerald: Yeah. That's much better.

Walker: Okay. Great. And I apologize for that. It might be also the mask that I'm wearing. As Precision Storage Concepts is going to be a full service RV trailer, boat (unintelligible) for the community, we feel the location of this facility is ideal for the public use with the proximity to Bish's RV and Camping World where recreation vehicles and trailers are serviced and sold. In regards to CZC application, this project is subject to conditional use permit approval. This facility will be used as a commercial use for storage and light maintenance only. No manufacturing will be done at this facility. This facility will be separated by more than 35 feet on all sides. It will be fire sprinkled. The site will be surrounded by a screen vinyl fence and landscaping as well. The hours of operation for this facility will be 6:00 a.m. to 7:00 p.m., roughly, which falls under the allowed time for the city. We are providing a 25 foot landscape buffer between the residential zone, as well as a 25 foot street buffer, which should meet the landscape requirements from the city. We are also showing a secondary means of access for emergency purposes. We have aligned that access with the development to our east and we have worked with that -- that group and that development, so have lined those up together. The site itself -- we are proposing seven parking stalls with two ADA stalls. As mentioned, this facility is a valet-type system. We feel the seven parking stalls is in -- is in compliance with city code for the amount of parking spaces. The staff report does talk about providing a sidewalk from Overland Road to the rear building or office building. The owners will agree to provide some sort of path. We are asking that if we do provide a path, if we could provide some type of striping on the asphalt that goes across the asphalt to the -- to the building itself, if that would suffice. We will be submitting a design review and a certificate of zoning compliance as Joseph mentioned and at that time we will be working with the city with regards to the design of the building, the colors, the materials of the building. So, that is it somewhat in a nutshell. We hope that these two applications, the CUP and the rezone, will be acceptable to the Planning Department. We feel this project is a great fit

for the City of Meridian and will add quality, great architecture, and distinctiveness to the area. So, that's kind of it in a nutshell.

Fitzgerald: One question on the -- the fencing type and size, is that -- can you give me an idea -- is that eight foot fencing around, since you have -- RVs are going to be outside? And is it going to be screened?

Walker: We -- yeah. It will be a screened solid vinyl fence. We were thinking six foot, but if you guys are wanting eight foot I'm sure we can -- we can comply with eight feet. But we were thinking six feet, but it's what you guys would want. We will definitely comply with your guys' recommendations.

Fitzgerald: Okay. And the second question -- the auxiliary building that's going to remain on the property, is that being remodeled or revamped to come up to where the -- the design work that you guys are doing with the new building?

Walker: No, not at this time. We are leaving that facility as is. That's really tucked back down there on the south portion of the site. You're really not going to see that facility from the front, Overland Road area.

Fitzgerald: Okay. Thank you. Are there other questions for the applicant at this time? Commissioner Holland.

Holland: Just one follow-up question from your earlier comment about the fencing. I think if I remember right we are only allowed to do six foot fence in code, but the way we have kind of helped applicants around that in the past was recording a two foot landscaping buffer and put the fence on top of it if we wanted to see it higher, if I remember right. But that's a question for staff.

Fitzgerald: I think Joe and I talked about it earlier.

Dodson: Mr. Chair?

Fitzgerald: Go ahead, Joe.

Dodson: Yeah. Yes, sir. I'm -- Mr. Chair, Commissioner Holland, it's C-G, so you can actually go up to eight feet on the fence, not just the six foot as is required in residential.

Holland: Great. Thanks.

Fitzgerald: Commissioner Seal, sorry about that.

Seal: Yeah. Just a quick question on the -- the -- essentially what's going to become the office space, is that something that's going to still be a residence in terms of somebody will be staffing that for a security reason?

Walker: I apologize, I didn't hear the question. Was that directed towards me?

Seal: It was. The question was for what the office space -- is that something there -- is somebody going to stay there full time, like a security type presence, or is that simply office space?

Walker: It's going to be simply just an office space.

Seal: Okay. Thank you.

Fitzgerald: Additional questions for the applicant?

Grove: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Grove: Hey, Glen, question for you real quick. Just to try and get this in my -- when -- so, it's a valet service. Is that for parking -- do they pull -- does the person pull all the way to the back of -- where that small office space is or is it pulled up to that main building?

Walker: Well, it's going to be the employees of Precision Storage Concepts that's going to be taking the vehicle, driving it onto the site and, then, driving it into the facility. So, it's going to be the employee is taking it and bringing it to where they need to take it. The customers will not be doing that.

Grove: So, it's a valet service as a -- back to their homes?

Walker: Yeah. It is. It's a -- it's -- it's -- it's solely a valet type service. Precision Storage Concepts is going to be -- you know, taking the vehicle and bringing it into the -- to the building -- into the facility and, then, from there they will pull it back out and onto the site and we will most likely call the client and say the RV is ready for pickup and, then, the client comes and picks it up.

Fitzgerald: Commissioner Grove, did you have another comment?

Grove: That answered it. Thank you.

Fitzgerald: Yep. Any additional questions to the applicant?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer, go right ahead.

Pitzer: Okay. So, I'm like Commissioner Grove, I'm trying to wrap my head around this. So, they come to pick it up, but they don't come to drop it off; is that correct?

Walker: Well, I'm not sure exactly the process. We could get the ownership to talk about that. But I believe that for the most part, you know, when you come and you -- the client potentially probably would drive somewhat into the site, drop it off near the building, check in and, then, from there the -- the employees would take over and grab the -- grab the RV and, then, take it into the facility.

Pitzer: Okay. Thank you. That would make more sense to me. Okay. Thank you.

Walker: Uh-huh.

Fitzgerald: Any additional questions this time -- at this time? Seeing none, Glen, we will be back to you shortly so you can close, but we are going to see if there is any public testimony and, then, we will let you close up. Adrienne, do we have anyone wishing to testify on this application, either in person or on the line?

Weatherly: Mr. Chair, we had some people sign up, but no one indicated a wish to testify.

Fitzgerald: Is there anyone in the audience or online that would like to testify on this application? Please raise your hand or signify by raising your hand on Zoom. Or in the audience. Which ever one. And Commissioner Seal will be the eyes.

Seal: I see no one in the audience raising a hand.

Fitzgerald: Madam Clerk, are we good to go on the other side?

Weatherly: Mr. Chair, that's correct.

Fitzgerald: Okay. Thanks, ma'am. Glen, do you have any additional final comments you would like to make before we deliberate?

Walker: I would just like to say that we through the ownership group and myself really feel that this project will fit in very nicely within this area in that we are working with the storage of expensive RVs and boats and having Bish's RV and Camping World right across the street, which is kind of in the same use as -- as those, so we feel that this project will definitely fit in nicely in this area.

Fitzgerald: Well, we appreciate you being here this evening and are there any other questions for the applicant before we close the public hearing? Going once? Going twice? Sir, we greatly appreciate you being here tonight and can I get a motion to close the public hearing?

Holland: So moved.

Seal: Mr. Chair? Oh. Second.

Fitzgerald: Oh, Commissioner Seal, go right ahead.

Seal: No. Go ahead. I was just going to make the motion, but it's been made, so --

Fitzgerald: Okay. Can I get a second?

McCarvel: Second.

Fitzgerald: I have a motion and a second to close the public hearing on file number H-2020-0058. All those in favor say aye. Opposed same. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Anyone want to lead off?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go right ahead.

Seal: I really like the concept of this. So, being a trailer owner myself it's -- it's probably not something that I would -- would utilize, but I do know people that would utilize it and I mean it would help them out a lot of -- I would say elderly folks that are not so much mechanically inclined, but do have large motor homes would more than likely use this service a lot and being right across the street from the two dealers over there, I mean I can see that, you know, incentives for trailer buying and being able to use that service are probably -- probably in the works already. So, as far as it fitting in, you know, I mean I -- as far as a six foot fence or an eight foot fence, depending on the landscaping that's put in there, it may be moot, but I mean if -- if an eight foot fence is something that everybody thinks we should put in there, I mean that's -- I'm totally workable with that for sure, so -- but I think this was -- you know, location is everything and -- and I think it's well thought out and I think it will be a good addition to the community.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I would be in support of this, especially with the revised renderings. Just a couple little add-ons made a nice difference and, I agree, I think it will be utilized a bunch.

Fitzgerald: Commissioner Holland.

Holland: Mr. Chair, I -- I like the concept as well and I like that they are putting the RV units in the back and have the building up front. That's not something we typically see with RV storage, so I appreciate that and, you know, someday if this ever was repurposed as another use it's certainly a nice looking attractive building that could be used a number of different ways. One question I do have -- if we could go back to what the surrounding uses are around this, I don't mind the eight foot fence, but there may be some that we

don't need any fence on, if it's next to another commercial or whatnot. I can't remember exactly what's on both sides of it, though. I think an eight foot fence (unintelligible).

Fitzgerald: Yeah.

Holland: Okay. Then an eight foot fence it is.

Fitzgerald: I think -- I will let Joe give me direction, but I think it's residential on all sides. Except for the north.

Dodson: Mr. Chair?

Fitzgerald: Joe, is that correct? Yes, go ahead, sir.

Dodson: Yes, Mr. Chair, to the north, yes, is Overland and, then, I-L zoning east, south and to the southwest is residential. But directly abutting the site to the west is Fire Station No. 6, the brand new one. So, that's also not residential.

Fitzgerald: But to the south of that is residential neighborhood that runs along that east corridor; right? Or that east boundary? South of the fire station.

Dodson: Along the west boundary, yeah, that's where some multi-family residential is and R-15 zoning.

Fitzgerald: Okay. Thank you. Additional comments? Commissioner Pitzer, do you have a comment?

Pitzer: Yes. No. I -- and I'm just going to echo the sentiment here. I think this is -- this is a great idea to put right across the street from the other RV places and I'm in full support of this and -- yeah, six foot, eight foot fence, either works for me.

Holland: Mr. Chair?

Fitzgerald: Go right ahead.

Holland: I don't want to cut anyone off, but I will make a motion, unless anybody else has comments, but -- after -- after considering all staff, applicant, and public testimony I move to recommend approval to City Council of file number H-2020-0058 -- making sure I have got the right one. As presented in the staff report for the hearing date of July 9th, 2020, with the modification that they would be putting in an eight foot fence where the property lines abut two residential uses.

Seal: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0058, Epic Storage Facility. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Glen, thank you for being here tonight and good luck. I wish you guys the best.

Walker: All right. Thank you, Commissioners.

Fitzgerald: Does anyone need to take a break for any reason or you want to keep plowing forward and we get into a --

Parsons: That's -- Mr. Chair, that's up to you. If you want -- your purview. If you guys need a five minute break, happy to do that while we get set up for the next presentation.

Fitzgerald: Okay. Let's do that real quick. We are going to take a bio break.

(Recess: 8:35 p.m. to 8:44 p.m.)

Weatherly: Mr. Chair, we are all here and ready to go.

C. Public Hearing for Apex (H-2020-0066) by Brighton, Murgoitio, et al., Located generally located east of S. Meridian Rd. and north of E. Columbia Rd.

1. Request: Modification to Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. # 2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. # 2016-007074) to replace the agreements with one new agreement based on the proposed development plan.
2. Request: Annexation of 40.09 acres of land with an R-2 zoning district. Request Continued to a Future Date to be Determined
3. Request: A Rezone of 384.27 acres of land from the R-4 to the R-8 144.78+119.28=264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.

D. Public Hearing for Apex Northwest (H-2020-0056) by Brighton, Murgoitio, et al., Located at the Northwest Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

1. Request: Preliminary Plat consisting of 120 residential buildable lots, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts.

E. Public Hearing for Apex Southeast (H-2020-0057) by Brighton, Murgoitio, et al., Located at the Southeast Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

1. Request: A Preliminary Plat consisting of 237 residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts.

Fitzgerald: Thank you, Madam Clerk. So, moving on to the next three items on our agenda, we are going to open these in order all at the same time, so at this time I would like to open the public hearing for Apex by Brighton, File No. H-2020-0066, File No. H-2020-0056 and H-2020-0057 and start with the staff report. Sonya, it's all you, ma'am.

Allen: I see that, thank you. You always know, but it's after you say it. Thank you, Mr. Chair, Members of the Commission. We did have a request by the property owner late today that they would like to change the request for annexation and zoning of that westernmost green parcel you see on the map here, that was proposed to be zoned R-2, 40 acres of land, they want to actually continue this portion of the project to a later commission hearing date in order to re-notice the application to include R-4 and R-2 zoning. So, the annexation portion is being broken out of this application tonight and will be on a later agenda. So, the annexation will not be part of your motion tonight, Commissioners. The applications before you are a request for a development agreement modification, a rezone, and two preliminary plats. The rezone area consists of 384.97 acres of land. It's just generally located east of South Meridian Road, State Highway 69, half mile north of East Columbia Road and a quarter mile south of East Amity Road. This property is surrounded primarily by rural residential and agricultural uses, zoned R-4, RUT, C-2 and R-1. This property was annexed as part of the south Meridian annexation initiated by the city in 2015. The purpose of the annexation was to obtain easements and construct infrastructure for extension of city water and sewer service in the southern portion of the city. A placeholder zoning of R-4 was given to these properties and a development agreement was required as a provision of annexation that is required to be modified upon development of these properties. Two hundred and six approximate acres are designated medium density residential on the future land use map. Approximately 21 acres are designated medium high density residential. And approximately 120 acres are designated mixed use commercial. A future school site and city park is designated in the general area northwest of the Locust Grove-Lake Hazel intersection, north of the MUC designated area. Another school site is designated on the east side of North Locust Grove Road north of Lake Hazel Road just north of the subject rezone area. A rezone of 384.97 acres of land from the R-4 to the R-2 zone -- actually, that portion is being stricken, as I mentioned earlier. Two hundred and sixty-four point zero six acres to R-8. Approximately 77 acres to R-15 and 43 acres to C-C zoning districts is proposed, consistent with the associated medium density residential, medium high density residential, and mixed use community future land use designations. Only 123.38 acres of land to be rezoned is proposed to be sub -- subdivided with this application. The remainder will be developed at a later date. A master plan was submitted as shown on

the right that depicts how the property is proposed to develop with single family residential homes, two swimming pools, commercial office uses, a community center, amphitheater, two school sites, a charter and an elementary school, and future development areas with a conceptual street layout. A modification to the existing development agreements is requested to replace the agreements with a new agreement based on the master plan proposed with this application. In the mixed use community designated areas where a concept plan isn't depicted, the development agreement is required to be modified to include a concept plan prior to development of those areas to ensure future development is consistent with the general mixed use guidelines and the mixed use community guidelines in the comp plan. Two separate preliminary plats are proposed due to the right of way for Lake Hazel and Locust Grove Roads separating the sites. The preliminary plat for Apex Northwest -- and that is the area -- if you can see my cursor right here on the northwest corner of Lake Hazel and Locust Grove, consists of 120 single family residential buildable lots for the development of 88 detached and 32 attached dwelling units, all alley loaded, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the R-15 and C-C zoning districts. The minimum lot size proposed is 2,863 square feet, with an average lot size of 3,885 square feet. The gross density proposed is 5.62 units per acre, with a net density of 11.21 units per acre. The subdivision is proposed to develop in three phases as shown on the phasing plan. The preliminary plat for Apex Southeast, located at the southeast corner of Lake Hazel and Locust Grove Roads here where my cursor is at, consists of 237 single family residential buildable lots, front and alley loaded, two commercial buildable lots, 30 common lots and ten other shared driveway lots on 81.63 acres of land in the C-C and R-8 zoning districts. The minimum lot size proposed is 4,840 square feet, with an average lot size of 7,058 square feet. The gross density proposed is 3.75 units per acre, with a net density of 6.17 units per acre. The subdivision is proposed to develop in five phases as shown on the phasing plan on the right. Overall a total of 357 single family residential buildable lots, 13 commercial buildable lots, 44 common lots and ten other lots are proposed between the two subdivisions at a gross overall density of 4.22 units per acre and a net overall density of 7.27 units per acre. There are no existing structures within the boundaries of the proposed plats. The Northwest Williams Gas Pipeline crosses the northeast corners of both subdivisions. Development within this area should comply with the Williams Developers Handbook. No structures should be located within the easement. In Apex Northwest two public street accesses are proposed via East Lake Hazel Road and two public street accesses are proposed via Locust Grove Road, both arterial streets. Collector streets, East Crescendo Street and South Apex Avenue, are proposed in accord with the master street map. In Apex Southeast three public street accesses are proposed via Locust Grove and two public street accesses are proposed via Lake Hazel Road. Collector streets, Tower Street, Vertex Way and Via Roberto Street, are proposed in accord with the master street map. Alleys are proposed for access to homes in Apex Northwest and local streets, alleys, and common driveways are proposed for access in Apex Southeast. Cross-access ingress-egress easements are required to be provided between all commercial lots. The applicant has proposed to enter into a cooperative development agreement with ACHD to improve Lake Hazel and Locust Grove Roads abutting the site with additional travel lanes, curb, gutter, planter strips and sidewalk with the first phase of development. Multi-use pathways are required to be provided with development along the south side of

Lake Hazel Road, connecting Locust Grove Road to the pathway and in Discovery Park within the Williams Pipeline Easement and as otherwise required by the Parks Department in accord with the pathways master plan. A minimum of ten percent qualified open space is required to be provided in each subdivision. Open space exhibits were submitted that appear to meet the minimum standards. However, some areas were included that don't qualify, such as common areas in the C-C zoning district. To ensure the developments comply with the minimum standard staff is recommending the exhibits are revised prior to the Council hearing. If additional open space is needed it should be provided. Based on the area of the Apex Northwest plat a minimum of one qualified site amenity is required. A gazebo is proposed as an amenity. Staff is recommending tables and benches are also provided to qualify as a picnic area amenity. Based on the area the Apex Southeast plat, a minimum of three qualified amenities are required. A swimming pool, children's play equipment, and multi- use pathways are proposed as amenities in accord with UDC standards. Several conceptual building elevations were submitted for their proposed single family homes and commercial structures planned to be constructed in this development. Homes are a mix of one and two story units, attached and detached, with building materials consisting of a variety of siding styles and stucco, with stone and brick veneer accents. Final design is required to comply with the design standards in the architectural standards manual. Single family detached dwellings are exempt from design review standards. Because two story home elevations that face arterial and collector streets are highly visible, staff recommends the rear and/or side of structures on lots that face these streets incorporate articulation through various specific means or other integrated architectural elements to break up monotonous wall plains and roof lines that are visible from these streets. Single story structures are exempt from this requirement. No public comments have been received on this application. Staff is recommending approval with an amendment to the existing development agreements to include a new development agreement for the overall property per the provisions in the staff report. Staff will stand for any questions.

Fitzgerald: Thanks, Sonya. Are there any questions for staff? Anyone?

Allen: Mr. Chair, the clerk just told me --

Fitzgerald: Go ahead, ma'am.

Allen: Excuse me. The clerk just told me that there was one public comment received late today and it is in the public record.

Fitzgerald: Okay. Thank you for that.

Allen: Thank you.

Fitzgerald: Hearing no questions for staff at this time, Mr. Wardle, would you like to take it from here, sir.

Wardle: Thank you, Mr. Chair. First off can you hear me okay?

Fitzgerald: Yep. You're good.

Wardle: Great. Thank you. I'm going to share my screen here. Good evening, Mr. Chair. My name is Jon Wardle. My address is 2929 West Navigator, Suite 400, in Meridian, Idaho. 83642. With me tonight I have David Turnbull, Lars Hansen and Mike Wardle, all representing the Brighton team and I wanted to take an opportunity to let you know that they are here available for questions at the end should you have any specific to the project. We are really excited about the opportunity to bring this project Pinnacle to you tonight. Pinnacle is a -- is a mixed use community. It's not often that we have an opportunity to develop four corners. It's often one side of the street or the other, but in this case we actually have an opportunity to develop all four corners at the intersection of Lake Hazel and Locust Grove. Even though we are divided by these roads, it will be developed as a single project and in multiple phases over time. We are very excited about the opportunity to develop Pinnacle and create not -- not only an identity for Pinnacle, but also an anchor for south Meridian, provide services and other things that will be a community asset and a value to everybody that lives out in the area that is also on a broader range. Pinnacle was designed as a mixed use planned community. When we began looking at this we wanted to identify some key components, living, education services and outdoor opportunities and so as we go through our presentation tonight I will give you a little bit more detail on all of those. As mentioned just a minute ago, there was an annexation request for 40 acres on the west side adjacent to Meridian Road. At the request of the co-applicant of that, they have asked that that be continued. So, that tonight has been pulled off the table, but it doesn't have any impact on the rest of the project that will be in front of you. We are asking for rezone to match up with the overall master plan that's in front of you. We do have -- now, it is one project, but we do have two plats, because we are split by public roads, Apex Northwest and Apex Southeast, and there is also a request to modify the development agreement, which Council will hear in the future. As I mentioned just a couple of minutes ago, when we started looking at Pinnacle we were looking at the -- the items and elements that really make up a planned community. As I put up here on the screen here they really are living options, education, services that are at appropriate scale and also recreation. In addition, because we are on this intersection of Lake Hazel and Locust Grove, we have a great opportunity to provide additional services to the broader community, not just the residents that will live in Pinnacle. Starting off the first element are living options. We have identified in the first two plats a couple of different living options. In Pinnacle Northwest we have alley and also row homes. In Pinnacle Southeast we have conventional homes that you -- that we see everywhere. But in combination these are a mix of residential uses which complement each other and provide an opportunity for different type of lifestyle, attached or detached, but also a maintenance or no maintenance, meaning a homeowner would take care of his own or it would be taken care of for them. One key element that we know is important to our community is education. We have been working for some time with West -- West Ada School District. We have identified a future site for an elementary school and we will continue to work with them on that -- on those plans. But one of the items that we are real excited about that is shown here before you is a future charter school. We have been working with Gem Prep Academy. They are looking for additional opportunities to provide education in Meridian and we have identified this site in Pinnacle

Southeast. It's about a seven acre site. It would be a K through eight school. Public charter school. But we are really excited about that. They would come in with a future application through the conditional use process. Like their timeline and our timeline -- their intent would be to open fall of 2022. One of the things that's also important is to have services which residents and other community members can use. It's important to have services that are of an appropriate scale. Lake Hazel long term will have more traffic to it, as will Locust Grove. We really designed this first section in Pinnacle Northwest to be a small scale, a neighborhood scaled retail area. A couple of things that we are doing here that are unique is retail needs people and so in order to drive that we are going to put our community center here at the core of this and I will get into a little bit more about some of the services that will be there, but we think that having a very active community center surrounded by a similar scale to retail will provide an opportunity for success for those future retail users here. The retail we see will be a combination of small scale office, medical services, small retail services and those will be defined over time based on what neighbors and community needs here at this location. Of note as well this -- this area here identified in the corner, it's about ten acres, and seven acres of that is -- is combined for the community center and these office retail uses at this location. We are really excited about the opportunities that we have to provide -- to help people be outdoors, be social, but also have space. We know that having space is an important thing and so we feel like we are starting to provide some opportunities that will be both beneficial to the Pinnacle community, but also provide some valued connections to the greater south Meridian area. Some of the things that we are proposing with Pinnacle is an amphitheater and community center kind of at the center at Lake Hazel and Locust Grove, trails and pathways, and pools and parks. Really what this becomes -- it is a neighborhood town center for south Meridian. Not intense like you would find it at The Village, but of an appropriate scale and services that would be beneficial to this area. I'm going to zoom in here on a couple things. First talk about the amphitheater and community center here in the core on this ten acre corner piece. We have thought long and hard about the opportunities here and how to create a place where people will come and gather. As we started looking at this we really felt like there was value in not turning our back on a park, but making the park a center, a keystone of Pinnacle, not just for the residents, but it is surrounded by public streets. We really want to see people come here and gather here with this amphitheater. It could be for small concerts. It could be for farmers markets. We also see the opportunity on the streets that we could park food trucks so they can come there. It really becomes an activity center for the greater community. This is looking -- this is looking from the northwest to southeast towards the corner of Lake Hazel and Locust Grove. This perspective -- if you were standing in the community center you would be looking back into the commons and the amphitheater. Here is that same view, but elevated up above, so you kind of get the size and scope of this. The park element itself, we were calculating that earlier today, get to it right here really quick. Yeah. So, the park element and the community center is 3.25 acres. In context, City Hall here sits on 2.75 acres. City Hall and the parking lot. So, we are adding about a half acre more of a great park element, a community center, and associated retail uses and commercial uses around the site. This community center right here that I have shown here -- this will face both the park and also into the parking area, which we will see here in a second on how that works. The community center really is designed to provide ample outdoor spaces,

but also indoor spaces. We see that we will be doing -- all of our mail delivery will be at the community center. There will be places for package drop offs. We will also have a cafe in there. You talked about having a small library, either -- either a community library or something bigger than that. There will be a business center. It becomes the activity hub for both the residents and also the community at large at Pinnacle. Again, looking here back towards the northeast, this shot kind of gives you the perspective where the community center and amphitheater commons would be and how those two would relate. We really have an opportunity here to activate this area over time. When I say activate, bring people together. People are looking for that third place. They have work or school and they have home. They want that place where they can go, meet other people, but still have, you know, the ability to have some distance and we really feel like this provides a great cornerstone for south Meridian. And, finally, this picture right here, this is looking at the intersection, the roundabout, looking towards the northwest to kind of get a perspective of Locust Grove and Lake Hazel, how those buildings would relate to both of those arterial roadways. And, finally, just one last picture here looking towards the south and you see the back side of the community center, but it's not really backside, it's a four sided architectural building. We will have plaza spaces there as well. People can come in, pick up their mail, get some services and also participate in other activities that we will have programmed with an on-site community director. One of the things that we have heard a lot about south -- south Meridian -- what we hear in all of our communities is the importance of connections. We view connections as pathways and sidewalks. This graphic right here that's in front of you, these red lines represent new pathway systems, which would be ten feet in size or provide other connections to other neighborhoods like this. We are going to have ten foot detached sidewalks on both sides of Lake Hazel, along a mobility corridor that ultimately will connect into Discovery Park. You will also have a ten foot sidewalk heading north on Locust Grove and, then, as you see it goes on the diagonal, that's the Williams Pipeline. It creates both some challenges, but also an opportunity. We are going to activate that corridor, green it up. We can't build any structures -- buildings over the top of it, but we can bring pathways through there. We can create some common areas, and this ten foot pathway will connect the northwest part of our project and beyond down to Discovery Park for new pathways which are safe corridors to travel on. And, finally, one of the key elements, obviously, are parks and other -- other services. In the southeast area we are showing in our first phase a pool and playground area that we will be building. We have some micro path connections which will be built over to Discovery Park in the Pinnacle Northwest area. We will be building that community center and commons and amphitheater with our second phase. It will be the first phase up there, but with our second phase, so those elements are there right from the very beginning as well. We do have a variety of open spaces, gazebos, we have a future pool and other pathway connections planned to the northwest. That gives you an idea of what we are doing from the very beginning with these two plants, which are before you tonight. As Sonya mentioned, the applications before you -- really that first one, the annexation, has been continued. We are rezoning Pinnacle to match with the type of land uses which are now before you in this master plan. It is one project, but there are two preliminary plats, Apex Northwest and Apex southeast, and we will be modifying the development agreement. Just wanted to kind of give you an illustration of how the zoning here overlays the boundaries of the -- of the project in relationship to the

broader community. We have a variety of land uses here with R-8, R-15. We are maintaining R-4 over adjacent to the existing homes, which are shown there with that project area. We also have C-C designated areas, which allow for community scale and neighborhood scale retail, but also other type of residential uses in the future, depending on the demand and interest in the market. And, again, this is just a side by side of our land use map and the zoning which is proposed. And, finally, just in summary, like I said, we are presenting to you an overall concept plan for Pinnacle. It is divided into two subdivisions or plats before you, Apex Northwest, which was 120 residential lots with 11 commercial lots on 41 acres and Apex Southeast, 237 residential lots, two commercial lots with that future charter school there as well on 81.63 acres. Finally, we do agree with the conditions of approval, subject to some clarifications that we have been working with staff on some design elements, which -- which are not major, but we will address those prior to City Council. We do not have any modifications to the conditions that we are requesting this evening and we do request that the Planning and Zoning Commission recommend that these applications move forward to the Council, not for annexation, but for zoning and the preliminary plat as proposed by staff as we have given to you this evening in our public testimony. That's the end of my discussion or the end of my comments. I am willing to take any questions you have or for our team here as well.

Fitzgerald: Mr. Wardle, we appreciate you being here. I have a quick question. I know in -- in a -- you know, this is a big significant chunk of land. You all are doing a significant offsite in widening roads and adding signals; is that correct? Just so we have that on the record.

Wardle: Commission Fitzgerald, thank you. Yes. To let you know what we are doing currently, on this exhibit right now in the northwest corner where you see kind of some gravel pits up there close to Amity Road, that's where the city brought in its sewer line. We have actually picked up the sewer line and built about three quarters of a mile of it, but we are extending that trunk sewer line all the way down to the city park, so the future phase of the city park can -- next phase can bring -- be brought online as well. One of the other key elements that we are involved in as well is the ultimate construction of Lake Hazel and Locust Grove to match the long range plans that ACHD has for the area. We are going to enter into a cooperative development agreement with them. So, at the very beginning of the project or concurrent with these first phases we will be building a dual lane roundabout, we will be building Lake Hazel at least a quarter mile each way with these first phases as a five lane roadway system with a median that would allow for turn lanes and we will be rebuilding Locust Grove as well as a three lane roadway in cooperation with ACHD. So, we have made that commitment. We are going to do that the very beginning. We are invested already without any approvals on extending the long range planned sewer trunk line for this area. So, yes, those things we are involved in and are committing to with this project.

Fitzgerald: Thanks, sir. I appreciate the information, for sharing that. Is there questions for the applicant?

Seal: Mr. Chair?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer, go right ahead, ma'am.

Pitzer: Thank you. Yes. Just for clarification, where the amphitheater is, if you could bring that back up. You have a little -- you have the square right there that says future. What do you see for that future?

Wardle: Let me see here. Was it this one?

Pitzer: This one here. Yes.

Wardle: Yes.

Pitzer: North of the amphitheater.

Wardle: I don't think you can see my cursor, but, Commissioner Pitzer, you were -- you were mentioning that future square, it's about a ten acre site. We are zoning it as R-15. We don't have plans for it at this moment, but we do view it as residential in the future. One of the things if we were to draw a line through -- you see the red pathway to the northwest, that is the Williams Pipeline. The Williams Pipeline bisects that parcel, so we are just pausing at this moment in time as we are continuing to work with them on how design in and around that would be. It is a 70 foot easement that they have through there. Actually have a couple of pipelines that are in that easement. So, we do need to take care as we are going through there. But at this point in time we are not presenting any plans to the Commission and would come back at a future date with a new plat or plans for that future area.

Pitzer: Okay. Thank you. And follow up?

Fitzgerald: Go right ahead, ma'am.

Pitzer: Thank you. What -- are there any grocery stores, gas stations, anything like that within this area?

Wardle: Mr. Chair, Commissioner Pitzer, at this time we do not have anything planned at this intersection. We do have an opportunity in future. We have some other C-C zoning in there, but we want to make sure that the retail uses are of a scale which is appropriate. There are other locations which we think will end up being probably a little higher traffic, perhaps closer over to Meridian Road and State Highway 69. At this time the retail that we are proposing would be of small scale, probably in the ballpark of four to ten thousand square foot structures that would be services related to the community.

Pitzer: Okay. Thank you very much.

Wardle: Thank you.

Seal: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Seal: Was that for me?

Fitzgerald: Yes.

Seal: Just a quick question on the school sites. Are the school sites something that you were working to donate fully, partially donate, or is that something where the school is going to buy the land and go from there?

Wardle: Mr. Chair, Commissioner Seal, Brighton has a long standing history of working with the schools. We have done this at other locations in most every one of our communities in Meridian. I don't want to get into the details on what that really means, other than we are committed to education and we -- we are working hard to make sure that education happens early here, just like we have in other communities. So, I don't really want to get into details on what those -- how the land would transfer, other than to say that we have a long term commitment to education in Pinnacle.

Seal: Okay. Thank you.

Fitzgerald: Follow up, Mr. Seal?

Seal: No. That's all. Thank you.

Fitzgerald: Okay. Commissioner Grove, were you unmuted?

Grove: Yes.

Fitzgerald: Sir, go right ahead. Thanks.

Grove: All right. Thank you, Mr. Chair. Mr. Wardle, a couple of -- I had two separate questions. First one is related to the improvements right there and -- for the street. This is something unique to our streetscape. Is this proposal something that would -- like was actually going to go through in terms of the median that is set up on -- which one is that? Lake Hazel. And I guess Locust Grove as well.

Wardle: Mr. Chair, give me a second here. Let me scroll back to a different graphic that pulls it down a little bit closer, just so you can kind of see here. There is a dark line here, so that -- that is over the top of a continuous median both east and west from Lake Hazel. As we know, Lake Hazel is a -- you know, is going to be a mobility corridor in the future. It's not carrying that currently, but we want to make sure that it's designed appropriately. But given the nature of the roundabout as well, we don't want to have too many conflicts coming in and out of the parcels and so when you get back to -- back to the amphitheater area, this is a continuous median that would come across Lake Hazel -- there would be

a turn lane -- a dedicated turn lane more to the west, so you would have the same treatment to the east, but, yes, we are -- we are committed to building those medians in those areas, both from an enhancement, but also to control access to the parcels north and south of that Lake Hazel area, given that we have a roundabout there.

Grove: Thank you. I like that. It gives some character to an otherwise flat piece of land, so that's kind of cool. The second question that I had was related to open space and how that is possibly impacting your decision on the northwest parcel. In regards to the -- if the civics aspect is not able to be calculated, does that impact your open space needs during this first phase and if it does are you able to accelerate the addition of the space surrounding the future pool?

Wardle: Mr. Chair, Commissioner Grove, let me just make sure I understand the question. You can just nod if I do. You are asking if we feel like we have sufficient open space in the northwest area if we can't count the amphitheater as -- within our common area. Okay. All right. We do believe that we do. There -- there is an area which is directly adjacent to the amphitheater to the west, which has a lot of common area. We have other buffers as well down here on Lake Hazel. We do believe that we -- the calculations are there for it. I would note, however, it is interesting -- the only reason we are not able to count it is because it's in a C-C zone. We very easily could have redrawn the zoning down the middle of the private drive between the amphitheater and the community center and bring it in and it would be more than -- more than -- way more than is needed, but because it is in the C-C zone as relates to commercial it, quote, isn't counted. I do think, however, if you look in the context of this community, the open space that's there, the amphitheater and the opportunity to bring in a lot of other residents and community members, we think it's a great asset. But your original question, we do think that we have sufficient open space in the other R-15 area, which is shown within the plat.

Fitzgerald: Mr. Grove, any -- additional questions for the applicant?

Grove: Not at this time.

Wardle: Can I just see if there is anything else that needs to be clarified? Okay. We are good on our end. Thank you.

Fitzgerald: Thanks, Mr. Wardle. We appreciate it. We will let you close if there is additional public testimony. I will give you an opportunity to close either way, but if there is -- we will come back to you in a moment. Madam Clerk, is there anyone signed up to testify on this application?

Weatherly: Mr. Chair, we had several people sign up, one who wished to testify in house and that is Stacia Morgan.

Fitzgerald: Okay.

Morgan: Okay. Hi, I'm Stacia Morgan. I live at 1130 East Tanya Lane here in Meridian and I guess I'm mostly here to say -- I mean it looks like that Pinnacle is an exciting addition to our community and I know that Brighton does a good job of bringing good things to our community. If it's approved I guess I'm mostly looking to -- not to approve a future R-15 designation for that one area. Plus I'm here for also a general plea to the Planning and Zoning Committee to continue to look out for our students. I know -- I was unaware of this charter school possibility, but it looks like as of now Victory Middle School is only -- is only 31 kids below capacity and I'm sure just this one Brighton development will bring more than 31 middle school children for that school, which will have it at capacity. Besides all the other communities that have been approved and are currently under construction. I know it's a duty of the Planning and Zoning Committee to do analysis -- analysis of public school capacity and transportation considerations and one question I have is do they do those and does the public have access to those analysis as they consider all these big communities that are coming in. According to the National Education Association a 15 kid class is ideal. That's totally and completely a dream. But 18 to 24 is more appropriate. Hillsdale in 20 -- 2018-2019 school year had fifth grade classes with 38 and 39 kids and another one of 39 and in the 2019-2020 all the -- all the third grade classes had -- had 31 kids in every first grade class. So, this is a huge concern. I mean I grew up here in Boise and Meridian and catch up has always been the game that we have played, but our growth is so much faster and we just can't keep playing the catch up game. The five kids that have -- are in the West Ada School District -- personal experiences I have had one teacher tell me I just don't know what to do with your daughter. She gets done with her work and I just have too many kids, so she can just read and maybe you can do things with her at home. She suggested I do some at home research project with her, because she just has too many kids to deal with and my kids at the high school have been really frustrated with -- every year we get the e-mail you cannot change classes. Whatever you get assigned to that is what you do, because we have too many kids to deal with all these schedule changes. So, unless it's some kind of emergency you just take what you get and that's really frustrating and, you know, not -- not good. I think we really have to plan for the education of these kids and part of the joy of Meridian community -- and they -- Pinnacle mentioned connection and that's -- that's the joy and beauty of living here is the connection with our neighbors and if these kids, which is currently happening, are bused to different schools and not going to school with their neighbors, they lose on that connection and that -- that's the beauty of the city. Kids should not have to be bused to far away schools because of the lack of planning on the city's part for educational purposes and also if we can kind of limit the number of step-ups or rezoning, we can limit the number of people in these communities. So, that's my plea, I guess, is just to, please, keep -- think about our kids and think about our future. I think that Pinnacle looks great, but we really have to be smart about how we are planning our community and planning for schools. It looks like there is some good selections with the elementary school level, but we still suffer in the middle school and, then, even the high school. So, thank you.

Fitzgerald: Thank you, ma'am. Appreciate you being here with us tonight. Madam Clerk, is there anyone else that would like to testify that hasn't signed up?

Weatherly: Mr. Chair, I'm getting one --

Fitzgerald: I have someone raising their hand.

Weatherly: I'm getting one hand raised online, so one moment. Annette, I'm going to move you over so you can speak. One moment, please.

Fitzgerald: Annette, if you would unmute yourself, you have joined us from the other side, so if you would, please, state your name and your address for the record and the floor is yours, ma'am.

Alonso: Okay. I'm Annette Alonso. I live at 2204 East Hyper Drive in Meridian and I live in Black Rock Subdivision, which will eventually back onto this development on -- off the canal to the northeast side and I have met with -- with Mr. Wardle and truly I think this is a beautiful development. It's really well planned. Spoken with Jon and we talked about this before. I'm representing the Southern Rim Coalition. And the only thing I have to say is we would like to make sure there is pathways connected through our development. We have a place where we can connect through -- over the canal. We have a walkway. Just so we have that thoroughfare going through and like the previous person who spoke just said, our education thing is quite a disaster at this point and I have tried many times through City Council -- Wendy Webb, who is my co-chair testified to City Council on a Linder Cedarbrook the other night and that was turned down by City Council because of the fact that we have no place to put our children and I love the fact that Brighton is including the school thing. I think the charter school is great. The problem is is that we are going to have houses before we have schools and we already have a thousand houses planned out here with no place for the children to go, because we are at capacity -- over capacity, so -- so, that's kind of just where we are is that we love this development, but schools have to come first before we can do anything else, because, you know, we wouldn't approve houses if we didn't have water. We wouldn't approve houses if we didn't have sewer. It's basic need and education is basic need. So, that's where we stand. Like I said, we love this development, we love what Brighton does, we love what they did with Century Farm. We love their contribution to community and the way they really help grow the community. We just have to have a school before we have more houses or we are going to be in real trouble. That's all I have.

Weatherly: Mr. Chair, at this time I don't see anybody else raising their hand in house or online.

Seal: You are muted, Mr. Chair.

Fitzgerald: Thank you very much. Thanks, Mr. Seal, for bringing that up. Ms. Alonso, thank you for being here with us tonight. We appreciate your perspective. And I have one more person that just raised their hand. Can we move Mr. Edwards -- or Mrs. Edwards -- the Edwards over and have him or her join us as a panelist.

Weatherly: Absolutely. I think it's Julie. Julie, if that's you you can unmute yourself.

Fitzgerald: And, Julie, if you hit the button down -- there you go. Julie, please, state your name and your address for the record. I think we got your testimony late today, but we appreciate your written testimony, too. So, hopefully, you can give us your take and go from there. So, the floor is yours, ma'am. Julie, we are not hearing you if you are speaking. Still having challenges. But I do know we have got Julie's testimony on the -- in written form, which is good. Madam Clerk or Chris, I'm not sure if we can help her.

Weatherly: Julie, if -- if you can check your -- you are unmuted on Zoom, but if you look on your computer and see if your volume is on and you are not muted on your computer. It sounds like you might be joining us, but you are really far away.

Allen: Mr. Chair, this is Sonya. If Mrs. Edwards is not able to communicate with us so we can hear, I am happy to hit the highlights of her written testimony if you would like.

Fitzgerald: Let's do that and she can --

Allen: Okay.

Fitzgerald: Yeah. That would be great. Sonya, if you will hit the highlights of her testimony and we can -- just to make sure everybody has that and, then, Mr. Wardle might be able to answer any questions that come up in that. That would be great.

Allen: Okay. Mrs. Edwards is opposed to the proposed rezone from R-4 to R-15 for the land along Lake Hazel Road between Meridian Road and Locust Grove Road. She is not against higher density around the commercial areas, though. She would like to see the zoning of the future development areas remain R-4, rather than be rezoned to R-8. She believes that farmland and open space should be preserved as much as possible. She is concerned the current school system does not have the capacity to accommodate all of the students from this development. She would like a moratorium placed on development that has not already been approved to allow time for the school district and roads to catch up and to have time to reevaluate how we want to use our dwindling remaining open spaces and farmland. Hopefully I captured all that, Julie. If not, the Commissioners do have her entire letter in the public record for review.

Fitzgerald: Thanks, Sonya. Appreciate that. Is there anyone in the audience or remaining online that would like to testify on this application? So, please, raise your hand.

Seal: I'm seeing nobody in the audience, Mr. Chair.

Fitzgerald: Thanks, Commissioner Seal. Hearing none, Mr. Wardle, would you like to close, sir.

Wardle: Sure. Thank you very much for the opportunity to make a few comments here at the very end of this. We -- we are aware this is a large project and we -- we also are aware that a couple of the items are outside of the city's control, being the roads and schools, but we feel like we are stepping up to address those and be very proactive. The

school question came up about, you know, needing more capacity. We went out and we found a very creative way to create capacity almost at the very beginning of our project. This K through eight charter school, Gem Prep, they will have 550 new seats that weren't even anticipated in West Ada's plan. We also committed to West Ada for them to provide an elementary school here on site as well. We are frustrated as well with the schooling issue. We are very intimately aware of what's going on in Hillsdale where we have residents that are living in -- in Century Farm, a community we developed and worked with West Ada to build that school, but their kids are being bused out, while other kids several miles away are being bused in. We are frustrated by that, too, and we would like to see West Ada be a little bit more proactive on doing changes. Now, that's not -- that's not popular, because people want -- they want the kids to remain in a place long term. But one way to deal with the capacity issues in West Ada is to change boundaries more frequently and address those as growth is coming. We do feel that Pinnacle with the West Ada future school site for an elementary school, as well as his charter school, we are really bringing some resources sooner -- in particular with a charter school -- than West Ada would be able to provide in their normal course of business. There was a question regarding pathways and I just want to see if I have control here still. It says I do, but let's try this one more time. It is not moving forward here. The question was raised about pathways. One of the unique things that we have in -- in Meridian are a bunch of laterals, drains, irrigation areas. The area between us and Black Rock -- and I did meet with Annette. She came in. We met in probably February before we completely shut down here. There we go. Thank you, Chris. This plan right here on our eastern boundary, that pathway system is really designed to follow the Farr Lateral. There is a connection existing in Black Rock, which they talked to us about, about making a pedestrian connection out. We think that's great. The more pedestrian connections we have for opportunities for neighbors to cross back and forth without having to get in the car is better and we are committed to these as well. So, I think we can very easily provide new opportunities throughout all this area and get people safely to Discovery Park. Finally, there is a question about density and rezoning. I just want to go to the city's future land use map. It was on a smaller scale. It's right here. So, this is the current Comprehensive Plan that the city has adopted. We have been involved and active in this conversation. It went through a long review period with a lot of public outreach. As you will see, Lake Hazel is considered as a location for more -- more density. We are going to take a look at that long term, but we also are wanting to make sure that we can meet the residential needs and demands over time and our zoning is married up with the future land use map. Just in summary, let me go back here. We are -- we are really excited about Pinnacle. Not -- not just from a, hey, we are -- we have an opportunity to build some homes and put some -- some roads in the ground. That's beyond what we are considering here. We are excited because we have an opportunity at the intersections of Lake Hazel and Locust Grove to create a south Meridian town center. A destination. Provide connections to the new city park. Provide safe ways for people to move back and forth along these arterials. Provide additional pathways to and through Pinnacle. Provide services for not only the residents of Pinnacle, but all of south Meridian and, most importantly, provide educational opportunities which we all know are super important with a future charter school and a future elementary school. Like I said, our team here at Brighton, we are very excited to be before you to do a master planned community, which

is considering, you know, living, recreation, services and educational opportunities in a planned manner and we stand for any questions you might have tonight.

Fitzgerald: Mr. Wardle, we appreciate it. Are there questions for the applicant? See shaking heads. Hearing none at this time. Going once. Going twice. Can I get a motion to close public hearing?

Holland: So moved.

Grove: Second.

Fitzgerald: I have a motion and a second to close the public hearing on several different file numbers. All those in favor say aye. Opposed same?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Okay. Crew, the applications are properly before you. Who wants to lead off?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I will jump in real quick.

Johnson: Mr. Chair, sorry. Can I interrupt him? I apologize. A member of the public raised their hand, but you have closed the public hearing. What would you like to us to do here?

Fitzgerald: I think we have moved on. That's kind of our policy, Chris, so -- appreciate that. We let Mr. Wardle close, so I think we are going to move forward. Go ahead, Commissioner Grove.

Grove: Just initial thoughts kind of on this. I like the -- the -- the thought process behind this project, especially trying to create a sense of community in this part of town, rather than just a -- you know, adding a subdivision to add a subdivision. Adding, you know, the elements that are in the comp plan in terms of creating that sense of community with more than homes, you know, having commercial and civic aspects to this with a variety of housing options. I like the overall concept that's been provided and, you know, the education piece is definitely hard. I would love to be able to make some -- you know, if we had a magic wand and change how we can get schools built in our state that would be awesome. I do appreciate how they have addressed education as part of their plan versus saying that, you know, it will come in somewhere close to them. They are actively doing that. I am really a fan of this amphitheater commons area in particular and first impressions on it are I like this project and I really like the treatment that they did on the street in the proposal as well.

Fitzgerald: Thank you, Commissioner Grove. Commissioner Holland.

Holland: Mr. Chair, I want to say I really like mixed use concepts where they think comprehensively about how all the elements integrate with each other, instead of just doing a series of tot lots and a series of pocket parks. They have got more of a centralized space that's really thinking about the future vision. So, I applaud their efforts in trying to think creatively and creating an amphitheater where gathering space in Meridian has been limited and a number of conversations on where do we have more concerts, where do we have more of these kind of closet events. So, I think they have done a tremendous job in trying to integrate some of those elements instead of just doing a series of pocket parks, which they certainly could have done. Overall I think they are following what the comp plan has. I don't see any big burning concerns on my side. I certainly understand the public's -- you know, it's -- it's tough with schools and it's hard, because the Commission doesn't really have the authority over the school district. Our job is to make sure that these projects fit the Comprehensive Plan and the -- the future use map and as far as development is going at least a step above, they have got two school sites within this master planned community and I think that that speaks volumes for their efforts in wanting to work with the school district to help solve some of the challenges in this area. So, in my mind I don't see any big glaring concerns.

Fitzgerald: Thank you, ma'am. Commissioner McCarvel, do you --

Seal: Mr. Chair?

Fitzgerald: Oh. Commissioner Seal, go ahead.

Seal: I echo Commissioner Holland's comments and -- and, you know, I -- when I read the ACHD report on this -- just commenting on the roads -- it was almost comical to me. It was -- I read it as them being kicked back on their heels like they want to do what, you know. These guys are going to -- they are going to build our roads and -- hold on a minute, you know. That's kind of the way that I -- and it's -- it's a really really long report and that's where I got kind of that -- that -- that picture in my head of them reading through it going, oh, my gosh, how do we handle this. So, I -- you know, I applaud their efforts in doing this and taking the responsibility and listening to, you know, the times and opportunities we have had to kind of beat up on them, you know, as well as other developers to bring something else to the community besides a bunch of houses, so -- I mean this is a really big development. It's a lot of houses. They just shot down -- you know, City Council just shot down a large development like this on the south side of the freeway and understandably, because, you know, the infrastructure isn't there and the schools aren't there. But seeing a developer coming in and being responsible about that and just taking -- basically taking the reins. I know we are short on schools. I know the roads and infrastructures, you know, isn't enough to handle what we are trying to do. So, we are going to -- we are going to do this. You know, I mean -- as basically kind of saying this -- you know, for other developers to -- to heed -- to heed to. I mean generally speaking I'm the commissioner that I looked at the ACHD -- or, sorry, the West Ada School District report first and if they are overcrowded you really really got to do something to make me,

you know, jump over that to where I -- I think maybe it might be a good idea to pack more kids into the schools that are around there. I'm very passionate about that. That said, the responsibility that's taken in this -- this development is above and beyond in my -- my view. The way that it's laid out, the concept plans, the ten foot paths to me -- my family and I -- we try and bike everywhere. We are a biking family and we constantly run into the fact that a five or six foot sidewalk isn't enough for you to responsibly get around people. I mean you come up against somebody with a baby stroller or something, you feel bad. You got to work your way through that. So, ten foot paths all the way around, that's -- that's remarkable. So, I mean there is -- you know, I have the same hesitations. I just went to pick my son up this morning at the -- at the south Y and I drove through this area and part of me is a little bit sad, because it's -- it's wide open spaces. It's farmland. It's all -- you know, it's the things that we kind of like to see here. That said, the responsibility is taken in my mind with developing this piece of property and the lengths they are going to in order to show that responsibility is -- is great. I hope we see a lot more of this from developers, big and small, because this -- this proves that they want to be a part of the community to me and the -- I mean I'm not even going to get into the amphitheater part of it. I love that. So, I -- I like everything about this and I really do applaud their -- their responsibility that they are taking and trying to help our community into bettering itself, both with infrastructure and with schools.

Fitzgerald: I -- I will hop in just real quick before -- because I -- I totally agree with everything you just said. It is showcasing by setting an example, taking a step forward and investing in those things. Taking what could be additional homes and, you know, providing that school and, then, building the roads. So, you are -- that you are taking that step forward I think is -- is exceptional and it should be an example for other developers. So, I wholeheartedly agree with what you just said and I can't really improve on what you said, so I -- I think you took the words right out of my mouth, because I had the same feeling, so -- Commissioner McCarvel.

McCarvel: I'm really glad you all used all those words to describe this, because as long as I have been on the Commission I have got to say I'm about speechless. This is beautiful. The traffic calming on -- coming up to the intersection on the roads, the open space and just the overall framed together, the R-2, R-4, R-8, all of it blended -- it looks like it's going together really well and I think that's what you want to see in these -- in these communities being able -- to ask for a mix of housing types and I think this is going to be a good blend and, like they said, it's not often they get a chance to do all four corners. So, I'm glad they got the opportunity, because this is -- like I said, if we could do more of this it would be a great thing to the City of Meridian.

Fitzgerald: Additional comment?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer.

Pitzer: Yeah. I -- I'm going to echo those comments, but also I just wanted to mention, you know, I -- I came from a very rural area that changed and transitioned and I went through all the hardships of the -- you know, the cows and the dairies and -- and all of that and -- and I did read the letter and I do listen to the public comments and I appreciate all of them, but I -- I think this is transitioning well. I know that the R-15 right now is -- seems high, but it's around the commercial area and I think if we look at the other zoning that they want to do, especially keeping R-2 and R-4 to the other areas, I think it's going to transition well and the fact that they have so much invested in the community as a whole and -- and I think that, you know, the grocery stores and the other commercial are going to follow. It's going to come. But, you know, they are not going to come out if there is no houses, so I think this is very well thought out. I think it's another great Brighton community and I do applaud the thoughtfulness that -- that has gone into this and -- and -- yeah. I think the transition is there.

Holland: Mr. Chair? I don't know if you are talking back, but I'm going to make a motion.

Fitzgerald: Sorry.

Holland: After hearing all the applicant and public testimony --

Seal: Commissioner Holland?

Holland: Yes.

Seal: Can I interject something here real quick? And there was a question as to the open space and whether or not that it would be able to accommodate by -- when they removed this area here. I would -- I mean I was going to try and do the motion, but you are way too quick at this, so -- but I -- honestly, I wouldn't mind having something stated in there that as long as they are close I -- whatever -- I mean if we have to do alternative compliance, whatever that is in order to let them know that, yes, even if the surrounding area doesn't quite make it, I'm okay with that and in this area specifically, in the -- in the -- in the northwest corner specifically. I don't know if that's something that we want to note in there, but I'm -- I think they have gone above and beyond with this concept to the point where I think it may be worth noting in a motion.

Holland: Commissioner Seal, I'm happy to have you make that motion. Go right ahead, sir.

Seal: Great. Now -- so, now I have to think of how to say that. Okay. After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file numbers H-2020-0056, H-2020-0057, and H-2020-0066 as presented in the staff report for the hearing date of July 9th, 2020, with the following modifications: That if open space -- after the removal of the amphitheater does not meet the criteria, that they are given credit for the amphitheater space in an alternative compliance.

McCarvel: Commissioner Seal --

Seal: Go ahead.

Fitzgerald: Yeah. Just for clarification, do we have to pull out the annexation?

McCarvel: Yeah.

Pogue: That's correct.

McCarvel: H-2020-0066.

Seal: We pulled out H-2020-0066?

Fitzgerald: Just the annexation.

McCarvel: Yeah.

Seal: But that is the number for it, 0066?

Fitzgerald: Yes.

Allen: Mr. Chair, if I may -- this is Sonya. That is the number, but that also represents the rezone and the development agreement modification applications as well. So, please, specify just the annexation associated with that file number. Thank you.

Seal: So, let me --

Fitzgerald: So, in addition to your motion --

Seal: Let me read this again. How is that? So, we -- we haven't had a second. After considering all staff, applicant, and public testimony I move to recommend approval to the City Council of file numbers H-2020-0056, H-2020-0057, and H-2020-0066, with the exception of the --

Pogue: Annexation.

Seal: -- annexation. Presented in the staff report of the hearing date of July 9th, 2020, with the following modifications: That if the northwest parcel, after pulling out the amphitheater portion on -- of open space does not meet the criteria, that they are still granted approval through alternative compliance.

Holland: I will second.

Fitzgerald: I have a motion and a second to recommend approval of file H-2020-0056, 57 and 66 with modifications. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thanks, Mr. Wardle.

Wardle: Thank you very much.

Fitzgerald: Good luck. We appreciate it. This thing looks awesome. We look forward to seeing it.

Wardle: As are we. Thank you very much.

F. Public Hearing for Tara's Landing (H-2020-0048) by Mike Homan, Located at 5025 W. Larry Ln.

1. Request: Annexation of 6.34 acres of land with an R-8 zoning district; and,
2. Request: A Preliminary Plat consisting of 29 buildable lots and 2 common lots on 6.14 acres of land in the R-8 zoning district.

Fitzgerald: Have a good night. Okay, team. Plowing forward. Next item on our agenda is the public hearing for Tara's Landing, file H-2020-0048, and we will start with the staff report. Alan, are you with us, sir?

Tiefenbach: I am, Mr. Chair. We are keying up the PowerPoint.

Fitzgerald: Got you. Thank you.

Tiefenbach: All right. Good evening, Mr. Chair, Members of the Commission. This is a request for an annexation, a preliminary plat -- a preliminary plat and a zoning. It's -- the property is about six acres of land. It's zoned RUT within unincorporated Ada county and it's located at the end of West Larry Lane, which is near the southwest quadrant of Black Cat Road and West Chinden Boulevard. You can see the maps here. The future land use map recommends this property for a medium density residential. As I said, it's currently not within the city and you can see the development that's -- that has been approved around the area. Again, this is a proposal to -- for approximately six acres of land to be annexed and rezoned to R-8 and to plat out 29 buildable lots and two common lots. There is presently a single family residence on this property and the land to the -- to the south of the property was annexed, zoned, and planted for 30 lots recently. That's the Westward Subdivision and that is presently building out. To the north of the property is vacant and rural land and that's recommended by the future land use map as medium density residential and mixed use regional. This property, about 28 acres, was -- recently underwent a pre-app for commercial uses and about 250 single family and multi-family units. To the west of the property is 126 acres presently in the early development stages as the Prescott Ridge Subdivision and subdivision would allow about 380 single family attached and detached, as well as possible multi-family, a medical campus and an educational facility. Access is proposed via Larry Lane, which you can see with my cursor here. Also North Willowside Avenue -- when the Westridge Subdivision was built, this is

presently being constructed, so this development will continue west -- west -- or, excuse me, of Willowbrook and we will stub it to the north property line. There is also going to be an interior road here, which would be West Tara Court -- West Tara Court. It's important to note that West Larry Lane right now is a cul-de-sac. After talking to ACHD, ACHD and city staff have both agreed that this should be extended. So, the applicant will be responsible for constructing this road and connecting it to North Willowside Avenue. This would require a -- would provide internal access. So, they would have to improve it as one half of a 30 foot -- 33 foot street section with curb, gutter, and a minimum of five foot concrete sidewalk. They would not build a sidewalk on the northern side. That would be the next developer that would do that. The applicant proposes just a little bit more than ten percent of qualified open space for the development, which you can see here and it's important to note that this -- the landscape plan does not exactly match the preliminary plat. We have -- we have conveyed that onto the applicant. Tonight I have -- I have seen a -- another updated landscape plan from the applicant, which I can talk about in a minute. This open space that you see here would be accessed via a pathway between lots of three and five, which you can see here. It would also be accessed from Tara Court, which is down here, and from Larry Lane, which is up here. One concern that staff had was with the orientation of these lots here and the reason why is because this micro -- this pathway here would be coming in between the sides of two houses and would have a limited visibility. It wouldn't be good for Crime Prevention Through Environmental Design. Staff's recommendation to the applicant would be to rotate these lots 90 degrees, so that the path is in the back of the houses, which would have more -- which would have more visibility. Staff has recommended this as a condition of approval. We have conveyed this onto the applicant's representative and I believe that they are amenable to that. As I said, again, at the time of writing the staff report we received the landscape plan that didn't exactly match the plat. What I mean is the cul-de-sac for Larry Lane is actually right about here and if you see this landscape plan it's not shown on that. It also doesn't show -- if I go back to the original plat here -- there is a micro pathway that is shown here and this is north of Lot 10 and if you look at the landscape plan that's not shown on here. We have recommended as a condition of approval that there be an additional lot up here to contain that pathway. So, they would have to revise this landscape plan accordingly. I guess the other thing that's mentioned is that at the time of the -- that staff has informed the applicant on several occasions that at least one amenity is required for this development per our UDC. The landscape plans that they have submitted haven't shown us that amenity, although tonight I believe that they have -- they are proposing I believe a picnic area with an outside shelter and maybe one other amenity. They can address that. That's one of staff's recommendations of approval, obviously, before City Council would be that the landscape plan would show a qualified amenity. The last thing I would want to talk about is I have received several letters of concern from the adjacent neighbors for a few different reasons. One of them would be the extension of Larry Lane. The other would be the density. A third, which is really a matter that the staff has maintained is a civil matter, are some existing covenants to talk about what the size of the lots in this subdivision -- the original subdivision can be, which are at least one acre in size. I'm pretty confident the neighbors will address that tonight. Other than that, with the conditions of approval that I have mentioned, the staff would recommend approval of this case to the Planning Commission. Any questions, Planning Commission?

Fitzgerald: Thank, Alan. Appreciate it. Any questions for staff?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove, go ahead, sir.

Grove: Not a question, but I just wanted to put on the record real quick. My former in-laws do live right in this area and have written in testimony. So, I just wanted to put that out there. It doesn't impact my decision, but I wanted to throw that out there so it's on the record.

Fitzgerald: Appreciate that disclosure. Any other comments or questions? Hearing none at this time, would the applicant like to begin testifying? Is he with us in person or online?

Tiefenbach: I believe the applicant is here in person and, yes, I believe he is going to testify.

Fitzgerald: Okay.

Tiefenbach: Mr. Chair, city clerk is walking over here to figure out what's going on. So, just a minute.

Fitzgerald: That's good. Thanks, sir.

Homan: Can you guys hear me?

Fitzgerald: Yes, sir, we can.

Homan: Mike Homan. 6820 West Randolph Drive, Boise, Idaho. I'm the developer, Elder LLC. I agree with everything that Alan -- that staff presented. One thing I wanted to -- a couple things to add. Our new landscape plan, we just got that turned in late this afternoon, but it does show the pathway to the school and, then, those -- where lots -- looks like between three and five there, those two lots we went ahead and listed those with our new design as the recommendation to face the other direction, so the side yards won't back up to the path. But we have made those changes and, then, we have two amenities. We are only required to have one, but we went ahead and added another one and that is a picnic table with a cover -- a top over it, two barbecues and a community garden space, which qualifies as the second amenity and I go on record that we are going to have those in the plan. Besides that, I'm open for any questions.

Fitzgerald: Mr. Homan, do you know where those are going to be located, the new amenities?

Homan: In the common area, the -- off of Larry Lane. There is a covered patio for the picnic table, the two barbecues, and, then, behind that where we will put in the community garden space.

Fitzgerald: Thanks, sir. Are there any questions for the applicant?

Seal: Mr. Chair?

Fitzgerald: Yeah. Go right ahead.

Seal: I will go ahead and reask the question and I asked it -- it's part of the public record, but there seems to be some nasty content -- some neighbors not getting along here I guess so, on some, you know, paperwork that was signed and all that. So, my question is is the -- the landowner at this point is he the person that entered into that contract way back in 1973 or is this new ownership?

Homan: I believe it is new ownership.

Seal: Do you know how long the folks there have been residents of this property? Okay. I can't hear you.

Fitzgerald: Is there conversations taking place?

Seal: Can't hear you.

Fitzgerald: We can't hear.

Homan: Yeah. So, the -- it totals a little over six acres. They are retaining about an acre and, then, I'm buying five acres and doing the 29 lots.

Fitzgerald: So, the original owner is -- is staying on the property -- the existing property? The existing home? Is that the original owner?

Homan: Yes. It's not the -- I don't think they are the original owner when it was platted back in 1973. But we are --

Fitzgerald: Mr. Homan, do you have your landscape plan before us that we could see it?

Homan: Yes. I e-mailed that to Alan. I can -- but I have a copy of it on my laptop I can show you.

Tiefenbach: I might -- this is Alan Tiefenbach. I can probably pull that up if you hang on a second.

Fitzgerald: Okay. Anymore comments or questions for the applicant while they are pulling that up? Commissioner Seal, do you have a comfort level where that whole thing stands right now or -- or follow up?

Seal: Yes or no. You know, I mean it's more of a principal situation, so --

Fitzgerald: Yeah.

Seal: -- more than anything, so --

Holland: Mr. Chair. Andrea, I know that staff says that they have taken that it's a civil issue, is there any ramifications of a county plat that has the CC&R recorded on it? I mean I know it's not a city plat recorded, but do we have any legal ramifications for that?

Pogue: Thank you, Commissioner. It's the position of the Legal Department that we can't give legal opinions on behalf of either the applicant or the -- the neighbors. The CC&Rs are a private matter. The city is not involved in them, bound by them, anything. What's before you tonight is an application for annexation. As such the decision is is it in the best interest of the city that the city annex this parcel at this point. It's the density, the comp plan, or does -- does it otherwise meet all the codes and standards that are applicable. The applicant will -- if annexed they -- the development will have its own HOA and CC&Rs, so, you know, if that creates liability for the applicant they need to consult a lawyer and figure that out, as do the neighbors. So, that's our comment on that.

Holland: I understand.

Fitzgerald: Alan, did you have that stuff ready to go or do we need to move forward with public testimony for a minute?

Tiefenbach: Sorry. We were -- we were working on getting the screen sharing thing going here for you, Commissioner.

Fitzgerald: You are fine. I just wanted to make sure we were not wasting your time. Hopefully you can see that.

Fitzgerald: So, we haven't adjusted the lots in this version?

Homan: No. We -- that's -- that will be something that will change on the plat, but we didn't -- my landscape architect didn't have that -- that information, so --

Fitzgerald: Okay.

Homan: -- but we will agree on record to change them the other direction.

Fitzgerald: Okay. If there are no further questions for the applicant, we will open up for public testimony and we will let you close, Mr. Homan, and -- after the fact. Does that work?

Homan: Yes.

Fitzgerald: Okay. Thank you, sir.

Homan: Yeah. Thank you.

Fitzgerald: Madam Clerk, are we -- is there anyone who would like to testify on this application?

Weatherly: Mr. Chair, we had several people sign in, several of which wish to testify. The first is Mike Siron. Mike, I have moved you over, so you should be able to unmute yourself now.

Fitzgerald: Mike, your mute button is at the bottom left-hand corner of your screen. Oh, there you go. Mike, are you with us?

Siron: Yes. Can you hear me?

Fitzgerald: Yes, sir. Please state your name and your address for the record and the floor is yours, sir.

Siron: Okay. Thank you. My name is Michael Siron and I live at 6045 North Black Cat Road. So, our frontage is all the frontage that's being expanded for the -- all the -- the light that's going in at Chinden and Black Cat, to give you a feel for where we are located. We are in favor of this development and the R-8 density rezone and also in favor of it being brought into the city. So, I guess that's it. Thank you.

Fitzgerald: Thanks, Mr. Siron. We appreciate it.

Weatherly: Mr. Chair, next we have John B. Sorry, I can't read the last name.

Bagley: Thank you. Can you hear me?

Fitzgerald: Yes, sir. Please state your name and your address for the record and the floor is yours.

Bagley: Yes. My name is John Bagley. I live at 5000 Larry Lane, which is the property just to the north of the property under consideration. My wife and I are in favor of allowing the development to go through and the R-8. That's all.

Fitzgerald: Thanks, Mr. Bagley. We appreciate it. Thanks for giving us your opinion.

Weatherly: Sorry, Mr. Bagley. I could read yours. I think there is another John B. Yes. Sorry. That's the last name I couldn't hear -- or read. Sorry. If you want to go to the back and provide your testimony. Chris will help you out the door. Oh, sure. That's fine.

Bartlett: Hello. I want to thank all the Commissioners for staying so late. I know you are not fresh now, but I appreciate your listening to our comments and staying so late. I'm Vickie Bartlett. I live at 4915 West Larry Lane. Our property is on the east boundary of the proposed project. I request that you decline approval of this project. I am not in favor

of it. Compton Subdivision No. 2 has active CC&Rs that provide for one home for one acre. We bought our home and six acres with the intent of honoring the subdivision CC&Rs and preserving the feel of our neighborhood. Mr. Homan's project density is in violation of the CC&Rs. I understand that if the project receives approval that, as mentioned, we would need to sue the project developer over the CC&Rs. His very tiny lots are not compatible with our subdivision. Each homeowner has a five acre parcel. We feel that a 20,000 square foot lot would be much more appropriate with our six acre parcels. We would support a density provided by the CC&Rs of one acre lots. So, in closing, please, deny this application as it dishonors our CC&Rs in Compton Subdivision Two. Thank you very much.

Fitzgerald: Thanks, ma'am. We appreciate your testimony tonight. Are there any additional people who would like to testify, Madam Clerk?

Weatherly: Yes, Mr. Chair. Now Mr. Bartlett will be going.

Fitzgerald: Okay. Mr. Bartlett.

J.Bartlett: Good evening. Again, thanks for staying late. And like my wife, I would like to oppose this subdivision. It doesn't fit with what's out there. It violates the CC&Rs and even though that they are now saying that they support it, signed an agreement saying these CC&Rs are what they wanted. So, the subdivision as it's proposed puts 30 lots on about four acres of ground. The neighboring subdivision to the south put 30 lots on 12 acres of ground. We are not totally opposed to progress, but this just is not tenable. Thank you.

Fitzgerald: Thank you, sir. We appreciate your input. We appreciate you being here this evening.

Weatherly: Mr. Chair, next is Jim Paulson.

Paulson: My name is Jim Paulson. I'm the owner and broker of Progressive Realty. I represent the developer on this project. My address is 645 Wickham Fen Way in Boise, Idaho. I have represented seven developers in the past. The way I see this project meets all of the requirements with no variances and fits into Comprehensive Plan. It has the largest lots of every single subdivision that was presented this evening and that's what people like about Meridian is having the larger places for the family. We have a large usable space. A lot of the applications typically have like a border landscaping around the berm. This is actually usable for picnic areas and families. I think that this falls right in line with the Comprehensive Plan. One of the comments was brought up earlier on a project that was just approved for Brighton, which I also support, but they had to run utilities for three quarters of a mile for the sewer and the project directly to the south of this subdivision anticipated growth going this direction, as did -- as did the City Council and Planning and Zoning for Meridian, which is why they stubbed a sewer line directly into this parcel that we are tapping into. So, therefore, I am in favor of this project. Thank you.

Fitzgerald: Thank, Jim. Appreciate your testimony this evening. Madam Clerk, who is next on the list?

Weatherly: Mr. Chair, that would be Matt Neukom.

Fitzgerald: Okay? Mr. Neukom, are you with us yet?

Neukom: Good evening, everyone. My name is Matt Neukom. I live at 5120 West Larry Lane. Our property is immediately adjacent to the proposed development to the north. Mr. Chairman and Members of the Commission, I would also like to thank you. It's been a long evening for everyone and all of you play a very important role to our community. So, thank you. Very easily could have marked, yes, I was in favor of the development on the sign-in sheet tonight, because I'm really not opposed to development, but I'm opposed to the way that this project is proceeding. My wife and I could support the sale of this property from the Cuthills, the current landowner and a neighbor of ours. We could also support the addition of homes on the property, but we are not in favor of the way this project is proceeding. The sole reason for that is the lot density and I didn't know if public could provide exhibits, but the exhibit shown on the landscape plan here I hadn't seen until this evening. We learned earlier that it was submitted just earlier today. But if you extend -- Alan, can you pan the screen down for us to see the north boundary of Larry Lane. Thank you. If you extend the north boundary of Larry Lane it will very nearly, if not entirely, intersect the corner of our garage. We currently live on over five acres and we are quite concerned about how the project will impact our property, our land value and our lifestyle. So, for this project to construct half of Larry Lane so that the northern half can be constructed in the future, it really makes no sense based on our home that is presently on our property, it's very well used, it's very well cared for. I think you probably have all seen the lot size goes down to about 4,000 square feet. That is a little bit larger than our home and there are several homes across the street and across Black Cat in Bainbridge Subdivision that are that size. The -- as mentioned earlier, the other properties in the subdivision as it currently sits are five to six acres. The existing house is going to stay on an acre. If my wife and I ever decided to sell some of our land for development it will stay on two acres. The Bartlett's property to the east is on six acres and it may need to stay on six acres. So, the character of what is there and what will continue to be there are larger lots. To the south and western subdivision the lots are an average of 10,000 square feet. So, you could fit two and a half 4,000 foot square foot lots inside of one of those. We saw several creative solutions for the Pinnacle Subdivision, but this subdivision really doesn't have any innovation or any uniqueness with it. It is an effort to create as many lots in a very small area as possible. The impacts to our properties from traffic and the decrease in land value are -- are not something that we welcome and we ask your help to reject the subdivision. Those of us that are opposed to it are happy to talk with the developer about what would work for us, but they have not approached us in a way that is -- one that's considering our input. You have heard about the CC&Rs and you have also heard your legal counsel. We would ask you to reject the subdivision. Not entirely, but to send the developer back to those of us that are opposed to developing it in this manner, to work with us on it and to be good neighbors. We are very willing to do that and by appointing him back to us you will really help us avoid a legal battle and we

don't want to battle, we would much prefer to work with them. Commissioner Seal, you made a very interesting observation earlier on a neighborhood -- I forget the word that you use -- dispute or argument. I don't feel like it's that now. All of the neighbors got together in our home a couple of months ago to talk about our collective interests, but the developer has not considered our collective interests and that's why we are asking you to reject it, to send it back to us to talk this through to come up with a solution that works for everyone and that's what I ask you now. Thank you very much.

Fitzgerald: Thanks, Matt. We appreciate your time and for being here tonight. Madam Clerk, do we have anyone else who would like to testify?

Weatherly: Mr. Chair, no one else has signed in or has their hand raised at this time.

Fitzgerald: Okay. Give a couple of seconds pause. Anyone who would like to testify that hadn't signed up on this application, please, raise your hand via Zoom or in the audience, please, raise your hand. And one more -- and, ma'am, if you have already testified that was your time, so I apologize for that. Madam Clerk, she testified already; correct?

Weatherly: Mr. Chair, that was Mike Siron that testified. We can see if Jan Siron also wants to testify if you would like.

Fitzgerald: That's fine. Yes. Go right ahead. Mrs. Siron, are you there?

J.Siron: Yes, I am. Thank you for giving me an opportunity to speak, even though I hadn't signed up tonight. I just -- I just wanted to clarify that there -- there are only five landowners in this subdivision and three of the five are in favor of rezoning and annexation into the city. We are completely surrounded by subdivisions and the -- what was appropriate in 1974 when the CC&Rs were established is not now. It doesn't comply with current properties around us and so we would like to see it be in line with properties that surround us. The beautiful properties that we had we are the -- one of the first -- or we are the first owners here. We came in 1984. And so we -- we have been here the longest and this has completely changed and we know -- and, you know, the high density and the high traffic in Black Cat is getting so intense it just doesn't make any sense to have these five acre properties in this area any longer and that's really all I have to add. Thank you.

Fitzgerald: We appreciate your perspective. Thank you for sharing. Okay. I think we have heard from the public. Can I get a motion to close the public hearing? Oh. Sorry. Let me take -- I'm losing my mind. Mr. Homan, would you like to close, please. Sorry.

Homan: Yes. Yes. I would like to close. Mike Holman, developer. I agree totally with the last testimony from the lady. There is a total of five five acre parcels approximately in size in there and three of the five are under contract. I just happened to be the first application and Corey Barton has two other properties under contract that he is going to be submitting applications soon. To the south of this property is a Corey Barton Subdivision. They are smaller lots. And with city services and following the comp plan, I

think we are right in line with what the city wants to see with sewer and water and services. So, I ask for your guys' approval tonight. That's it. Thank you.

Fitzgerald: Thank you, sir. Are there any questions for the applicant? Commissioner Holland, go right ahead.

Holland: Just a quick question. So, you know, I think the development -- I don't have any big concerns about it, but it's always awkward when we feel like the intermediary between a county CC&R and a future plat. So, I don't know if you would be open to -- if we do consider approving this tonight and moving it forward to Council, recommends -- sorry -- recommending approval to Council, would you be willing to meet with those neighbors again to see if you could get a little closer with -- I don't know if there is any minor modifications you could do to this site plan that would make them feel more comfortable with it, but it sounds like you really only have a couple neighbors that you need to --

Homan: Right.

Holland: -- work with and at least get their voice heard.

Homan: I would meet with them again. I -- we had a neighborhood meeting out there and they were pretty strong on not having any development period. So, I tried to explain that it will actually make their values go up. If they want to sell I would be interested in buying and, you know, at the time they didn't have any interest. So, I'm just trying to follow the comp plan and what's allowable and I did add an extra amenity -- was only required to have one in the common area and, then, I decided to put picnic tables, two barbecues and the covered patio, adding a garden space for the residents in the subdivision and that public road we are just complying with ACHD, what they want along Larry Lane there. All the property that we would be improving is on our property. So, we wouldn't be encroaching his garage or anything like that. That's about all I had to add.

Fitzgerald: Commissioner Holland, do you have follow up or is there an additional question?

Holland: No. That was it. I was just wanting to know if you would be willing to still -- at least try to meet with them one more time just to see if you could ease any concerns with those other two landowners.

Homan: I would be willing to try to meet with them again if they wanted to meet before we, you know, go to City Council.

Holland: Thank you.

Holland: Yeah. Thank you.

Fitzgerald: Any additional comments or questions?

Pitzer; Mr. Chair?

Fitzgerald: Commissioner Pitzer, go ahead.

Pitzer: Okay. Thank you. So, in working with the neighbor directly to the north where this road is -- and I looked this up on the -- on a satellite map and it's going directly into his property. Have you talked with them about possibly any temporary buffer or anything like that that can -- that can help ease the strain of putting this -- this in at this time?

Homan: Usually I put up a perimeter fence or, you know, I can put some trees in. I did mention that when we had the neighborhood meeting and I -- I have no problem putting up a screening fence -- a six foot high fence.

Pitzer: So -- so, you would be amenable to meeting with the neighbors on -- on trying to --

Homan: Mitigate the screening, yes.

Pitzer: Yes. Okay. All right. Thank you.

Homan: You're welcome.

Pogue: Mr. Chair, is there any way that staff can pull up what Commissioner Pitzer just indicated she looked at on Google Maps or where -- where did you look at that, Commissioner?

Fitzgerald: Commissioner Pitzer, where were you -- you are on mute, ma'am.

Pitzer: Sorry. Yeah. No. I just went to Google Maps and pulled up 5025 Larry Lane and, then, did an aerial.

Pogue: Okay. Can the staff pull that up so everyone can see what she was looking at and they were talking about?

Tiefenbach: This is Alan Tiefenbach. We are going to try to see if we can pull up the city GIS here. Be patient and maybe discuss while I'm doing that.

Fitzgerald: So, I also -- while we are in public testimony still, I think there is -- someone needs to get a legal opinion and I'm not sure who that is, if that's the neighborhood deciding that the HOA is going to do this, but I feel like we are getting in the middle of something that we don't want to get in the middle of and so I'm not sure -- and I know Commissioner Seal had a similar concern. I don't feel good about approving something or recommending approval for something that isn't got itself worked out. So, either this is too early or there needs to be some additional conversation happen, so I'm not sure where everybody's thoughts are, but I -- I am reluctant to get in the middle of a in-fighting between neighbors where there may be recorded CC&Rs -- there may not be, it may not

have been renewed, which happens all the time, especially with some of these neighborhoods, and so -- but that's not our responsibility or the city's to give legal opinions or give legal advice or -- or guidance to those folks that are maybe at an impasse in regards to how it moves forward. So, initially my gut is to continue it until someone can bring us something that says tentatively if there are HOA CC&Rs in place and that either they are going to put an agreement on it or they are not. Just my thoughts. Anybody else have a thought?

Seal: Mr. Chair?

Holland: Mr. Chair?

Fitzgerald: Go right ahead.

Holland: I would say I -- you know, the -- the development itself I don't really have a concern with the way it's laid out, especially if they rotate those last few lots. I appreciate the extra amenities that they have thrown in there. We could always make a recommendation to approve -- ask that they would have the conversations with neighbors and figure out the pending litigation situation before they bring it to Council. That might be another option.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: I pulled up the same picture Commissioner Pitzer had on her screen and I think it would be a good idea if we all took a look at that. In general, yeah, I agree, I would rather not get in the middle of the neighbors and a CC&R legal battle and have this move forward before the legal battle has a chance -- if there is going to be one, has a chance to play out, but, yeah, the way that -- on the road -- might want to change the way that -- that entrance comes through there.

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer.

Pitzer: In looking at the -- the written testimony that was presented on there they say that there are means to -- within the neighbors to mitigate the CC&Rs to have them go away. So, I think that that is something that needs to be looked at between the property owners before -- I think this is premature.

Fitzgerald: Yeah. I'm -- that's kind of where I'm leaning is -- too, is I don't want to send them to City Council unless this has fully worked itself out. That's our job, not theirs kind of thing. But I would love to see -- so we all have the same picture, if we can zoom in on that a little bit. Some of the trees are covering it up, but that's a pretty -- if we are doing a half plus 12 on that road, it's going to be tight to that person's house.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: Just -- and I'm just thinking out loud here, but -- I mean if -- if we don't -- I guess if we don't act on this, then, I don't know that anything will change, because I don't think the neighbors getting together is going to produce anything, because they are kind of at a stalemate. It takes 75 percent of the property owners to change anything and just with the people that are against it they are not going to make 75 percent, so I mean how do we -- how do we not get ourselves in the middle of it, but go -- go far enough that legal matters have to be taken into account.

Fitzgerald: Well, I think --

Seal: Sorry.

Fitzgerald: No. You're fine. I think it's either you continue it and give a stipulation that we will continue it until you -- at a date not certain until documentation can be showcased this thing can be developed in a free and clear manner or something or there is agreement between -- to vacate the CC&Rs or there is no active CC&Rs. There is a lot of information I think that's missing right now for us to make a good decision, because I lived in a neighborhood that was built similar to this one when I was growing up and the CC&Rs need to be renewed, they need to be recorded again in lots of cases and so there is a potential that there is some research that needs to be done by somebody and that's not our city -- county -- our city attorney's offices job, that's the applicant's job, and so I -- that's my gut is if this is a development that wants to move forward they need to do the homework and the work to get it squared away. Just like bringing legal descriptions in. That's the job on the applicant's side is to make sure everything's free and clear and ready to go and we don't need to hop in the middle of it. That's just -- that's not good planning for the city. If annexation is our one time to make it -- you know, these stick and things do go right and we have got three neighbors saying one thing and two neighbors saying another thing and I don't want to get in the middle of that. That seems sticky and that's not a good situation. That's my thoughts, Commission, for a reason. So, that's just my -- my position, but I am more than willing to take input from everybody and -- because I can be swayed. So, let me know your thoughts.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: I would at a minimum want to continue this to see exactly how that road going forward would affect the property owner to the north. At a minimum. I think the plat needs to be looked at fully with that road fully done and if that plat can even move forward.

Fitzgerald: Okay.

Holland: Mr. Chair, did we ever close the public hearing or are we still open right now?

Fitzgerald: We are still open.

Holland: Well, I think -- I mean after all the thoughts that are out there I think I would echo what you just said. I think that that's smart for them to kind of work it out and bring it back to us when it's ready. Unless anybody else has comments first.

Seal: I think a continuance is probably the smart way to go on this.

Fitzgerald: I think you do it with a direction for them -- we want to help solve it if it can be solved and -- not that we have a problem with the development -- initially I don't think we do. But we can't solve something that isn't ready to be solved yet. So, give them direction to like work through it or get legal opinions or figure out what the county says and, then, we can help them go from there.

Holland: Okay. Mr. Chair, I move to continue -- continue file number H-2020-0048 to a hearing date uncertain in the future for the following reason, that we would like the applicant to either work with neighboring property owners to come up with a resolution on if this development could go forward, establish the validity of the existing CC&Rs in Ada county and/or get a legal opinion on whether or not those are valid or, C, workout whatever pending litigation situations are -- are present before it comes back before this commission and also to lay out and show us how Larry Lane would come through in the future and what the impact would be on the neighboring property owners.

Pogue: Mr. Chair, I recommend to the motion maker to ask the clerk for a date certain and amend your motion to include a date certain.

Fitzgerald: How do we do that, Andrea, without having knowledge of when that documentation or research can be done?

Holland: You want us to just aim for a couple months out and, hopefully, they can get it done by then?

Pogue: We need to ask the clerk for a date certain.

Fitzgerald: Okay.

Weatherly: Mr. Chair, Members of the Commission, we are available to notice for August 20th. There is nothing scheduled for any date thereafter.

Fitzgerald: So, go to September I think. We just put them on the 20th and give them a chance to work through it. What's the next September days, Madam Clerk?

Weatherly: Mr. Chair, that would be September 3rd. The next date thereafter would be September 17th.

Holland: What do we think? The 3rd or the 17th, folks?

Fitzgerald: 3rd works.

Holland: I will make a modification to my motion to set the date certain for the hearing date of September 3rd of the Planning and Zoning Commission.

McCarvel: Second.

Fitzgerald: I have a motion and a second to continue the file number H-2020-0048 to the date of September 3rd. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

G. Public Hearing for Ustick Marketplace Storage (Phase 2) (H-2020-0051) by Rick Steward with Babcock Design, Located at 3535 N. Records Ave.

1. Request: A Conditional Use Permit for a self -service storage facility consisting of 116 +/- units on 1 acre of land in the C-G zoning district.

Fitzgerald: Thank you very much. Moving on to the last item on the agenda, which is H-2020-0051, Ustick Marketplace Storage. Alan, I think the staff report is yours again. We will start with you, sir.

Tiefenbach: That would be me, Mr. Chair. We are just fumbling through the multimedia here remembering that --

Fitzgerald: Yes, sir.

Tiefenbach: Remembering that computers make life easier. Okay. So, this is a conditional use for a property that's on one acre of land. It's presently zoned to commercial. It's located at the southwest quadrant of North Records -- sorry. North Records Avenue and West Bald Cypress. There is already an existing self storage facility on this project. It was approved by a CZC last year. That existing facility has 341 units and ten buildings. It's bordered by single family and multi-family to the north and to the east. To the south and to the west is commercial. It's directly behind the Lowe's that's existing there now. The comprehensive -- the future land use map recognizes this for mixed use regional. So, this is a proposal to add -- so, there is like -- this for a conditional use to add an additional 116 units in three buildings. Staff is recommend -- recommending approval on this. You can -- see if I can zoom forward here. Showed a picture of the site plan, which also I'm showing you the landscape plan. What you see in color there on the north is what is being proposed to be added. What you see there in gray is what's existing there now. The building would utilize -- utilize the same architecture materials as what's there now. The existing buildings -- as built right now is

a very attractive self storage facility. You can see on the pictures on the right there the top one shows what's there now. One thing I think is important to show you is if you look at the top right picture that shows an existing buffer that's along North Records, that buffer very effectively screens this property and softens it down. It's very attractive. However, if you look at the buffer along West Cypress -- Bald Cypress there on the north, it's much less and the original landscape plan for this property also just shows where the trees are and no other landscaping. Staff believes that if they were to landscape that northern buffer just as the one on the east along North Records, it would, again, result in a very nice attractive development. So, that is staff's only recommendation on this one is we support it. We think it will be a high quality development. We just think that they need to -- to landscape it, basically, to be consistent with what -- with what was done on the most recent CZC. They -- I have talked to the applicant about this and they are amenable to this. The one thing I want to mention -- there is a mistake in the staff report where I'm -- where I'm asking you to recommend approval to the City Council and that's my bad. Actually, the Planning Commission is the approval authority on a conditional use. So, if you were to vote in favor of this you would be the final decision making authority. And with that I have nothing else to say.

Fitzgerald: Thank, Alan. Appreciate it. Are there any questions for Alan on this application? Hearing none currently, would the applicant like to add anything or come and present?

Stewart: Yeah. Can you -- can you guys hear me?

Fitzgerald: Yeah, Rick, go right ahead. Please state your name and your address for the record, please.

Stewart: You bet. Thank you for your time, Mr. Chair, fellow committee members and staff. My name is Rick Stewart. I work for Babcock Design. We are the architect of record and I live at -- or I reside at 800 West Main, Suite 940, Boise, Idaho. 83702. And just like to follow up with what Alan had said. We -- we are continuing on with the phase one development of a storage facility off of North Records and West Bald Cypress Way. We will be adding three more buildings to increase the unit count to 116 units. In addition to the existing unit count on phase one we will be continuing the traffic patterns throughout the site to make sure that it is continuous throughout the site. All the materials that are used on phase one are also going to be used on phase two. The same design language, if you want to call it that, is going to be carried over to this new phase. We did respond to the staff report and we are amenable to all the conditions presented by staff.

Fitzgerald: Very good. Are there any questions for the applicant? Seeing, none, hearing none, Mr. Stewart, we appreciate you being here, sir. We will see if there is anybody here to testify on this and, then, we will let you close. Madam Clerk, is there anyone who would like to testify on this application?

Weatherly: Mr. Chair, besides Mr. Stewart signing in, Ryan also signed in and, Ryan, I believe I brought the correct Ryan over, so you can unmute yourself.

Montoya: Yes. Thank you very much. And I'm here representing the ownership group. My name is Ryan Montoya and I reside at 1523 Eastside Court, Boise, Idaho. 83706. I want to say thank you, Commissioners and staff, for helping us get through phase one. We are excited to build the second phase and propose this in front of you tonight and our intention, as Rick said, is to continue on the intentions from the first phase into the second and add some additional units and square footage that's available for rent and with that I will stand for any questions.

Fitzgerald: Thank you, Mr. Montoya. We appreciate you being here tonight. Are there any questions for him? Thank you, sir. Madam Clerk, is there anyone else who would like to testify?

Weatherly: Mr. Chair, no one else has indicated a wish to testify.

Fitzgerald: Thank you, ma'am. If there is anyone on Zoom that would like to testify or in the audience, if there is anyone left, please, raise your hand and we will make sure you get heard. Just pause for a second. Mr. Seal is not -- or Commissioner Seal is not giving me the eye that there is anyone in the audience, so --

Seal: The room is empty.

Fitzgerald: With that pause -- with that pause being taken, can I get a motion to close the public hearing. Or, actually, I'm sorry. Mr. Stewart, do you want to say anything additional?

Stewart: And I would just like to follow up with Mr. Montoya and extend my thanks to Mr. Chair and the rest of the Commissioners, as well as staff, in just the -- the great job that you guys do. It's been a pleasure working with -- with -- I have directly worked with Sonya mostly and Bill Parsons and I have gotten to know Alan very well and I appreciate the attention to detail that you guys have and all the efforts that you do. It's -- it's been a pleasure. Even though it's been a marathon tonight, it has been somewhat of a pleasure to learn what you guys go through in each one of these meetings. So, I do greatly appreciate it.

Fitzgerald: Well, we appreciate you guys being willing to stay -- hang with us until 11:00 o'clock, so thanks to you and Mr. Montoya for being a part and for -- sorry you got stuck at the end of that marathon, but we appreciate you guys being here and appreciate the effort. Can I get -- with that can I get a motion to close the public hearing?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer.

Pitzer: I move that we close public hearing testimony for H-2020-0051.

Seal: Second.

McCarvel: Second.

Fitzgerald: I have a motion and a second to close the public hearing. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: I'm going to throw mine out in the beginning and be done with it, but I think it makes sense, it's where storage should be kind of tucked back behind stuff. They do nice landscaping. It looks like a nice development. I have got no concerns with the one acre conditional request.

Fitzgerald: I completely agree with exactly what you just said.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: After considering all staff, applicant, and public testimony I move to approve file number H-2020-0051 as presented in the staff report for the hearing of July 9th, 2020.

Pitzer: Second.

Fitzgerald: I have a motion and a second to recommend -- or to approve File No. H-2020-0051. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thank you, Mr. Stewart, Mr. Montoya, Good luck and thanks for all you are doing out there. Appreciate it.

Stewart: Thank you.

Fitzgerald: Have a great evening.

Holland: I think Commissioner Pitzer should make this last motion.

Fitzgerald: Absolutely.

Pitzer: Mr. Chair, I move that we close the meeting -- close the hearing.

Fitzgerald: Adjourn.

Holland: Second.

Fitzgerald: I have a motion and a second to adjourn. All those in favor say aye. Any opposed? Hopefully not. Thanks, team.

MEETING ADJOURNED AT 10:55 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

RYAN FITZGERALD - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK

Meridian Planning and Zoning Meeting

July 16, 2020.

Meeting of the Meridian Planning and Zoning Commission of July 16, 2020, was called to order at 6:00 p.m. by Chairman Ryan Fitzgerald.

Members Present: Chairman Ryan Fitzgerald, Commissioner Lisa Holland, Commissioner Bill Cassinelli, Commissioner Andrew Seal, Commissioner Rhonda McCarvel and Commissioner Nick Grove.

Members Absent: Commissioner Patricia Pitzer.

Others Present: Chris Johnson, Adrienne Weatherly, Andrea Pogue, Bill Parsons, Sonya Allen, Joe Dodson, Brian McClure and Dean Willis.

Item 1: Roll-call Attendance

- | | |
|--|---|
| <input checked="" type="checkbox"/> Lisa Holland | <input checked="" type="checkbox"/> Rhonda McCarvel |
| <input checked="" type="checkbox"/> Andrew Seal | <input checked="" type="checkbox"/> Nick Grove |
| <input type="checkbox"/> Patricia Pitzer | <input checked="" type="checkbox"/> Bill Cassinelli (Joined at 6:05 pm) |
| <input checked="" type="checkbox"/> Ryan Fitzgerald - Chairman | |

Fitzgerald: At this time I would like to call to order the regularly scheduled meeting of the Meridian Planning and Zoning Committee for the date of July 16th and let's start with roll call.

Item 1: ADOPTION OF AGENDA

Fitzgerald: Thank you, Madam Clerk. The first item on the agenda is the adoption of the agenda. We do have two applications this evening that we will be continuing to another date, so that we will be opening those just for the reason for -- or to allow them to be continued to a date they requested or that we can work with the staff. So, with that can I get a motion to accept the agenda as amended?

Seal: So moved.

McCarvel: So moved.

Fitzgerald: I have a motion --

Holland: Second.

Fitzgerald: -- and a second to approve the agenda as amended. All those in favor say aye. Opposed same. Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Item 2: CONSENT AGENDA [Action Item]

1. Findings of Fact, Conclusions of Law for Ustick Marketplace Storage (Phase 2) (H-2020-0051) by Rick Stewart with Babcock Design, Located at 3535 N. Records Ave.

Fitzgerald: Next item on the agenda is the Consent Agenda. You have one item on the Consent Agenda, which is the Finding of Facts and Conclusions of Law for Ustick Marketplace Storage, H-2020-0051. Is there any reason we need to pull this one out for discussion? Or if not can I get a motion to accept the Consent Agenda as presented?

Holland: So moved.

McCarvel: So moved. Second.

Fitzgerald: I have a motion and a second to accept the Consent Agenda. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Fitzgerald: Okay. At this time I would like to kind of explain the quasi kind of strange hybrid meeting we have going on. Commissioner Seal has been kind enough to take one for the team and be in Council Chambers tonight. Thanks to Commissioner Seal for that. We will open each item on our agenda and start with the staff report. The staff will report on the findings and how the application adheres to our Comprehensive Plan and Uniform Development Code with the staff's recommendation. After the staff has made their presentation the applicant will have an opportunity to come forward and present their case for approval of their application and respond to any staff comments. The approval -- the applicant will have 15 minutes to make their presentation and, then, after that the applicant will step down and we will allow public testimony. Hopefully, there is folks in Chambers that have signed up to testify and -- on iPads that are there and, if not, if you are on Zoom with us the Clerk will bring you over into the public -- kind of panelist format on Zoom, so we can hear from you. If you are speaking for an HOA and represent that you are, I will give you an additional few minutes to speak on behalf of that HOA. If there are any questions on -- or concerns with being on Zoom or you are having any challenges, please, shoot an e-mail to the City Clerk at meridiacity.org. If you are just watching the proceedings we would ask you to do that via the city's YouTube channel, which is [meridiacity.org/live](https://www.youtube.com/channel/UCmeridiacityorg/live). When you -- when we open public testimony we have had a couple challenges with this in the future -- or in the past. We open up public testimony and we give the public an opportunity to have their three minutes to speak. After you are done with your three minutes that's the opportunity you have had to speak and we can't take additional testimony or we would be doing this forever. So, please, get your points across in that three minutes and we are going to try to stick pretty close to that three minute time frame and we will go from there. So, moving on to the first item on our agenda -- or sorry.

Let me go back you. Would you all like to move the two items on our agenda to the top, so we can continue those or shall we just go through them? Anybody have a preference?

Seal: Let's go ahead and move them to the top.

Fitzgerald: Okay.

Weatherly: Mr. Chair?

Fitzgerald: Yes, ma'am. Go right ahead.

Weatherly: I just wanted to note for the record Commissioner Cassinelli joined the meeting at 6:05 p.m.

Fitzgerald: Welcome, Commissioner Cassinelli. Glad you are here, sir.

Cassinelli: Thank you. I finally found the Zoom link.

Fitzgerald: Well, we are glad you are here, sir. Can I get a motion to --

Holland: Mr. Chair?

Fitzgerald: Oh, yeah. Go ahead.

Holland: I was just going to make a motion to adjust the agenda to move Item B and Item D to the top of the agenda, so that we can move to continue those for a future date.

Seal: Second.

Fitzgerald: I have a motion and a second to adjust the agenda to deal with those continuances up front. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Item 3: ACTION ITEMS

**3. Public Hearing for Horse Meadows Subdivision (H-2020- 0060)
by Riley Planning Services, Located at 710 N. Black Cat Rd.**

- A. Request: Rezone of 4.71 acres of land from the R-4 zoning district (Medium-Low Density Residential) to the R-8 zoning district (Medium-Density Residential).
- B. Request: Preliminary Plat consisting of 27 single-family residential lots and 3 common lots on 4.71 acres of land in the R-4 zoning district.

Fitzgerald: So, moving to the public hearing for Horse Meadow Subdivision, H-2020-0060. They have requested a continuance to August 20th, 2020. Do we have any issues with that? Any questions for staff on that date? Any concerns there from the team? If not, can I get a motion to -- to continue that hearing to the date of August 20th.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Pogue: Excuse me, sir. You will have to come and identify yourself for the record.

Johnson: I'm going meet you and take you in a room where you can speak in there and be heard. These mics out there don't work.

Pogue: Mr. Chair, to get this back on track, could we have staff present the basis of the continuance and ask if the applicant's here and, then, get the public testimony?

Fitzgerald: Say that one more time, Andrea. I'm sorry.

Pogue: So, can we begin with staff regarding the basis for the continuance, then, ask if the applicant is here and, then, open for public testimony after that and the applicant could respond and proceed.

Fitzgerald: Okay. Sounds good. Bill, are you available? Or Joe?

Dodson: Mr. Chair, hi. Joe. I'm available.

Fitzgerald: Okay. Go ahead, Joe. Can you -- we will start with a staff report on the request for the continuance for Horse Meadows Subdivision.

Dodson: Thank you, sir. Mr. Chair, Members of the Commission, the applicant is requesting continuance to August 20th. Due to some access issues that came up late in the review process. We are still working through that with ACHD. So, they are just asking to take care of that and redesign the layout to accommodate that.

Fitzgerald: Any questions for staff?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: I'm assuming the calendar will hold it on the 20th.

Dodson: Commissioner Cassinelli, yes, that is correct. August 20th so far is pretty open. That's why I -- I told them to go to that date, instead of August 6th, since we are full on August 6th.

Fitzgerald: Additional follow-up questions for staff? Would the applicant like to join us to -- why the continuance request?

Dodson: Mr. Chair?

Fitzgerald: Joe, go ahead.

Dodson: I do not believe that they are -- they are here tonight.

Fitzgerald: Okay. We will open it up to the person who would like -- the public who would like to testify while they are here. Chris, are they with you, sir?

Johnson: They are here.

Fitzgerald: Okay.

Alexander: This is Brent Alexander. I'm one of the other three -- basically five acre property owners -- five to seven acres in that area.

Fitzgerald: Sir, could you state your name and your address for the record so we have that.

Alexander: Brent Alexander. 4575 West Quarter Horse Lane, Meridian, Idaho. 83642.

Fitzgerald: Thank you. Go right ahead.

Alexander: You mentioned you -- you just mentioned they were having some issues with access and that was some of my questions. So, I -- basically I'm going to let this reschedule go through and show up in August, but I just want to also make sure -- they are going to repost that date like they posted this one, so we have plenty of notice?

Fitzgerald: Joe, you want to speak to that, sir.

Dodson: Mr. Chair, Mr. Alexander, typically it is up to the Commission to tell the applicant whether or not they need to repost the site or not. Generally if there is -- the first continuance we do not require them to repost the site, but that is a -- in the Commission's purview to do that or not.

Alexander: So -- okay. So, what is the exact date of the continuance then? Because I -- I want to make sure we get notified. That's all I will say. I don't want something to go through over here. We have lived out there for years and this is a big change to what they are proposing to us, but the way they propose to take our Quarter Horse Lane from us and put houses that face right on it, we are going to have a lot of traffic now competing with the Pine coming onto Black Cat Road and that's just a few hundred yards up. The whole way it's laid out doesn't make any sense. So, these are my concerns.

Fitzgerald: And, Mr. Alexander, I think -- and we will continue it, but likely that it will be continued to August 20th. That's when we have an open time frame. My other -- just comment -- and I made it to staff today earlier during our meeting that we had. There are some access issues that they are working with ACHD on. There is also it sounds like some other legal issues you guys are working through on some other areas and I would hope that the applicant will work that out with you all before they get back. That would be my suggestion before bringing legal issues into the public hearing room.

Alexander: Okay.

Fitzgerald: That's something to take care of amongst the group. So, I have expressed that to -- my concerns about that to the staff and they are going to pass that along to -- just from the public -- the written public comment we took and we have gotten there seems to be some -- some -- some issues over land and there are surveys in questions that I think --

Alexander: Yes.

Fitzgerald: -- need to be wrapped up before we ever deal with it, so -- but that's the -- Mr. Dodson, our planner, is going to take care of that with the staff -- or with the applicant. I'm sorry. And we will, hopefully, have that worked out by the time they get back or we are going to have some challenges working through it. So, we -- we don't want to be the legal rambler. That's not our job.

Alexander: Okay.

Fitzgerald: So, that's just for your information. We have -- there is some concerns out there on my part that those are -- we don't get in the middle of those kinds of debates. We need a clean and clear, you know, application that is surveyed properly and has all the ducks in a row or we can't really deal with it easily.

Alexander: Okay.

Fitzgerald: So, hopefully, that will be worked out and we want to make sure that your -- your folks are taken care of it and the legal issues are all wrapped up before they bring them to us.

Alexander: Well, I appreciate you resetting this and listening to me, because I got more information and I see where you are coming from and we will just wait and see what the new revision looks like. Because, yeah, there is cross-easements out there on that lane and I own a piece of it and some other people do, so -- yeah. Okay.

Fitzgerald: Okay.

Alexander: I appreciate your time. Thank you, guys.

Fitzgerald: Thank you, sir. We appreciate you being there. Is there anyone else that would like to testify on this application right now before we move to continue? If you are in Zoom raise your hand and Commissioner Seal will give me his eyes on anybody else out there.

Seal: Mr. Chair, no one's raising their hand.

Fitzgerald: Hearing none.

Seal: No.

Fitzgerald: Okay. Can we move forward the motion to continue H-2020-0060 to the date of August 20th?

Holland: Mr. Chair, do we need to address if we need to have them renote that or at least send out another letter to neighbors in that vicinity?

Fitzgerald: That is absolutely up to the Commission. So, if that's something that we think we need to do or you feel comfortable we need to renote it, that's our purview. So, we can make that in the motion if you would like.

Holland: I think renoting and posting might be overkill, but if there is a way that we could notify the neighbors again that the date's been changed to August 20th, I think that would be ideal somehow, whether that's just sending out another 300 foot property boundary notice to those owners. Joe, do you have a comment on what's easier there? Is it easier to change the sign or if it's easier to send out a notification.

Dodson: Commissioner Holland, I think that just changing the sign to the new date is probably sufficient.

Holland: Okay. Then I will make a motion that we move to continue the public hearing for Horse Meadows Subdivision, H-2020-0060, to the date of August 20th, 2020, and that the applicant would change the sign posting to note that that date is changed.

Seal: Second.

Cassinelli: Second.

Fitzgerald: Motion and a second to continue Horse Meadows Subdivision to the date of August 20th, 2020. All those in favor say aye. Opposed same. That motion passes. Thank you very much all.

MOTION CARRIED: SIX AYES. ONE ABSENT.

5. Public Hearing for Prescott Ridge (H-2020- 0047) by Providence Properties, LLC, Located on the South Side of W. Chinden Blvd. and on the East Side of N. McDermott Rd.

- A. Request: Annexation of 126.53 acres of land with R-8 (99.53 acres), R-15 (8.82 acres) and C-G (18.17 acres), zoning districts.
- B. Request: A Preliminary Plat consisting of 384 buildable lots, 35 common lots and 5 other lots on 126.53 acres of land in the R-8, R-15 and C-G zoning districts.

Fitzgerald: Moving to the next item for continuance, would like to open the public hearing for Prescott Ridge H-2020-0047. Joe, is this yours or is this Bill?

Dodson: Mr. Chair, this is Sonya's, actually. She's not yet in the chambers.

Fitzgerald: Okay. Do we have anyone who would like to -- is the applicant here tonight to testify on this application -- the request to continue?

Weatherly: Mr. Chair, Stephanie Leonard is here. Moving her over to speak. Stephanie, you should be able to unmute yourself.

Leonard: Okay. Thank you.

Fitzgerald: Could you state your name and your address for the record, please, ma'am, and the floor is yours.

Leonard: Okay. Good evening, Mr. Chair, Commissioners. Stephanie Leonard. 9233 West State, Boise. 83714. We are respectfully requesting continuance on this project to work through coordinating utilities with an adjacent property. We have been having some difficulty getting them the actual site and, then, we also have spoken with staff and they have got some recommended changes to our medical campus concept plan that we would like to revise prior to bringing it before you, so we request the -- the same day, August 20th, so we have a bit more time to get those things finished.

Fitzgerald: Thank you, ma'am. Are there any questions for the applicant?

Holland: Mr. Chair? Stephanie, does -- does August 20th give you enough time to get -- I know it looks like it's a fairly large application coming through.

Leonard: Yes, Mr. Chair, Commissioner Holland, I believe it does. We are actually really close on the utilities. I think we have been in -- or I guess I should say our client has been in conversation for quite some time with the property to the south and I think that they are kind of making some headway, so we should be able to figure that out and, then, the

concept plan -- the changes weren't super huge and we have already started on them. So, I think that should be enough.

Holland: One question -- one follow-up question for staff. I know that Sonya is not in the room yet, but we -- we just continued the other application to August 20th as well. Can you tell us how many other applications we have?

Weatherly: Commissioner Holland, this would be the third hearing for that evening.

Holland: Okay. Thank you.

Fitzgerald: Any additional questions for the applicant or for staff? Is there any -- anyone in the public that wishes to testify on this application? Please raise your hand on Zoom or if you are in the audience let us know you are there. Seeing Andy's eyes can you tell me no. With that being the case, can I get a motion to --

Seal: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Seal: I move that we continue Prescott Ridge, H-2020-0047, to the date of August 20th, 2020, to allow the applicant to work their concerns pertaining to utility extension, allow more time to get comments from the school district and ACHD.

Holland: Second.

Fitzgerald: I have a motion and a second to continue the hearing for Prescott Ridge, H-2020-0047, until the date of August 20th, 2020. All those in favor say aye. Any opposed?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thanks, Stephanie. We look forward to seeing you on the 20th.

Leonard: Okay. Thank you guys.

2. Public Hearing Continued from June 4, 2020 for Teakwood Place Subdivision (H-2020-0006) by Hesscomm Corp., Located at 1835 E. Victory Rd.

- A. Request: Annexation and Zoning of 7.35 acres of land with an R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 26 single- family residential lots and 2 common lots.

Fitzgerald: Okay. Moving on to our first application for consideration tonight is a public hearing that was continued from June 4th, Teakwood Place Subdivision, file number H-2020-0006, and let's start with the staff report. Joe.

Dodson: Thank you, Mr. Chair. Yes, as Commissioner Fitzgerald stated, this was originally heard on May 7th and it was continued to the date of June 4th. Prior to that meeting staff did a site visit and it was, then, I -- we decided that it was best to continue the project further to continue working through some of the issues presented at that Commission meeting on May 7th and since then staff has received revised plans and it has -- those plans have corrected some of the issues previously discussed. I will try not to rehash everything, but, generally speaking, the plan did change significantly, so I will probably cover everything all over again. The application before you is for annexation and zoning and preliminary plat. The site consists of 7.35 acres of land. Currently, zoned RUT and is located at 1835 East Victory Road. The request for annexation and zoning is with an R-9 zoning designation and the preliminary plat consists of 22 building lots and four common lots. One of the 22 buildings --

Fitzgerald: Joe, do you have your -- sorry to interrupt you, but do you have the slides up that you can -- so everybody has them in front of them.

Dodson: Thank you.

Fitzgerald: There we go. Thank you, sir.

Dodson: Yes. One of the 22 building lots contains the existing home that is to remain. The future land use designation for the subject site is medium density residential, which allows detached single family homes and requires that growth density resides between three and eight dwelling units per acre. The applicant's revised plat has a gross density of 2.99 dwelling units per acre, which can be rounded up to comply with the Comprehensive Plan. In addition, the applicant has reduced the number of lots since the previous Commission hearing from 28 lots to 22 and the proposed project is now proposed as one phase, instead of two. The minimum property size is 4,784 square feet, with an average buildable lot size of 10,318 square feet, which exceeds the 4,000 square foot minimum lot size requirement for the R-8 zoning district. As noted there is a home on the subject site that is intended to remain and reside in one of the proposed building lots. The plan before you is the original plan that showed two different phases and more building lots. This is the new revised preliminary plat. In addition, some of the accessory structures on the property are proposed to remain. Any structures that remain on the property must comply with the dimensional standards of the requested R-8 zoning or they will be removed. Current access to the property is via a driveway connection to East Victory Road and the applicant is requesting that this access remain for the existing home. Keeping this access does not comply with city code or with ACHD policies. However, ACHD has amended their policies and offers their approval of keeping the access on sites and sites the reasoning for this as a low number of vehicle trips that would occur from one home. Staff cannot support this due to code requirements that access be taken from a lesser classified street if it is available. Staff believes that if the existing access is not

closed at the time of this development, it may never be closed. The applicant -- the applicant should be required to close the access to Victory Road and take access from the proposed new local street within the subdivision East Fathom Street. The applicant is requesting a Council waiver to keep this access. The applicant is also proposing to construct an emergency only access that connects the proposed East Fathom Street to Victory Road in the very northwest corner of the site. Staff is recommending a condition of approval that this emergency access be constructed prior to any issuance of certificate of occupancy. Parking for the development is required to be provided in accord with the standards listed in UDC 11-3C-6 for detached single family homes and based on the number of bedrooms per home. The proposed street sections are 33 feet wide, which would also offer on-street parking where no fire hydrants or curb cuts exist for driveways. In addition, the applicant has proposed a larger than normal cul-de-sac at the end -- I should say the south end of the development. This cul-de-sac has a 57 foot radius, which is nine feet wider than the standard requirement -- or standard cul-de-sac of 48 feet. Therefore, allowing on-street parking along the edge of this cul-de-sac as well. The applicant has submitted sample elevations of the single family homes for this project. The single family homes are depicted as mostly single story structures with a variety of finish materials, with stone, stucco, and lap siding combinations. Some homes also depict extra large spaces for RV storage. All single family homes appear to meet design and architectural standards. In the northeast corner of the site, depicted in hatched red along the boundary, the master pathways plan shows a small section of multi-use pathway. The applicant has worked with both Planning and Parks staff to propose a pathway easement in this location, instead of constructing the pathway. The easement is partially located within the irrigation district easement and that portion of the pathway will be obtained by the city. I should say built by the city. The logic behind this is twofold. One, to minimize the impact to the existing homeowner who is to remain, since the pathway would encroach into their back porch if it were entirely on the subject property. And, two, to not construct a pathway that would lead to nowhere for the foreseeable future, since adjacent county property owners have shown little intention on redeveloping in the near future. Staff is supportive of this option to provide an easement that is shared between this property and the irrigation district and to be constructed at a later date. Staff has spoken with the irrigation district and they are also supportive of this easement so long as they have the space for their 18 -- their existing 18 foot wide access road. To ensure this small pathway section is built in the future, staff is recommending a DA provision that the multi-use pathway be constructed by this owner if the existing home is redeveloped or subdivided prior to the city constructing the pathway in the easement. Otherwise, the city will build it via having control over the easement. Five foot detached sidewalks are proposed along all internal local streets in accord with the standards in UDC 11-3A-17. A five foot wide detached sidewalk is required to be constructed with the required frontage improvements along Victory Road. This sidewalk should be constructed within the required 25 foot landscape buffer along Victory Road. A 25 foot wide common lot is depicted on the plat, but is proposed with no new improvements. The applicant states that the existing and mature spruce trees along Victory Road have to be removed in order to construct the frontage improvements with a detached sidewalk. Staff finds that the existing trees do offer a quality landscape buffer between Victory and the proposed -- proposed subdivision, but I'm afraid that if the frontage improvements do not occur now they may

never be installed. The frontage improvements are required by city code and, therefore, the applicant is asking for a Council waiver to require the improvements at a later date when the lot with the existing home is redeveloped or subdivided in the future. A minimum of ten percent qualified open space meeting the standards listed in UDC 11-3G-3B is required. Based on the proposed plat of 7.35 acres, a minimum of .74 acres of common open space should be provided -- of qualified common open space to be specific. According to the applicant's revised open space exhibit, the applicant is proposing approximately 39,888 square feet of open space, .92 acres, which is approximately 12.45 percent, consisting of common lots with open space. The exhibit also labels 32,295 square feet of that 39,000 -- approximately .74 acres as qualifying open space. That's approximately 10.09 percent. Just over the minimum. This is a reduction of approximately 10,000 square feet from the previous plat -- the previous open space exhibit. I apologize. Let me go back to -- from this previous open space exhibit. The open space is primarily proposed as two common open space lots, with one residing in the very southeast corner of the site and one more centralized, but smaller. The common open space lot in the south of the proposed project is also going to be used for storm drainage and meets the minimum 20,000 square feet lot size for that to count as open space by a few feet. The open space is to be available at the time of development, as the project is no longer being phased. All lots appeared to meet -- all common open space lots appear to meet UDC requirements to count towards the qualified open space. The proposed open space meets the minimum UDC requirements by less than 200 square feet. Staff finds that the proposed open space again meets the requirements, but is not premiere. The revised open space exhibit and plat has also presented a couple of issues regarding Lot 19, Block 1, which is the lot containing the temporary turnaround in the center of the development. The revised plat shows some of the nonqualifying -- qualifying open space on this lot, which is the green area around it, which the applicant has deemed this as nonbuildable until the stub street is extended via a plat note and the temporary turnaround is removed. Staff agrees with this designation, but making it nonbuildable and also including any overall open space depicts a potential issue in the future. Will this lot be a future common open space a lot or will it be a future buildable lot? Staff wants to ensure that all of the open space numbers, regardless whether qualifying or nonqualifying -- sorry. And the numbers of the building lots are confirmed prior to this application being developed. In addition, if Lot 19, Block 1, is intended to be a common open space lot in the future, instead of a buildable lot, an additional small pocket of open space is not ideal. If this is the intended purpose of this lot, staff recommends that the applicant revise the plat to have the proposed open space more contiguous to each other. Minimally, the applicant should clarify what the intent of this lot is in the future. With the revised plat and the open space exhibit, the applicant has also not proposed an amenity. The future pathway cannot be counted as an amenity as it is not being provided with this application and development. Staff requested that the landscape plan be revised to show an amenity on one of the common open space lots prior to the Commission hearing, but staff did not receive those updated plans. The city has received a number of written testimony regarding this project dating back to the original public hearing date. Some of them -- we have received I think one or two since the continuance in June as well. I will go over these briefly. Mrs. McLaferty, which is a board member of the Tradewinds Subdivision HOA directly to the west, has concerns

over additional traffic being the only access for this development is through their subdivision -- cites issues of the emergency response times and concerns over the drainage pond and it's correct engineering and in addition height of homes abutting the east side of Tradewinds and the west side of this development. Trisha Garcia-Brown, also a Tradewinds Subdivision resident, concerns over the single access into Teakwood through their subdivision. Mrs. Mary DeChambeau, which is a neighbor to the east, concerns over construction vehicle traffic not utilizing their private road for access -- her private road for access and drainage concerns of Eight Mile Lateral -- or the Eight Mile Canal -- Creek -- whatever word you would like to use there. Mr. Sandy Blaser, Tradewinds President, has concerns over the single access into Teakwood and concerns over building height for those homes directly abutting Tradewinds as well. Mr. Mike McClure, Tuscany Subdivision, which is to the south, concerns over pathway connections from his subdivision into this one. His specific requests were that there would be a connection. Unfortunately, there are not any common open space lots adjacent to this, so there -- there really is no way to do that. And, then, again, Mrs. McLaferty responded a little later and had the same concerns. Hopefully, Commissioners were able to review those pictures of the pond in Tradewinds. My understanding is that there is no pond proposed here, but they are going to be using the -- again, the open space lot in the south of the development as their storm drainage lot. Despite these issues and the plat being of a minimum standard, staff does recommend approval. Staff notes that the Commission should determine if this is an appropriate time for this annexation and -- and appropriateness of its quality. Staff will stand for questions. Thank you.

Fitzgerald: Thanks, Joe. Are there questions for staff? Commissioner Holland.

Holland: Mr. Chair. Just to clarify, Joe, the -- the open space lot that's on the right side of our picture off of the cul-de-sac is the one that they are looking for a drainage pond?

Dodson: Commissioner Holland, that is correct. At least -- well, let's clarify --

Holland: And I thought I remember seeing something, but did -- did you have discussions with the applicant about ways to reconfigure the open space, so it could be all a little bit more central and bigger, instead of having the two smaller chunks. Did they have any comments back on that?

Dodson: Commissioner Holland, Members of the Commission, I have not received any comments back about my staff report. No, ma'am. That is something that has been discussed more than a few times along different lines and for different reasons, but this is what they have revised and proposed.

Holland: Okay. Thank you, Joe.

Dodson: You're welcome.

Fitzgerald: Thank you, Commissioner Holland. Any additional questions for staff? Not hearing any at this time, would the applicant like to come forward and do a presentation on the application?

Lardie: Good evening, Mr. Chairman, Commissioners. Dan Lardie, Leavitt & Associates. 1324 1st Street South, Nampa. 83651. So, first of all, let me -- let me say thank you to Joe and to staff for -- for helping out with this. We -- we have been working hard at trying to make things more palatable for everyone involved. Joe, did -- did actually meet us on site and that was -- that was very nice to meet him. I actually put a name to the face, which was nice. For that -- do I need to access my PowerPoint from here or is it on your guys --

Weatherly: Mr. Lardie, you have the ability to share your screen, so you can pull it up on your computer.

Lardie: Okay. Okay. So, if I just pull it up, then, I can share my screen?

Weatherly: Yes. And you will click the green button at the bottom of the Zoom that says share screen and, then, choose the screen shot that you want to share and that should be your presentation.

Lardie: Okay. Can you guys see it? Oh, share screen.

Fitzgerald: It shares what picture you -- or the actual screen you want to show.

Lardie: Do we see the annexation and rezone for proposed Teakwood Subdivision? Blue screen?

Fitzgerald: Not yet.

Lardie: Not yet. Okay. Let's see here. Apologize.

Weatherly: Mr. Lardie, did you press the green share screen button at the bottom of the Zoom window?

Lardie: No, I have not. Let's see.

Weatherly: If you hover over the bottom of the Zoom window there should be a green share screen icon right in the middle. There you go. Correct.

Lardie: Are we there?

Weatherly: Yes.

Lardie: Sorry about that. So, I won't restate it, but I will try and just hit a few of the highlights. So, we reduced the density -- okay. So, the density was reduced and so now

we are down at 4.23 dwelling units per acre, if -- it meets the future land use representation of medium density R-8. So, it's located on the south -- on the southeast corner. Here is the outlined property. You have seen that in the staff report. So, in this -- in this slide we see -- oops. Too far. Sorry. So, here we see the fact that there are no sidewalks adjacent to the -- adjacent to the site. So, the property due west doesn't -- is actually -- I believe it's an enclave. There are no sidewalks in front of it. And there -- there is no sidewalk in front of this portion of Sagewood -- or Sageland. It does have a detached pathway and it meanders back and forth and actually feeds everybody back into their subdivision and, then, to the east we have -- we have irrigation property, which owns this -- this access to their -- to their path or to their -- so, they can service the -- the canal and, then, there is no -- there is no other pathway or sidewalk to our east. There is a sidewalk across the street on the north side of Victory. With -- with this -- and that's one of the reasons why we are asking for is not to -- to build the detached sidewalk along Victory, which would just create the fact that people would go out there and attempt to cross the -- cross the road here and possibly creating a public nuisance or a public safety hazard, which is -- which is problematic. The Richardsons, who live in -- who live in the existing home, they have been there since the '90s and they watched the ground develop and they are just trying to exercise their private property right in order to get to where they need to be for -- to develop their ground and -- utilize their home -- stay in their home without being uprooted and, then, still not have to care for the 7.35 acres that they own. They -- they have gotten used to the traffic out on -- out on Victory Road. They are used to going out there. They have watched it develop around and they have dealt with it. So, the traffic isn't a problem for the homeowner, which is the reason why we are asking for the existing driveway access to remain. They also still have some large vehicles, including a gooseneck trailer that they still like to be able to access off of Victory in order to get into their -- into their site, which they don't have quite the same access as coming in off of East Fathom. The city -- let's see. Apologize. So, currently Victory Road is actually -- is actually at its full width across our frontage. It's built out to its full width as far as three lanes and it does have existing curb, gutter. It's only missing the detached sidewalk. There are -- there are some mature trees in this location, which I will show you later, and, then, there are some large irrigation boxes that run along Victory Road, which are problematic to -- to be relocated. They can be, but that's the only -- that's the reason why we are not asking -- or why we are requesting not to build a detached sidewalk. One, it's a sidewalk to nowhere and, two, there are a lot of obstructions that could possibly wait to -- to be developed when the area around -- and it's more conducive to develop those particular items. So, the access and the future sidewalk should be addressed in a development agreement and noted on the plat, which my client is willing to do, that it could be done -- those things could be provided for at a later date when the Richardsons leave their home or that Lot 2, Block 2, develops. So, this is -- this slide is the development as a whole. You have seen this one. The eastern stub is in the common lot. It's intended to be a common lot in the future. Even when this cul-de-sac decides to -- or can be abandoned, it will remain as open space, which will provide -- which could provide a segue into open space into the future development of this property when it's -- when it gets -- when it gets abandoned. So, we moved the large open space to the cul-de-sac to allow for safe play and -- and additional parking around the cul-de-sac, which was achieved by a larger cul-de-sac. This area can be accessed through the internal

sidewalks of the -- of the project, which are a requirement and can get you there safely. The green space -- let's see. The open space on Lot 7 provides a respite -- a buffer to the homeowners, a respite stop area that might be more serene for someone to use versus the large play area in the back, which may have a large gathering or such. The green space around the curve, which helps the buffer, Lot 2, Block 2, from the subdivision and allows -- or prevents double fronted access, if they -- which -- being that we are asking for the existing access out to Victory to remain, we don't want them to take access off of Fathom until this lot redevelops. So, the next slide is the open space summary. You have seen this. It's -- it's the same thing that -- that Joe has shown and a picnic table was proposed meeting UDC requirements, both in -- in the large open space and in the small pocket space, Lot 7, and at the end of the cul-de-sac. This is a blow up area of the cul-de-sac. So, last time I was before you Commissioner Holland had stated that she would like to see some way to handle some parking, because this is an issue that the city faces constantly is parking jammed up in a cul-de-sac. Originally we had tried park -- putting a parking island in the middle and we submitted that to the Fire Department and the Fire Department came back and said, no, they wouldn't allow anything in the middle. They suggested a larger -- a larger cul-de-sac to provide access -- or parking around the side -- or along the outside and, then, still providing their safe access and turn around in the middle. So, here -- this is a photograph of Victory Road and it -- and this is looking east towards our site. Those large evergreens are on our site that you see off to the -- to the left -- or to the right. Excuse me. There is a large irrigation structure there that I had mentioned earlier, which is one of the drawbacks of -- or not drawbacks, but one of the deterrents for providing that detached sidewalk. More photographs of the -- the existing mature trees. Again this is the existing mature trees looking -- looking westward. These power poles also exist in the -- in the -- within that same area where we are trying to put that sidewalk and this is our property -- the subject property and, then, the slope down from the existing Victory Road. It -- it comes right off the curb, it's a foot flat, and, then, it starts dropping into our site and there is a large irrigation structure here, which is another deterrent for putting that -- or installing that existing sidewalk -- or not existing sidewalk -- the proposed detached sidewalk. Pardon me. I won't bore you with the same thing. And, then, this is the sidewalk across the road. This is on the north side of Victory and this actually attaches to the city's multi-use pathway to the east along the Eight Mile Lateral, which to our thought on our side doesn't exist and probably won't exist for quite some time due to the neighboring develops -- or our neighbors -- neighboring -- neighboring landowners. So, some modifications to the staff report or at least trying to make -- make -- if we apply for a waiver on those I don't want to be held up by some of the staff report modifications -- portions 8-A-1-F, all -- all dealing with the access to Victory and the -- the publication -- or, excuse me, the construction of the detached sidewalk and I believe that's 8-A-1-F and, then, 8-2 -- 8-A-2-B and that has to do with access to Victory. Victory Road. We would like -- we would like that to say that it's subject to a development agreement and that Lot 2, Block 2, is allowed access and 8-3-F. That includes -- that -- that is concerning the frontage improvements along Victory Road also being made subject to a development agreement. With that I will stand for any questions. Thank you.

Fitzgerald: Thank you. One quick question for you. So, the amenity -- just to be clear -- is the two picnic tables; is that correct?

Lardie: Yes. Meeting UDC's requirements. I believe there is a shelter structure or some shade structure -- whether that be from trees or an actual structure will be proposed on those.

Fitzgerald: Okay. And, then, the second question is how much of that chunk in the back of the south side open space are you using for drainage? Because I -- being that the water table is as high as it -- it seems to be out there, I -- I mean you and I both know that we have seen the open spaces turn into marshes real fast, so what are -- I mean I -- usable open space for the neighborhood versus a -- you know, a swale, give me your thoughts there.

Lardie: We have not done a -- we have not done a preliminary calc on that. I was hoping to go underground and use a side -- a side sand filter. So, we infiltrate into one side -- or we go into one side, be cleaned, and, then, transfer over the other side and percolate in, which is usable for shallow groundwater. You have something like that up on the storage units on McMillan and -- I can't think of the side street. I believe it's near Goddard Creek. Something similar to that situation -- or to that system to function here, which should allow most of that space to be usable above surface and below surface for drainage. We are not making a marsh out of it.

Fitzgerald: Additional questions for the applicant? Anyone? Thoughts? I will ask one more while you guys are discussing -- thinking about it. Dan, what about that the -- the -- I guess it's the cul-de-sac that the turnaround for the firetruck -- how do you calculate in that -- that common space or the open space behind that? Is that part of your calculation? Is it not? Just to clarify that.

Lardie: Mr. Commissioner, it is in our open space. It is not qualified in our open -- it's not qualified open space.

Fitzgerald: And, then, in regards to taking access off, is there a real reason -- I understand the -- the ease of use and with their trailer, but I -- kind of when you develop you develop; right? So, if -- I understand that ACHD was giving a waiver here, but it seems that it's really easy to access that back road from their property. Give me the -- the real reason besides the trailer to close that access off.

Lardie: Mr. Commissioner -- or excuse me. Mr. Chair, the -- on the site plan, if we can -- if we can go back to the site plan real quick. Let's see. So, in order to -- if we were to get access off of -- off of Victory to get the gooseneck -- and they actually take -- they actually take access off of here. They have an agreement with the irrigation district to provide this access and they utilize this access to get back and around into their -- into their larger area where they bring the trailer in -- again, it's just -- they are very used to this access and they didn't want to have to take access through and I know the neighbors are already complaining about 22 -- or 21 homes. If they start bringing their gooseneck through here -- well, of course -- I don't believe that they can get the gooseneck in through -- off of Fathom and around to their shop back here. At one point in time we had talked about putting an easement here and that just wasn't working for them, because they

would have to drag that all the way through. It was easier for them to keep their access off of Victory and that's really the only reason. The neighboring -- property -- and part of the problem with -- with some of the thoughts or suggestions with the property to the -- to the west of this was allowed to keep their access off of Victory and I know -- we mentioned this to Joe and Joe -- Joe was very right. He said, you know, two wrongs don't make a right and so -- and we agree. But the Richardsons are very used to this access and they -- they needed to -- to actually access this building in the rear.

Fitzgerald: Any additional questions for the applicant? Commissioner Cassinelli or Commissioner Grove?

Grove: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Grove: I have a question for you regarding the -- the future plans for this site and how it relates to it being laid out now in terms of when the owner of the residence decides to have their current house developed, how does that impact this current layout in terms of making it doable by extending Fathom in and -- it -- I'm just having a hard time seeing how that -- it looks like we might have future problems is what I'm trying to get at I guess. So, what's the plan?

Lardie: Mr. Chair, Commissioner Grove, so future development of this lot -- I would have to leave it to the future development, but I believe that you could pull a common drive off of Fathom and supply -- I believe six -- six lots back that way and still provide a -- and, then, do away with the access off of Victory.

Fitzgerald: So, do you have a follow up?

Grove: Not necessarily. Just kind of thinking out loud. I don't -- I think the common drive is maxed out at four. Is that -- that might be a question for staff, but -- that's a future question. But I'm just having a hard time with this layout knowing that something else will have to happen at some point.

Dodson: Commissioner Grove. Or Mr. Chair? This is staff.

Fitzgerald: Go right ahead, Joe.

Dodson: The max in our code is actually six off of a common drive. How a common drive would work here staff does question exactly where they would pull that off of, because it couldn't be off of that emergency access, unless there is an easement across it and so I wanted to clarify that.

Fitzgerald: Commissioner Grove, did that help?

Grove: Yeah.

Fitzgerald: Any additional questions for the applicant at this time?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Dan, what did the Fire Department -- I have got several concerns with this and one of -- one of which is the -- the -- what came up before, the parking on the cul-de-sac. The Fire Department -- you said the Fire Department said you couldn't put a parking island in there. What was their -- what was their reasoning on that? Did they want it even larger to be able to do that or what?

Lardie: Mr. Chairman, Commissioner Cassinelli, when I spoke with the assistant chief, the fire chief, he said that he wouldn't allow anything in the middle of that cul-de-sac, no matter its size, and I stated the fact that there are some of these that already exist. We actually had elongated the cul-de-sac and widened it and provided that parking in the middle and I sent that over to the Fire Department and he just absolutely said no.

Cassinelli: He didn't give you anything if it was another ten feet wider he would allow it, he just -- it was a flat out denial.

Lardie: If it -- it was a flat out denial and his suggestion was to make the cul-de-sac larger, the 57 foot, and that way he could have his turnaround, his safe turning distance inside of that.

Cassinelli: Okay. Thank you.

Fitzgerald: Commissioner Cassinelli, did you have any additional -- did you have additional questions?

Cassinelli: Not right now.

Fitzgerald: Okay.

Dodson: Mr. Chair?

Fitzgerald: Commissioner Seal? Oh, Joe. Go right ahead.

Dodson: No. The other guy in here. The -- from my understanding Mr. Bongiorno had said that it doesn't meet fire code. He did not state what fire code that is, but he said it does not meet fire code to have parking in the center of the cul-de-sac.

Fitzgerald: Okay. Thank you for that. And if there are no additional questions at this time, Mr. Lardie, we will get back to you and let you close after we take public testimony. Does that work, sir?

Lardie: Mr. Chairman, thank you.

Fitzgerald: Thank you, sir. Madam Clerk, do we have folks who would like to testify -- that signed up to testify?

Weatherly: Mr. Chair, we have several people signed up, two of which have exhibited a wish to testify. The first is Pat Thacker joining us via Zoom. Pat, you should have the ability to unmute yourself.

Thacker: Okay. Did that do it?

Fitzgerald: Yes, Mr. Thacker. Welcome to the Commission. Please state your name and your address for the record and the floor is yours, sir.

Thacker: Pat Thacker. 1033 West Newfield Drive, Eagle, Idaho. I represent the landowners. We are very in favor of the plat as proposed. We have worked for about 15 months now with the developer. Very hard. Joe was gracious enough to meet us on site to -- a picture's worth a thousand words and when you meet on site you kind of get a -- a reality check on how these things need to work. But we are very much in favor of the way it's proposed. I would like to address a couple of issues. One would be the sidewalk on Victory Road. In our conversations with ACHD they are going to do some future developments to the intersection of Locust Grove and Victory Road and they are -- they are -- they are very fine with us keeping our driveway, the entrance onto Victory Road, and when they finish the intersection of Locust Grove and Victory, at that time they are proposing that they will complete the sidewalks and at that -- and they have -- when they did the bridge a few years ago they did a small taking of property for a better easement in front of the Richardson's property and so I think it would be logical, plus much safer for the public, if ACHD continued those sidewalks at that time. At this time if you go there and stand on it, traffic gets rolling pretty fast by the time it gets in front of this property here and the bridge and it would really be a dangerous spot if we had children or cyclists and stuff trying to cross the road there, as opposed to the crosswalks that are over at Victory and Locust Grove right now. The buffer in front of there is a virtual forest of blue spruce, et cetera. So, it's really a nice buffer for the subdivision. Another issue I bring up is that this does create a second emergency access. The one that's proposed for Teakwood also gives a second one for Tradewinds. So, that doubles the amount of emergency access for Tradewinds, which I think is a great benefit to the public. And another thing is -- as far as them keeping their access, they do still have a couple of old horses that they would like to keep and part of the property that is going to be abutting the subdivision is where their small pasture will be, so they can finish out keeping those horses, which have been part of their family for decades. And, then, they do have an agreement with the irrigation district and that's where they come in with their trucks and trailers and they use that shop out back. So, taking their access off of Fathom would be difficult. If you haul trailers very much you would see it would be pretty hard and it would take away any opportunity for them to continue to use their shop and their pastures. So, those would really be difficult for them. And, then, the open space -- they have given up about 25 percent of what they had wanted to keep in order to help the developer meet

the open space requirements and where those open spaces are I think are already quite nice for people in both subdivisions to use and it creates more walking space and, then, on the back of that pasture, since I'm familiar with the land -- I have known the owners for about 30 years. On the open space to the south there is already -- on the very southern edge I believe that's where some of the irrigation currently travels through, there is a very low spot at the very very south edge and so I think that -- the proposed drainage that Mr. Lardie was proposing I think would work quite well. I think the majority of that would be very usable open space. Is there any questions?

Fitzgerald: So, I do have one question. So, you just said something that caught my attention. So, you said they are currently using access that the ditch rider has, not their own access, to get that trailer out. So, they don't need their main access to get their trailer out if they -- the shop's in the back if they are already using the ditch rider road. What's the reason to have the additional road access if you have that right there?

Thacker: Well, you -- you couldn't get to their house from that backside. They -- that driveway goes right into their house and into their shop out front and so they wouldn't have any way to get in there, because that all --

Fitzgerald: I understand that piece, but the argument is that you can't get the gooseneck trailer out through the neighborhood and if they are using the ditch rider's road, then, that in my mind negates that argument, because if they are accessing the shop through that road off to the north -- or I'm sorry -- off to the east, they are not accessing the -- they are accessing their house through the access off of Victory, but not to their shop; correct?

Thacker: That's correct.

Fitzgerald: Okay. I just want to make sure I'm clear.

Thacker: Yeah. But I don't understand how that negates --

Fitzgerald: The access to -- I mean if they are -- they can take that road right onto Fathom.

Thacker: Take which road right onto Fathom?

Fitzgerald: Their -- their -- their driveway. Instead of accessing Victory they can spin a road right onto Fathom and access their house.

Thacker: That would go right through their shop. It would go right through their pump house. They wouldn't be able to get to their house that way.

Fitzgerald: Okay. I appreciate that.

Thacker: They have got a garage and a -- and a pump house and what have you back there.

Fitzgerald: Okay.

Thacker: Then the shop's on the other end. So, the way the property is laid out they -- they wouldn't be able to do that.

Fitzgerald: Okay. And the layout -- the layout that's in front of us right now there looks to be quite a bit of room around that house. I just -- just walking through the different components of this thing -- because we have seen the thing -- I think this is the third time and I -- I'm having concerns, like where we -- we go to develop, we kind of got to either jump in or not and so I understand the need to keep the house and they want to keep the house and so I'm just having some challenges finding the balance, if you will, so -- but I will let my -- I will pop out of the mix and let my other Commissioners comment or ask questions if they have them.

Thacker: All right.

Fitzgerald: Are there additional questions for Mr. Thacker? Okay. Sir, thank you very much for your time. Thanks for being here tonight.

Thacker: Thank you very much.

Fitzgerald: Madam Clerk, who do we have next?

Weatherly: Thank you, Mr. Chair. That would be Sandy Blaser joining us in person. Madam -- Mr. Blaser, I think the clerk is waiting for you in the other room, so -- hopefully you will be joining us in a second.

Blaser: This is Sandy Blaser. My residence is 3370 South Como Avenue in Meridian. We are on the -- just on the -- we are the houses abutting the development to the east. I guess I can't get my head around the way ACHD interlocks different subdivisions. I mean I'm looking at this property and I'm looking at it from the standpoint that each subdivision should be self -- if -- I mean it should be -- should have its own access and not depend on another subdivision, because we have got 40 -- 41 homes there that are going to be impacted by another 22 plus homes and if that other lot is developed maybe five or six more and it's going to substantially change the -- the traffic and in our opinion, most of the homeowners, the quality of life there. Also as I'm sure you are aware, Locust Grove is a north-south street and I think the load on -- the traffic load on Locust Grove right now exceeds the east-west traffic load on -- on Victory and I just -- looking at this property I just can't see why we can't accommodate this road to go through directly to Victory. I know ACHD is saying Victory is a major arterial. Well, I think Locust Grove is also a major arterial and the other -- the other situation is emergency services having to go -- have to go to Victory, then, having to make a -- go south on Locust Grove and, then, to go east into our entrance on Coastline and, then, we go through over to Fathom and, then, back to that -- to the development, it's just going to take more time for emergency services to get to a situation. So, I just think as one of the homeowners it's just a bad -- a bad plan and most of the homeowners, again, are -- are against the traffic load being increased at

Tradewinds. And the other concern I have, which I have already stated before, is that although we can't force the developer to do this, but to try to balance the homes that are going to be constructed right adjacent to our homes on the west that basically we don't have higher elevation homes facing lower elevation homes on Como. If they can mix that properly so it -- it looks sort of continuous as far as the heights of the various structures that would be appreciated. And that's -- that's really all I have and I thank you for considering my testimony.

Fitzgerald: Any questions for Mr. Blaser? Thank you so much, sir.

Blaser: Thank you.

Fitzgerald: Madam Clerk, do we have additional testimony?

Weatherly: Mr. Chair, that's all who signed up.

Fitzgerald: Okay. Is there anyone who would like to testify on this application that is here virtually or in the audience? Please raise your hand either via Zoom or in person and Commissioner Seal and the clerk will point you out and we can get you squared away. So, not seeing anyone raise their hand on the attendees -- okay. Mr. Lardie, would you like to come back up and join us, sir? Or join us virtually I guess it would be.

Lardie: Mr. Chair, I'm here.

Fitzgerald: Would you like to close, sir? Any additional comments and I will open it for questions.

Lardie: Additional comments. Mr. Blaser's -- Mr. Blaser's concerns about traffic -- I understand his concerns. I'm not sure what to tell him about traffic concerns and ACHD is -- is the controlling factor on -- ACHD and the city control how we access our property. So, I don't have anything else more to say to him about it -- at least traffic. I can't help that. The home sites, you know, we have -- we have proposed homes, we have provided elevations on those, and they are mostly single stories, with maybe a buffer -- or a bonus room above, which will be like one and a half stories, but they all meet -- they will all meet the zoning ordinance as far as height. With that I can stand for questions, Mr. Chair.

Fitzgerald: Dan, would you be willing to match their -- their lot to lot for -- you know, one story to one story?

Lardie: Mr. Chair, I don't know that I can commit to that. You know, it -- it's zoned a certain way and the zoning has their own height restrictions and I'm willing to comply with those or state that we will comply with those.

Fitzgerald: Okay. Appreciate that. Additional questions for the applicant? Hearing none -- none at this time.

Holland: Mr. Chair? I do have a question.

Fitzgerald: Commissioner Holland, go ahead.

Holland: So, I know -- I know we have already talked about this a little bit, but one of my biggest pet peeves in looking at this is, again, the open space -- having the piece on the south be kind of a drainage field slash open space, but just the ability to have usable open space for those in there. Was there any other configuration we could look at on how to combine those two sizes of open space to make it more usable for -- for the neighborhood and make kind of a bigger green spot? I still keep going back to that and I just wanted to get your thoughts on it.

Lardie: Mr. Chairman, Commissioner Holland, there is a chance that we could possibly swap some for some. There is a chance that we could look at that and try and maybe utilize a little bit of space in Lot 18 and lot -- maybe Lot 15, that way it's at least contiguous across. So -- let me see if I can grab my -- can you guys see my pointer? Probably not, so --

Holland: I don't think we can.

Lardie: Okay. So, Lot 19 there is -- oh.

Holland: Now we can. Yeah. We are with you.

Lardie: Okay. So -- and this is kind of what Joe had suggested was Lot -- Lot 19 and maybe creating a pathway through on Lot 19 and maybe squaring this lot and, then, trading Lot 7 for Lot 15 and, then, this becomes open -- Lot 19 becomes open space, connected to Lot 15, and, then, that way at least provides a pathway from future when -- when the roundabout -- or, excuse me, the turnaround gets -- gets abandoned or even -- even still it provides a pathway to -- from one road to the other, aside from the sidewalk. But, then, Lot 7 wouldn't become a buildable lot.

Holland: Okay. And, then, one follow-up question. I -- I apologize if I missed this. Did you already talk about an amenity -- a site amenity that you could add into the open space?

Lardie: Mr. Chair, Commissioner Holland, so if we were to reconfigure this open space we would provide a pathway from one road to the other, that would -- that would count as an amenity, but, then, we would also -- what we are currently proposing is a picnic table on both open space areas, along -- meeting the UDC code, which -- if that means it needs a shelter or some additional trees for shade, we would do that.

Holland: Thank you. Appreciate it.

Fitzgerald: Additional questions for the applicant?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Dan, did you guys ever provide a -- some concepts for -- for the additional development of the existing home there and what that might look like?

Lardie: Mr. Chair, Commissioner Cassinelli, we did at one point in time have that lotted out for a future phase and everyone was against the phase development, so we took it off.

Cassinelli: Not phase, but just future -- you know, once that house is sold it becomes part of this -- you mentioned I think four or five lots --

Lardie: That would be phased development in my -- in my opinion and we did show that as lotted as -- as -- as a future phase, which would be when that lot became available and it was -- it was frowned upon from both staff and from the Commission. Well, I don't know about the Commission. I won't put words in your mouth. But it was frowned upon from staff.

Cassinelli: Joe, can you speak to that?

Dodson: Commissioner Cassinelli, Mr. Chair, yes. That is correct. Originally they did show some phasing. This one -- here you go. This is what they did have. Staff was not supportive of phasing it, mostly because of the request to keep the access to Victory and not do any frontage improvements. We were showing a concept plan of how this large lot with the existing home could redevelop is perfectly fine. They -- I'm sure Dan can make that exhibit relatively with ease with his expertise. But in general phasing the project was not something I was in support of, because I wanted to ensure that the -- as much of the site got developed now rather than later, because there is no guarantee we will get that existing home. Part of that phase two was, again, keeping that access to Victory. We wanted to make sure that we had that now closed.

Fitzgerald: Questions?

Cassinelli: Okay.

Fitzgerald: Commissioner Cassinelli, do you have follow up?

Cassinelli: For -- for Joe when we are done with the applicant.

Fitzgerald: Okay. Perfect. Additional questions for the applicant? With that can I get a motion to close the public hearing?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: I move that we close the public hearing for Teakwood Place Subdivision, File No. H-2020-0006.

McCarvel: Second.

Weatherly: Mr. Chair?

Fitzgerald: I have a motion -- oh. Yes, ma'am.

Weatherly: I apologize. We have a newcomer in the audience online that has their hand raised. I don't know how you want to handle that.

Fitzgerald: Let's bring them on and, then, we will let Mr. Lardie respond if he needs to.

Weatherly: Tony, you should have the ability to unmute yourself.

Johnson: Madam Clerk, Tony can verify, but I believe he is speaking on another application this evening.

Fitzgerald: Oh. Okay. Perfect. So, I have a -- I have a motion. We want to restate that motion, please, motion maker.

Seal: Move to close the public hearing for Teakwood Place Subdivision, File No. H-2020-0006.

McCarvel: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-0006, Teakwood Subdivision. All those in favor say aye. Any opposed?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Okay. The application is properly before you all. Anybody want to kick it off?

Seal: Mr. Chair?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: I had a couple of questions for Joe. First of all, access from the -- I can't see the name of the street that goes -- the stub street to the east, but assuming that property develops to the east and that's the -- that's the big if is -- I mean that could be beyond our lifetimes. I mean it -- or it could be in five years. I guess it's Richardson Street. Who

would be responsible -- would it be the -- because I think the -- the property adjacent has the lateral running through it, so it would be that -- it would be their responsibility to bridge that, because -- and would that be a requirement to eventually have access -- cross-access go out Richardson and, then, assuming to a mid mile connector or something up to Victory? Is that going to make that assumption?

Dodson: Mr. Chair, Commissioner Cassinelli, yes, that is correct. It would be up to the HOA at the time after this is developed to remove that temporary turnaround off of Lot 19 and, then, the subdivision, if there were one -- the property to the east would, then, redevelop and likely construct their portion of the pathway along the lateral, as well as extend that street within their subdivision and continue that on through the site and stub it to Mrs. DeChambeau's property, which is further to the east on the other side of the lateral.

Cassinelli: Would that be a requirement of any future development directly to the east that -- that Richardson be extended all the way, so that there would be full cross-access in a -- and, basically, access to Victory out that direction or would we find ourselves with that being -- somehow being closed off forever?

Dodson: Commissioner Cassinelli, the short answer is, yes, that is a standard requirement that we want a local street plan infrastructure layout, for lack of a better term, to connect and, then, eventually get to a mid mile mark. However, the site directly abutting this to the east is landlocked somewhat by the lateral, so their only access is over the lateral. If that property were to redevelop it would be -- it would, then, be stubbed to the property to its east and north, which is Mrs. DeChambeau's, which is a larger property. But until such time that that property develops there would not be an access out to Victory.

Holland: Commissioner Cassinelli --

Fitzgerald: Follow up -- oh, go ahead, Commissioner Holland.

Holland: I was just going to make a comment. I believe we heard from that property owner directly to the east last time we heard this application. I think Commissioner Cassinelli was absent, but they had indicated that they didn't have a desire to redevelop at anytime in the near future and they planned to stay where they were. So, it's unlikely we would see something come through in the near future at least.

Cassinelli: I -- I remember this, but I don't remember the -- I don't remember that -- that neighbor's testimony on that and that's certainly a concern to me that that could be -- Richardson could -- could not have cross-access for what could be a very long time.

Fitzgerald: Additional comments? Commissioner Holland, did you have anything additional while you are off mute?

Holland: Sure. I think -- I could go next. You know, the -- the open space I agree with staff that it's -- it's okay, it meets the minimum standards, but it's not premier and I think

we try really hard to make sure that we prioritize open space in all of the subdivisions that come through and if we are not doing a good job of being premier, I'm wondering if there is still something that they could do to make it a little bit better before it goes to Council and I was open to the applicant's idea of reconfiguring the green space to be kind of between that cul-de-sac and that -- the other stub road and be a little bit more central and a little bit more usable. Having a pathway to me doesn't seem like enough of an amenity, because it's such a short distance through there. I think I would at least want to see a picnic table and shade structure there at a minimum, in addition to their pathway. I struggle with the roadway improvements on Victory. I understand what the applicant is saying on why that's difficult until that property redeveloped, but at the same time we don't get sidewalks on major roads until things like this come through. So, if we were to allow them to wait to do that I would want to see some sort of condition that said they could wait until redevelopment or until one of the neighboring properties to the east or west of them redeveloped at some point in the future and put in sidewalks and maybe have that be part of a development agreement and I'm not sure if that's even possible, but that's one thought I had. Let's see what else I have.

Fitzgerald: The only comment to that, Commissioner Holland, is if that's the case, then, I would probably look for a bond for it, because if -- if they are going to have -- like that's my concern is we never get another shot at the deal.

Holland: Right. I agree. I think it would be reasonable to ask them to have it in the development agreement and bond for that future improvements, so that they could move forward on it when the neighboring property comes in and does sidewalks on there. The third thing I wanted to say is I still would prefer to also see access off of Victory removed and have them access the neighborhood. It's a little cleaner, because there is not a lot of opportunity to redo that again in the future either. Those are my three comments right now.

Dodson: Mr. Chair?

Fitzgerald: Go right ahead.

Dodson: Thank you, Mr. Chair. Commissioner Holland, just wanted to clarify that the pathway -- they are not proposing a pathway with this. It's just an easement. So, that is not an amenity and I believe Mr. Lardie said that their amenities that they are proposing are a couple picnic tables. I did not see that on any of the landscape plans, so that's -- I appreciate him presenting that tonight though.

Holland: Yeah. And, Joe, just to clarify, when he was talking about reconfiguring the open space and moving it a little more central, I asked what amenity could be in there and he said if they put it more central they would have a pathway that would connect the two areas, the cul-de-sac basically to that stub street and that could be counted as an amenity and I would agree with you that that doesn't seem like enough of an amenity to me.

Dodson: Understood. Thank you.

Holland: Unless I misunderstood what he said.

Seal: Mr. Chair?

Fitzgerald: Other comments? Yeah, go ahead, Commissioner Seal.

Seal: I really struggle with this one. So, I understand what the occupants are trying to do. I guess the problem that I have with it is they are -- they want to keep everything -- they are not willing to -- to -- you know, they -- they don't want to do anything that is, essentially, required by code, but at the same time they want, you know, the Commission or the -- you know, the planning bodies to -- you know, to kind of work around all of that. So, I mean to me this -- you know, you use the term it's -- they are trying to be a little bit pregnant here. So, I just don't -- I don't understand, you know, the layout as it exists. I mean the answer to this is to develop all of it, so -- in my mind. You know, I sympathize for the -- for the couple that are trying to stay there, but, you know, at this point the -- the open space is -- you know, again, it's just big grassy areas and a water catch. I mean in order to make the emergency access count as open space they added, you know, shrubbery and things like that. So, that's another expense of the subdivision that's going to have to deal with -- you know, it doesn't help them, it doesn't beautify their space, but, you know, it counts as open space. So, you know, that's another expense that they are going to have to deal with. You know, I mean basically I agree with everything that the staff report says and has to offer, with the exception that I -- I wouldn't approve this. I just don't think it fits and I think that it's -- you know, it needs to all develop or not develop at all.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I kind of echo some of that. I have -- I don't know that I have seen this before, so it's new to me -- or at least if it was not new to me it feels new to me, but I'm just struggling with it. It feels forced and it feels like we are going to have problems down the road with it developing after the fact. I don't like the access onto Victory. I think if we do move forward that that driveway does need to go in, especially after, you know, hearing the back and forth that you had, Mr. Chair, with Mr. Thacker on the -- the trailer situation and whatnot. It also feels like that we are just hitting the bare minimums on absolutely everything for this project and it doesn't feel -- you know, if we don't add in certain pieces like the sidewalks or removing access, it feels like we are not extending the urban and suburban fabric of our community and we are just kind of popping in houses without strategy almost and I don't -- I don't know. I have a really hard time with this one. I don't quite see it yet.

Fitzgerald: Thank you, Commissioner Grove. Commissioner McCarvel.

McCarvel: Yeah. I have got notes written all over here. But pretty much echo what's been going on and I know it is -- the subdivision will access the subdivision to the west, there is just -- there is no doubt about it and I see in the future where it won't have any access to Victory, that it will have to depend on, obviously, the sub -- whatever develops in the future to the east and I have got comments written here -- you know, they want min -- they want to just barely meet minimum code on everything, but, then, they want -- they are going to turn around and when -- when and if that other piece of land where the original house sits gets developed, then, they want to use the maximum of put six lots on a common driveway. I mean it just -- I agree, it is just either all -- it's just that piece of land that either just all needs to get developed or not, because it is just in between other things and, I agree, it makes -- I don't like having -- leaving that access off of Victory. I mean I can kind of see where it makes sense to leave some of that frontage improvement until either the time that Locust Grove and Victory gets improved or as the neighbors develop, because I know that -- that irrigation situation out there and just the way that land sits is probably difficult to even envision having a sidewalk on it, but -- but, yeah, the money would have to -- I just -- I think it's just not the right time. I mean you can't have your cake and eat it, too. That's kind of where I'm at with it. Because of the way it's been chopped up and the open space here and there, I just think it could be -- it -- it's in between stuff anyway and it's going to be hard to connect with everything, but trying to keep the original house and all that property there is making the design that much harder and that much more chopped up. I don't --

Fitzgerald: I'm in agreement with what you just outlined. I think -- we always -- we try to do the best we can. I think my -- there are two big concerns I have. One is that big open space is going to be used as a drainage swell and/or a drainage bed and we have seen where we have attempted to -- the technology is getting better about the transitioning of water under -- under the -- underground, but based on the picture we saw from the public there is a high water table out there, I think the test report that they got back where the water table was pretty high. That's going to be unusable space. So, the common area becomes nonfunctional and, then, we are -- we have limited access to go to public parks that are across the street. I think we are -- we are shoehorning this thing in here and I understand -- I agree with Commissioner Seal's comments about being a little bit pregnant. I -- I understand and I totally sympathize with the landowner about wanting to do the development in the back and maintain their life in the front, which I understand that, but kind of got -- when you develop you kind of got to jump in and do it and so you got to choose and -- and if they are -- they want to do the development that's great, but we need a different tact in taking it on and so I'm just -- I'm having trouble as well. Commissioner Cassinelli, did you have thoughts, sir?

Cassinelli: I'm going to -- I'm going to echo a lot of these thoughts. I think there is just -- a question, Joe. Would -- given that to the south is R-4 does this fit under -- if this were to develop as R-4, would that be -- would that be within the future of the comp plan future land use map designation? And, then, maybe -- and my thought there is that maybe some of these concerns -- if this were developed as an R-4, maybe -- maybe it can be configured as that. Just a -- just a thought there. Joe, would that -- is that -- is R-4 acceptable?

Dodson: Commissioner Seal, thank you for your question, sir. It -- yes and no. The zoning is not what ties it to the density, the density is low. It's on the very low end of the medium density residential, so it's probably already less density than the subdivision to the south that is R-4, they are just requesting R-8 to make sure they have a couple lots that can go below the 8,000. But like I said in my staff report, it is -- the average lot size is 10,000 square feet, which is over the minimum lot size for the R-4. So, it -- the density is the key there and they are right at the bottom at three dwelling units per acre.

Cassinelli: So, they are -- they are almost into the R-4 anyway, is that what you are saying?

Dodson: Yes, sir. Yeah.

Cassinelli: Okay. So, I guess continuing on with my thoughts, I'm -- one of my biggest concerns -- and this is an ACHD thing -- is that we may never see access on -- onto Victory, which I don't get, because, you know, to the north of Victory there you have got two access points to the development to the north coming in on Victory. Why they wouldn't allow one to the eastern-most portion -- in the future, granted, the house is there right now. I -- I get that they want to develop it. I fully get the property rights. But all these concerns, the common area, the -- a big concern to me is the amount of -- is the amount of number of homes that will take access only off -- off of one point, off of Locust Grove, and yet ACHD's report -- we only get traffic counts for Victory. We get nothing from Locust Grove. I was perplexed by that. I think they could adjust the driveway and bring it in off Fathom and still take the access from -- from the irrigation district's -- from that -- from their access point over there and not have to worry about that. But, yeah, I have got -- I have got all these concerns myself and I just don't think -- I don't think it's the right layout. I don't -- not necessarily not the right time, it's just -- I think the whole layout has to be just completely rethought.

Dodson: Mr. Chair?

Seal: I think you are muted, Mr. Chair.

Fitzgerald: Oh. Okay. Additional thoughts? I think we have some -- motions are always in order, but do you guys have any thoughts additional?

Dodson: Mr. Chair, this is Joe.

Fitzgerald: Joe, go right ahead.

Dodson: I had just one last comment on the ACHD staff report and this is also related to what Mr. Thacker had said. The ACHD staff report does state that they are requiring -- or they were -- one of their site conditions of approval are to construct the detached sidewalk along Victory. So, just wanted to clarify that.

Fitzgerald: So, Joe, to follow up on that, he did mention -- Mr. Thacker also mentioned that in that report or in their comments work with them, they said they would be -- they would construct everything -- when they did Victory and Locust Grove that would be completely done by -- by ACHD; is that correct? Just to make sure we are clear.

Dodson: Mr. Chair, that is the conversation that I was not a part of and it is not in the staff report that I am aware of. That was I think a sidebar discussion that I was not a part of. So, I would say that I -- no, I'm not aware that they would be constructing this when they can get it through development as is the norm.

Fitzgerald: Okay. Thank you, sir. Additional thoughts? Commissioner McCarvel.

McCarvel: Yeah. Mr. Chair. I think, you know, we have spent a lot of time on this one a couple of times. I think we are unfortunately -- I'm guessing from all of the thoughts that we have heard tonight I think we are just at the point of about recommending denial and let City Council figure -- you know, take our recommendation and go from there, because I don't think -- I mean the layout isn't going to change all that much as long as that -- the original house and all that property stays up front.

Fitzgerald: And I appreciate the comments about maneuvering through the common area into the middle, but that was the feedback we gave them the first time -- or the second time that we had a conversation and we are still back to a similar layout. So, I'm -- I'm concerned we are going down the same road and not meeting the goals we were trying to lay out and get to. So, I'm -- I'm of a similar mind.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, did I cut you off? Sorry. Go ahead.

Seal: That's okay. I will -- I will throw a motion out there, unless anybody else has --

Fitzgerald: Good.

Seal: -- more to contribute. After considering all staff, applicant, and public testimony, I move to recommend denial to the City Council of file number H-2020-0006 as presented during the hearing on July 16, 2020, for the following reasons: It does not fit well into the city's vision for annexation and premier properties, as well as -- or concerning minimal and unusable space -- open space, as well as the undeveloped property takes too much away from the developed property.

McCarvel: Second.

Fitzgerald: I have a motion and a second to recommend denial of file number H-2020-0006 to City Council. Any additional comments?

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland, go right ahead.

Holland: Just to put it on the record, I think when Council looks at this, if they decide to go a different route than the denial route from our recommendation, if they were going to consider still approving it, I would say they would need to see a different plat with more significant open space, more centralized, that shows at least that usability and, then, resolve some of these issues that we have been chatting with tonight if they wanted a chance to have Council look at another option there.

Fitzgerald: And I agree. That said, all those in favor of recommending denial of H-2020-0006 say aye. Any opposed? Motion passes. Thank you very much.

MOTION CARRIED: SIX AYES. ONE ABSENT.

4. Public Hearing Continued from June 4, 2020 for Landing South (H-2020-0005) by Jim Jewett, Located at 660 S. Linder Rd.

- A. Request: Rezone of 2.43 acres of land from the R-4 to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 11 building lots and 2 common lots on 2.27 acres of land in the proposed R-8 zoning district.

Fitzgerald: Thanks, Joe. We appreciate it. Moving on to the next item on our agenda, which is the public hearing for Landing South, file number H-2020-0005, and let's start with the staff report.

Allen: Thank you, Mr. Chair. This application was before you a while back. The Commission continued this project in order for the applicant to work with ACHD to facilitate a construction entrance off of Linder Road until initial occupancy and reconfigure the plans to include a pathway between Lots 58 and 59 that complies with UDC standards and specifically fencing standards, possibly reduce the density or modify the design to improve parking and internal circulation and revise the east lots to more of an R-4 size. So, the plan there on your left is the original plat that was submitted. The applicant has submitted a revised plat shown on the right that depicts two fewer buildable lots for the Commission's consideration in response to their direction at the hearing on June 4th. They plan to retain the existing 50 inch silver maple tree on the site, which will reduce their mitigation requirements to 17 inches and that is in regard to condition number 3-B. ACHD will allow a temporary construction entrance off of Linder Road during development of the subdivision, but not during home construction. There are two on-street parking spaces and two additional spaces at the end of each of the two common driveways for a total of six spaces, in addition to those provided on individual lots and garages and parking pads. Private sidewalks are proposed to each of the lots from the sidewalk along Linder Road. A common lot with a pathway from Spoonbill to Linder Road is not proposed and the lots on the east side of the development were increased to have an R-4 size, 8,000

square feet. The applicant is here tonight and can respond to any questions you have on this revised plan.

Fitzgerald: Thanks, Sonya. Are there any questions for staff?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Sonya, I have a question with the preliminary plat that we received this afternoon. I'm having a hard time understanding what I'm looking at. Could you walk me through that a little bit just in terms of Lot 62, 63, 64 and 65? I don't fully understand what --

Allen: Yes. Mr. Chair, Commissioner Grove, Commissioners, they have reduced the plat by two lots on the east side, the two buildable lots. They have created flag lots. So, the original lots, if it helps, are shown in a lighter gray color and, then, the new lot lines are shown in black. So, these are flag lots you are looking at here and they are required to have a minimum 30 feet street frontage. So, that is what they are proposing. This is a common driveway right here for access to these two lots and, then, again, these are the configuration of the new lots. For the record, staff's really not in support of the proposed revised plat.

Grove: Follow up questions?

Fitzgerald: Go right ahead.

Grove: What -- do you -- I guess I'm just struggling. What is the piece for Lot 64 that's in between 65 and 63 on the east side?

Allen: I'm not really sure. Let's have the applicant answer that.

Grove: Okay.

Holland: I had the same question.

Fitzgerald: Any additional comments or questions for the staff? I think the applicant is going to have to walk through that preliminary plat with us -- or for us.

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Sonya, could you repeat what you said there? I think you said that staff is not in favor of the current layout, is that what you said?

Allen: Yeah. The configuration of the lots are really wonky and -- yeah. Prefer the former plat between the two anyway.

Fitzgerald: Do you have follow up, Bill?

Cassinelli: No. I was looking for more of a reason, but I guess wonky is --

Fitzgerald: It's good enough.

Allen: It's an official term now.

Cassinelli: Yeah. Well -- and you said you prefer the -- you prefer the -- the original. We are talking about those 62, '3, '4, '5 versus the six lots that were over there. Yeah. I think it was six. Okay.

Pogue: Mr. Chair? Sonya or Bill, is there any chance you could use the yellow like crayons to draw each of the lots that are now depicted to make it clear? So, Commissioner Grove, I had the same question earlier and it did help to actually see them drawn out.

Allen: Well, I can -- Bill's the color, I am not, Andrea. If you can see my cursor here I can trace the outline of the lot. Like I said, it's the black line, it's not the gray line, so that's that lot. This is the flag for this lot that comes in. This is that lot. And, then, right here is the flag to this back lot.

Pogue: Thank you.

Fitzgerald: Commissioner Grove, did that help? Because I think you -- and we will get the applicant to explain it, but I think you're seeing an overlay with the gray behind it with the old layout, so --

Grove: Yeah. It's not that I couldn't see each, but I just don't understand it, I guess, like --

Fitzgerald: I'm with you, man. And I had the same question during our meeting earlier today, so --

Grove: Okay.

Fitzgerald: Is there additional questions for staff? If not, we will have the applicant come up and explain it so we can get a better handle on it, because I'm with you, that's what I want as well.

Jewett: So, it's Jim -- Jim Jewett at 776 East Riverside Drive, Suite 204, Eagle, Idaho. Can everybody hear me okay?

Fitzgerald: Yeah. Go ahead, Mr. Jewett.

Jewett: Thank you. So, at our last hearing there was a lot of discussion about changing the lots to the east to a more R-4. So, I drove my engineers crazy with trying to create an R-4 lot when you had such limited right of way frontage in which to configure and so we had to use these series of flag lots to maintain the minimum frontage on the public right of way and not use a common driveway. So, what you see is -- is the result of that and, for example, that one little panhandle that goes out to the east between -- and -- and I can't look at the lot numbers on my small screen, I'm sorry. That's just what was left over to make the one triangle'ish looking lot 8,000 square feet. That's all it is. This is -- this is what it looks like. I'm not in favor of it at all and the reason we overlaid it over the old plat was to illustrate how it doesn't work and I tried every other avenue, but if I went back to the common driveways it just made sense to stay with our original plat. So, we are here tonight to support our original plat and I believe that the staff is in the same position and, you know, my planner submitted a letter putting in support for why our regional plat extends and with that I will stand for your questions. I'm sure you will have many more for me.

Fitzgerald: Appreciate it. Commissioner Holland, go right ahead.

Holland: So, in the way that you reconfigured the new lot -- I appreciate you trying to meet our request and eliminate a couple of lots to make it fit better. If you went back to your original plat -- and maybe I -- I mean keep the -- you have got your common drive, but still reduce a couple of lots on there and reconfigure how much space they had, was that not something that was a possibility there?

Jewett: And, I'm sorry, I don't know which Commissioner is talking.

Holland: This is Commissioner Holland.

Jewett: Okay. So, Commissioner Holland, without -- not using the common drive, because what I took from the last hearing was to change the flow and not utilize a common drive, you have to maintain frontages and that only exception is when you use common drives. So, we only have so much frontage to use, so unless we simply kept the common drive and just made the lots bigger, that would be the only other option.

Holland: Well, I think that's what my question is, too, is would you be willing to consider maybe eliminating one of those lots to make those bigger, so you have less number of homes off of that common drive. I think that was our challenge before is we just didn't like that there were one, two, three drive aisles off of that one common drive and, then, there were two off of the -- or three off of the other one, because there is just a lot of homes coming off of that hammerhead there and so if there was the ability to keep a similar configuration, but maybe eliminate one or two lots, making less homes off of those access points, that might be more favorable.

Jewett: Commissioner Holland, certainly that -- we can reduce lots. In looking at it I would think that the reduction would probably be off of the public street, not the common drive. The common drive in its configuration and trying to get to those lots to the east are going to mandate that there is three lots on it regardless of what I do. So, if you lose a lot it will most likely be up to the north on the public frontage. So, I don't know how that helps anybody and I will give you the other side of that story and that is the way we configure now with the six slots, we have a similar size that we have in our existing previous phase, which was the Landing Number 13 and we offered product in that phase in the high 200s to the low 300s with an occasional home being larger into the mid 300s and an affordable product in Meridian right now. If I lost a lot I would simply average that value back into the other lots and you would take in that affordability and notch up, so you would have no more homes in the three -- are low two -- high two and low threes and you would start in the mid threes and I just don't know if that's really what's necessarily needed in Meridian right now is to have more expensive homes. I think we need to fill that medium income family and that's what this lot is intended to do. So, the answer to your question is yes and all I would do is change price points and I guess I would ask if that's really what you want us to do.

Fitzgerald: Well, in follow up to that, Mr. Jewett, because I wasn't here for the original hearing for this, but my understanding is you have duplexes on the west side of the road, whichever side you are looking at, and, then, single family homes on the east; is that correct?

Jewett: That's correct.

Fitzgerald: So, I mean we are -- you are putting in quite a bit -- I mean a large amount of homes in a pretty small space and I understand that we are trying to match price point and those kinds of things, but we also need to make sure we are being safe and not causing a little bit of chaos in that area. So, just -- just want to make sure that's on the record and everybody understands it.

Jewett: So, Commissioner Fitzgerald I believe is who --

Fitzgerald: Yes, sir.

Jewett: Yes, to provide a diversity of housing and to provide the -- along Linder Road, other than the back of people's homes, we did design a duplex product that would front face off of Linder and rear access off of this interior road, which is a unique design that I think that the Commission was in favor in our original hearing. I said I'm -- if -- if the desire of the Commission is to lose a lot and that's the recommendation that I can accept, I just want to make sure that everybody is aware that it just is a rebalance of value and from my original submittal to the city the staff asked me to lose a lot and which I did. So, that would be a total of a two lot reduction from my original proposal. You guys only saw the first lot reduction. This would be a second lot reduction.

Fitzgerald: Additional questions for the applicant?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli, go right ahead.

Cassinelli: Yeah. Can -- correct me if I'm wrong, but the last time that we looked at this wasn't there an issue with -- and I -- and I don't have the street name there, but wasn't there an issue with the width there and access in and out of that? Wasn't that one of the big issues we faced? And if that's correct can you -- can you address that and where we stand, so if the street got wider?

Jewett: Commissioner Cassinelli, I don't believe the street width was an issue, I think that the terminology that we used in the motion was -- or their recommendation was that I tried to improve the flow and I took that to mean that -- to lose the private drive -- the common driveway. I don't recall a discussion specific to width of the street. Our street width is the same width as a street that comes out of the Landing Number 13. We haven't reduced it below that -- that section, which is at 33 foot back to back.

Cassinelli: And maybe I'm thinking of something else. So thank you.

Holland: Mr. Chair, one more quick follow up question. I read in the staff report about the -- the sidewalk that was connected over to the main road, because we had asked for some sort of sidewalk or pathway that would connect between the homes and it didn't meet pathway requirements, but there was going to be some sort of private sidewalk. Can you just expand that for us?

Jewett: Certainly, Commissioner Holland. At the first hearing there was a discussion of making a little bit more interconnectivity to Linder Road from the cul-de-sac and we had talked about potentially putting a pathway between the lower two duplexes and the other duplexes. Sonya pointed out that had to meet the pathway standards if we put any pathway at all. We looked at that and it reduced the lots too greatly that we would end up losing one entire lot and so we opted just to keep that private -- our connectivity from the sidewalk to the front private amongst those duplexes and their lots, not making it public. Still the public pathway exists along the canal, the Kennedy, which I have built from the first phase -- or in the Landing Number 13, just to the north of the subdivision. Interconnectivity to Linder still exists there, second public pathway within a hundred or so feet of the other one and to have to lose a lot for that didn't seem appropriate.

Holland: So, that -- just to clarify, that private -- private sidewalk, is that still something people could use if they were living in this subdivision and wanted to walk to Linder Road?

Jewett: Certainly. If they -- and most specifically is for anybody that's at the cul-de-sac that wants to reach the front door of any of those duplexes, that's their way of accessing to there. So, certainly anybody else would be able to use it as well. It just wouldn't be meeting the public standards for a pathway and open space, which we didn't need the additional open space and since we couldn't encroach anymore on the open space that

we had to our north -- originally I thought I could squeeze up to the north, but I can't. I don't have sufficient room to do that to create that additional path.

Holland: Thank you.

Grove: One question.

Fitzgerald: Yeah. Commissioner Grove, go ahead.

Grove: Jim, question for you on the -- where do we sit with the trash receptacle situation for this project? At one point it was said that there was going to be like a centralized -- is that still the plan and -- or where do we -- which direction are we going in there?

Jewett: Commissioner Grove, yes, staff raised the question of trash early on in our planning process and we had offered to put a centralized trash receptacle -- a dumpster and -- dumpster containers -- I don't know what we call them now. Then we had the fence and -- instead of having individual trash receptacles and that seemed to solve that issue and I believe that is in the staff report that we will put a centralized facility for that trash, instead of the individual cans. The general location -- the general location of that will be between the northerly two duplexes and the southerly duplexes right along the public right of way is where we would locate that. Again, that was conflicting the pathway that we were putting in, too, and where to focus that trash receptacle.

Fitzgerald: Sonya, can you verify that that's in the staff report, because I -- thinking through it I don't recall off the top of my head.

Allen: I'm sorry --

Fitzgerald: Go ahead.

Allen: -- Chair, could you repeat the question?

Fitzgerald: Can you verify that we have -- the requirement in the staff report for a trash receptacle location? Because I -- I'm blanking on the fact if it's in there or not.

Allen: So, an actual trash enclosure, rather than private ones?

Fitzgerald: Yeah. Yes, ma'am.

Allen: No, there is not one.

Fitzgerald: Okay. Would the staff be amenable to that?

Allen: I thought you were asking the applicant if he was amenable to that. Yes, that's an option if you would like it to be.

Fitzgerald: Okay.

Allen: Although I'm not sure where they would put it exactly.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: Just a -- I mean if -- if that's something that we condition in here -- I mean the trash enclosure itself has minimums and maximums that it has to be able to fit and I don't know -- with that being a private path already, I don't know that it's going to be there. That would be my -- I kind of share the concern is I don't know where it's going to go in here.

Jewett: Mr. Chairman, Commissioners, what our plan was to locate it between the northerly and southerly set of duplex lots along just west of the public right of way. We would make a trash enclosure there that the trash company once a week would come and unloaded it and we would have a stucco facility or a cement block facility there like you see in some of the commercial projects, albeit a little smaller than those, because it's only going to be servicing this many people. So, it doesn't have to be as large.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I have a follow up on that. Which preliminary plat are -- are you referencing in regards to that configuration, the original or the one with the long driveway things?

Jewett: Commissioner, Grove, good question. It's the original one. So, if you look at -- as I'm looking at my screen it's the one on the left and it's between Lots 58 and 59, those to sideways. The southerly part of one unit, northerly part of the other. It would be located between those two driveways.

Fitzgerald: Additional questions for the applicant? Commissioner Grove, did you get everything squared? Did you get --

Parsons: Mr. Chair?

Grove: Yes. I think I'm struggling with how that's actually going to work, because there are size requirements that are -- need to be kind of factored in that I don't see, especially right at the end of -- or where the shared driveway is. I just have some concerns without knowing how it's been thought through.

Parsons: Yeah. Mr. Chair, this is -- this is staff. If I could chime in.

Fitzgerald: Go ahead, Bill.

Parsons: If I could chime in on the enclosure. So, I think we really have to think about that and the reason why I'm thinking about it is because I'm a Meridian resident and my bill has my tote service in with my water and sewer. So, how is our utility billing companies going to figure out how to charge the appropriate trash for each one of these individual lot owners or how is the HOA going to set up the payment for that? So, to me that becomes a problematic issue that we are passing on to future homeowners in this subdivision and that's something that we do not want to do or encourage. So, I would really take that into consideration in your deliberation tonight that I wouldn't encourage that. Certainly that could be considered a commercial rate charge to those homeowners that could potentially be a higher rate than what they anticipate paying is -- all of us as Meridian residents enjoy now that are pretty low tote rates. So, again, I haven't seen it in my 13 years with the city where we have required an enclosure in a residential subdivision. That's really meant for a commercial setting. So, again, I guess from my perspective I would not be supporting that request and I would encourage you not to do the same. Thank you.

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: I was going to ask in case the applicant wanted to address it, but my concern is if you put it between Lots 58 and 59 you may have people that are in that neighborhood that take advantage of that trash enclosure and drop things like furniture or bigger parcels that normally wouldn't be collected by trash carts and, then, you have got a bunch of junk sitting between those two lots that is hard to manage and hard to pin on who dropped it where and I share the same concern that staff just represented. It's tough to figure out the fair distribution of that and I think it would be hard to manage how much trash people would be allowed to have per week as well before they need to, you know, take a run to the dump or something. I think you could have a problem with someone dumping three trash can loads worth of stuff there just because they can. I have a lot of concerns about that, too.

Fitzgerald: Thank you for that and I appreciate, Bill, your input. Thank you. Any additional comments or questions for the applicant? Hearing none, Mr. Jewett, we will come back to you after we take public testimony, if there is any, and we will let you close, sir. Madam Clerk, is there anyone who would like to testify on this application?

Weatherly: Mr. Chair, we didn't have anybody signed in, but I do believe Tony Baggio, who is joining us via Zoom, has his hand raised for this. Tony, one moment, please.

Fitzgerald: Thank you, Madam Clerk.

Weatherly: Tony, you should have the ability to unmute yourself.

Fitzgerald: You can click on the bottom left corner of your screen, there is a mute button on --

Baggio: It does. All right, sir. Let's go.

Fitzgerald: State your name and your address for the record and the floor is yours, sir.

Baggio: All right. Thank you very much. Yeah. It's been a long little thing. So, Anthony Baggio formally. 1414 West Joshua Street, Meridian, Idaho. So, I live in the new development that Jim built and what's being built around the corner is a concern. So, what I would like to understand -- which I didn't get in the conversation -- originally the number a lots for the original preliminary plat was 11, of which there was nine single homes and four duplexes. Now, what's changed is I don't know how many duplexes and single lots, because that was not conferred. So, that's my question, number one.

Fitzgerald: And, Mr. Baggio, we will have Mr. Jewett respond to you when he does his closing, make sure that that's very clear.

Baggio: Okay. Good. Because you have -- okay. So, the reason I bring that up is because the last time we had a TIS done was 2017, before the 28th home was built here. So, the -- the travel and the people getting to Linder have been growing and if we are going to add 60 more cars based on what the Council did with Tanner Creek, which is going to be 550 more cars, we are going to have a big problem. So, I need a TIS. Secondly, I would like to have access -- and I have taught -- I am a director on the HOA for Mallard Landing. We have access for construction, but not for house building. Why can't we have both? That's a request. We have people selling in the original Mallard Landing right across from where I live because of everything happening. They all want to leave, because of the volume of construction traffic. So, what we have here is not a City of Meridian issue, we have an ACHD issue and that -- the Tanner Creek thing and now it's this. So, whoever is running ACHD is not a forward planner. That's second. Then the general trash situation. I wrote down the Council has mentioned their good comments on that and I agree with that. It's ridiculous to have a central dump for duplexes, because Jim Jewett got grant rights for the land that I live on and he got grant rights in the land that he's trying to develop, which is in complete opposition to doing duplexes in Mallard Landing. So, he built his own duplex in our little area and didn't pay the HOA. Now he's going to build four or five -- I don't know how many more, but I'm not very comfortable with somebody who does those types of things. And, then, a central dump site. So, that's it. Thank you very much. I appreciate your time.

Fitzgerald: Thank you, sir. We appreciate you being here tonight. Thanks for participating. If there is anyone else in the public who would like to testify on this application, either via Zoom or in person, please, raise your hand using the Zoom application or raise your hand in the audience, Commissioner Seal will point you out. Not seeing anything on the panelist side or attendee side. Commissioner Seal, we are good in the audience, sir?

Seal: Nobody in the audience.

Fitzgerald: Mr. Jewett, would you like to close. Thank you.

Jewett: Mr. Chairman, it's Jim Jewett again. So, I will answer Mr. Baggio's question. There was a general application and the original proposal that went in front of the neighbors was for seven new residential lots and four duplex lots, totaling 11. After that submittal staff requested that we lose one lot. That resulted in six new residential lots, four duplex lots, and that was the application that came before you in June. So, that is what our request is, is for four duplex lots and six additional residential lots. There was reference to another subdivision. I don't know what that subdivision is, but Mr. Baggio did suggest that we get a TIS. A TIS is -- is not required for an additional traffic count that we have. ACHD has found that all the internal roads meet the requirements of our additional traffic. ACHD and staff are not supportive of any -- putting any additional connections onto Linder Road, so there was no TIS required and there wouldn't be for this many lots. Five hundred lots, yeah, that's -- that's a TSI, but not this. He talked about my grants rights having to do with the subdivision. Yes, I did obtain the grantor's rights for the previous subdivision that will extend to this subdivision. That's a course of business. I don't know if that's really an issue. As I do these annexations I specifically address documents within the HOA documents that provide that I can put a duplex on these additional phases, but not previous phases. Oh. The trash receptacle. I was offering that as a solution to everybody wheeling their trash can to the curb. I wheel my trash cans to the curb. Most of Meridian wheels their trash cans to the curb. There is common driveways all spread out in Meridian and people wheel their trash cans to the curb. So, I'm okay with whichever direction staff and the Council and the Commission wants to go when it comes to trash. I can understand that even in my -- some of my commercial projects I go there and I see trash, but I don't know where it came from and people use them to get rid of stuff. So, I know how trash receptacles can be abused. It was just a way I could offer a solution to what was perceived as a problem having to do with trash receptacles at the curb. Hopefully I would have addressed all of the concerns. With that I would stand for anymore questions.

Fitzgerald: On access, can you address that? That was an ACHD requirement or allowance. Can you talk about that real quick?

Jewett: Yeah. Commissioner Fitzgerald, at the previous hearing it was requested that I inquire. I did inquire and ACHD responded with, yes, during the construction of the subdivision they would allow the temporary access, but not after the road construction was done, because from that point on the -- the individual home construction has to occur through the public streets and I understand their point, they don't have -- no idea the timing of when one home will be built or the next home will be built. In theory we are going to do them all right away, but things happen that change that and they wouldn't want to keep a temporary construction open indefinitely and I get their point and there might be able to be a little room with ACHD if they know that we are going forward with the initial four duplexes right away and allowing that access for those, but I just think that it's not an indefinite thing that ACHD is willing to grant.

Baggio: No. You have to -- no, you have to cut off one of the duplexes to get the rest of the development.

Fitzgerald: Sorry. Mr. Baggio, you had your time. Go ahead, Mr. Jewett. Sorry about that.

Jewett: And so I will continue to work with ACHD and to work with the neighbors. I do understand when the last phase is at the back of any subdivision and all the construction traffic has to go passed the neighbors. I do understand it. I do understand it's an inconvenience. Unfortunately, that's just the way this played out and I will do the best I can in attaining whatever temporary easements I can with ACHD, but I do have to say that construction of the roads and all those dump trucks and cement trucks and grading material won't -- not coming down their street is a great benefit to them, allowing us to utilize our existing access for all that will certainly mitigate a lot of that for the neighbors.

Fitzgerald: Are there any additional questions for Mr. Jewett?

Grove: Mr. Chair?

Fitzgerald: Go right ahead, Commissioner Grove.

Grove: All right. I had a question. You had mentioned being able to -- or be amenable to changing some of the lots to be a different size or shape. Which lots were you considering? Are you talking about Lots 65, 66 and 67 on the original preliminary plat?

Jewett: So, the one lot -- it looks like -- unfortunately, my screen is so small, but it's the three lots to the north of the common driveway going to the east. I would reconfigure those into two lots versus the current three.

Grove: And with that -- just as a follow-up question, with those -- would that street, then, where it is or would you make the cul-de-sac bigger? What -- I guess -- and, then, the access with both -- or for both lots are off of Spoonbill, is that kind of the line of thinking?

Jewett: Commissioner Grove, like I testified earlier, I don't think that reduces the amount of lots that would access to common drive, it would certainly allow the common drive to slide north and make the three lots to the south a little larger and, then, just one lot taking access from the public roads versus two lots and I think that to get to that rear lot without creating a flag lot has to be a common drive. If I turn and made them real skinny that really isn't functional. We just have a real limited frontage along the -- the private -- I mean, excuse me, the public roads. So if we were to lose one more I certainly would want to slide the common driveway slightly north, make the three on the -- lots on the bottom a little deeper and, then, just reconfigure -- have one lot taking access off of Spoonbill and, then, the lot in the back would still take its access of the common drive.

Fitzgerald: Commissioner --

Jewett: And that would -- sorry.

Fitzgerald: Sorry. Go ahead.

Jewett: That would provide for a little -- some additional on-street parking along Spoonbill, having one less driveway cut on that street.

Grove: Thank you. I understand what you are saying. I guess I'm just looking at it a little bit differently and thinking that there would be a way to get better parking up front and have longer lots, but if -- if that's not the direction -- or if that's not feasible I understand, so -- thank you.

Jewett: Commissioner Grove and other Commissioners, I don't -- if you have seen the amount of iterations that we have made on this plat, even before submitting it, it's an in-fill. It's problematic. It's difficult. It's not the easiest thing to do. As you can see in my attempt to make R-4 lots, it -- it is really problematic and we struggled to find a plat even that I was comfortable with submitting. So, I would -- I would just ask you to just please consider all the time I put into this and trying to figure out -- I don't know how I can do the common driveway with one less access. Just -- it's frontage that makes it real problematic.

Seal: Mr. Chair?

Fitzgerald: Sorry. Go ahead.

Seal: Just -- I mean in looking at this I have -- you know, it seems like we have got -- in the current configuration -- and I like what the applicant's attempting to do with facing the homes towards Linder, but it -- I mean there is only so much creativity you can do. I mean I'm kind of getting to -- it seems like we are trying to put ten pounds of apples into a five pound bag here. So, in -- I mean -- and what I'm looking at -- and let's -- instead of trying to go mixed use in here, I mean wouldn't it be simpler to simply have duplexes on both sides of this road, extend the road down to the bottom, and have the turnaround at the bottom of it and call it a day? I mean maybe I'm oversimplifying it, but to me -- I mean there is -- it's a very very small space. I mean either that or, you know, ditch the idea of duplexes and just, you know, do like the land to the south of it, have -- you know, just basically make it a giant turn around with some houses that spring off of it, so -- and -- and I understand this is probably the thousandth hour you have spent on this in the timing of it, so just -- maybe less creativity is something that can be applied here and you will probably rarely if ever hear me say something like that about this, but -- I mean knowing that this is in-fill, I would like to see it filled in, but having it fit a few more criteria would be nice and to me, you know, I think simplifying the road structure and simplifying the layout of it just overall would probably help everybody. I mean that's going to clear up a lot of issues as far as where the trash cans go, how does the Fire Department turn around, you know, on and on and on. For me anyway.

Jewett: I believe that was Commissioner Neal. My screen just says City of Meridian. The -- the idea of putting duplexes on both sides, obviously, simplifies things and I'm certainly not opposed to that. It provides a diversity. I think that the neighbors would rather have seen some level of residential versus all duplexes and I think the mix was appropriate and that's why I went down that path. Again, I appreciate your comments. I

have put a lot of time into it. It is in-fill. It is problematic. Everything I have done here -- I'm not asking for any exceptions to any UDC rule. I have met every UDC rule. I have met every zoning guideline. I'm -- I'm right in the middle of the density, which is appropriate under the Comprehensive Plan. So, I would like to just have a recommendation based on my current plat and we can just go from there.

Fitzgerald: Additional questions or comments for the applicant? Mr. Jewett, thank you for being here tonight, sir. We will deliberate and see where we go from here.

Jewett: Thank you all.

Fitzgerald: Thank you. Can I get a motion to close public hearing?

Holland: So moved, Mr. Chair.

Seal: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-0005, Landing South. All those in favor say aye? Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Who wants to lead off? Commissioner Holland, you are unmuted, does that mean you are -- go right ahead, ma'am.

Holland: I suppose I can. I know Commissioner Cassinelli is unmuted, too, but that's all right, I will go first.

Fitzgerald: I saw you first.

Holland: I -- I really struggle with this one and I know we did last time we heard this, too, and we -- I was a little disappointed that the revised plat wasn't more of a significant change that was actually reasonable for consideration, because we had given them some feedback on what we wanted to see differently and what came back to us was not a practical use of the land. So, I was a little disappointed because we -- we didn't really have another option to look at. We basically just rehashed what we saw last time. It was a little bit disappointing there. But I -- I understand that the applicant has worked really hard on this and I certainly appreciate his creativity and trying to bring a different product than Meridian has seen. A couple of comments I had last time, I -- while I like that the -- the units faced Linder Road to kind of give more of that boulevard feel, it almost still feels out of place to me, because you only have a duplex unit facing Linder and everything else was facing internally and so when you are driving it looks a little -- almost out of place versus what you see in like a downtown Boise or you are used to seeing in a downtown Meridian type thing where everything is facing the main road and you have got the access drives on the back. I still struggle with that concept a little bit, even though I understand where they are trying to go with it. If it went for, you know, a quarter mile or a half mile

and had more consistency or was next door to commercial where there was easy walkability and it was nice to have those houses facing Linder, it could be different, but to me it could be a challenge long term, because it might look like it doesn't fit the rest of the neighborhood over there. So, that's one comment I have. Two, I don't like the idea of the shared trash enclosure. I think we have already kind of covered that, though. I think that can be problematic. We talk about shared drives all the time. I -- I hate seeing more than two driveways off of a shared drive, just because it causes challenges for people backing in, people needing to turn around. If someone has a truck, if someone has a motorhome or whatever it is, you are not likely to have a motorhome if you are living in a duplex, but you still might have friends that want to come over and even though there is a few extra parking stalls in there, I don't know that it's sufficient enough if you are going to have someone over for a Super Bowl party or -- or whatnot. So, it's -- it's a small piece of land and a lot of homes in there and not that it's our job to redesign it, but, you know, if I was looking at this with -- if I was a developer, you know, I could consider maybe doing duplexes on the -- where 57 and 58 are and, then, on the right where -- I'm sorry. I can't see the numbers. Where 67 and 66 are, you could do, you know, two sets of duplexes there where you still get your eight units and, then, use the rest of that cul-de-sac just to build out some nicer big lots and maybe -- maybe have a couple shared drives that go two lots in there. That's probably how I would look at configuring it to make it a little bit better. But I think we are still -- we are not where I feel comfortable with this going through. I think it's -- it's a tough layout to me, especially with the way that you get into it is kind of a winding roundabout and I know I heard from a lot of the neighbors last time we heard this application and they wished that they could access Linder directly, but that's just not an option for us, so it is an in-fill parcel. Could it be a little less dense? I would probably be okay saying that because of where it's located. So, that's where I will start off.

Fitzgerald: Thank you, Commissioner Holland. Commissioner Cassinelli, you are unmuted, so I will let you comment next, sir.

Cassinelli: Okay. I'm going to -- mostly I'm going to echo what Commissioner Holland started off with -- with a -- something that's just driving me nuts when I look at this. Why there wasn't a future stub street coming off of either Waltman or Gander to access this and I think, you know, had this been a big loop going into one of those, I don't think we would be having the -- he wouldn't be trying to -- I love Commissioner Seal's analogies tonight -- trying to squeeze ten pounds of apples into a -- into a five pound box. We wouldn't have that problem I don't think, but no on the central trash. As much as I do -- what Commissioner Holland said, as much as I like that idea of the -- of the front of the duplexes facing Linder, but just with -- with just a small number there it doesn't -- it doesn't fit. I understand the applicant wants to maybe try and have a lower price point in there, but it doesn't fit -- even if we did duplexes on both sides, which might make the street -- the layout work a little bit better. It doesn't -- you are putting a product that doesn't fit the surrounding -- surrounding neighborhood I don't think. So, I -- I hate to tell them to go back to the drawing board, since they have already spent so much time on, but it -- I -- and I get it, I mean it gets difficult, this -- what they are trying to -- trying to in-fill this. It's just -- man, it's a hard piece, especially when you can't take access off of Linder or anything, it's difficult. I sympathize with him on that. I just -- it just doesn't seem to fit the

existing neighborhood right now. I don't have a -- I don't have a magic wand that I could make it happen, but it just doesn't fit for me. So, those are my comments. Not -- not that I'm necessarily opposed to it, it just doesn't fit.

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I would -- you know, we have had comments that he's spent a lot of time on it, but I just -- since we made our comments at the last hearing for this, you know, what was brought back was not a lot of time spent. I don't think it's a reasonable layout to even be considered. So, I think, you know, it -- it is, it's just -- it's trying to fit too much in there or just the wrong product mix, because I think it could be real simple just bringing that road in just a little farther and lining things up around a nice big cul-de-sac, instead of trying to put all these little inlets trying to squeeze all that in. Yeah. And here we are again on another application where we have spent a ton of time a second time. Yeah. I don't know that we do another continuance or just recommend denial on this at this point, since this has always been offered.

Fitzgerald: My thoughts on -- just giving my two cents. I -- we are doing our best to get things squared away and help the applicant get down the road and the staff is doing an amazing job of working with them trying to do that, too. If after the first one we can't get it down the road, then, we got to move it forward in a direction that recommends what we think and so I don't want us as -- we are relatively lay people, it's not our job to redesign projects. We can give them our thoughts and give them the aspects that we can provide, but we got to trust our staff and -- and try to figure out how best to do it. But I -- I'm -- I mean I understand that there was an attempt to do a duplex and, then, modulate into a single family residential -- the buffer in between, but I agree with Commissioner McCarvel's comments exactly, you know, bringing a cul-de-sac in and -- finishing it off with a cul-de-sac and making those all lots that were similar even easier, although you do have a -- backing up to Linder Road, which is kind of a white elephant. So, I think per your comments I agree, I think we have got to help -- like we can give a continuance once, that's great. I think last round -- we did give them two rounds, which was -- didn't seem to help either, so -- then we got to do the application that's in front of us and see where we can go from -- go from there. I don't know if we are making progress in some of these where we are continuing with our thoughts and they -- they are coming back without a great deal of additional thought.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I will throw my two cents in really quick. I don't have as much issue with the Linder facing fronts. I -- I understand what the other Commissioners have said. I don't have as much problem with that. I was really looking forward to this application coming back, because I thought that we would get a higher -- or a lot -- different creativity with the layout on the east side of this project and I was excited to see what they came up with and the -- the long driveway piece and weird shapes weren't what I thought they were

going to come back with and I'm just really struggling with both of the preliminary plats that they have shown for the reasons that we mentioned last time and all the things that we have said today. So, I don't know what -- where to go with this, but I still have some concerns.

Fitzgerald: Additional comments? Commissioner Seal, did you have thoughts there?

Seal: No, nothing further. Thank you.

Fitzgerald: Okay. Well, folks -- Commissioner Holland, go right ahead, ma'am.

Holland: I was just going to say I think everybody's kind of on the same page. I -- I would agree that at this point I don't know that continuing is going to help us that much to get where we want to be, so I would lean -- lean towards recommending denial on this project and if Council decides they want to, you know, reconfigure some things and see if they can make it work -- I know we have made a lot of recommendations to the applicant if they wanted to try and revise something before the Council hearing if they still want to try and move forward with a denial recommendation, but the way that it sits right now I just don't feel like it's a good fit for the -- what the city's Comprehensive Plan has, what the -- with the trash enclosures, with the tightness of turnarounds, all those things, there is a lot of challenges with it to me, so -- so, with that I want to be sure I have the right file number here. Hang on. This is Landing South; right?

Fitzgerald: Yes.

Holland: So, after considering all staff, applicant and public testimony, I move to recommend denial to the City Council for file number H-2020-0005 as presented during the hearing on June -- it's not June 4th, but it is July 16th, 2020, for the following reasons: That it doesn't seem to fit the -- the Comprehensive Plan. There are some challenges with turnarounds and access drives and the revised preliminary plat didn't solve some of the issues that we had discussed as a Commission previously.

Cassinelli: I will second that.

Fitzgerald: Have a motion and a second to recommend denial of file number H-2020-0005, Landing South. Any additional comments before we take a vote? Hearing none, all those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Moving on to the next application on the docket --

Parsons: Mr. Chair? Mr. Chair? This is staff.

Fitzgerald: Yes, sir.

Parsons: Before we move on to the next item, could I suggest a five minute break and let staff get re-adjusted so we can start presenting our applications to you?

Fitzgerald: Absolutely. So, let's take a five minute break and go from there.

Parsons: All right. Thank you.

Fitzgerald: Thank you.

(Recess: 8:40 p.m. to 8:45 p.m.)

6. Public Hearing for 2020 Comprehensive Plan Policy Prioritization (H-2020-0073) by City of Meridian Planning Division

- A. Request: To amend the text of the City of Meridian Comprehensive Plan by adding priority levels and assigning responsible department leads to the existing policies of the Plan. This amendment makes no revisions to the text of the Plan, except to add priorities and responsible leads for the policies adopted in December of 2019.

Fitzgerald: So, moving on on the docket, like to open the public hearing for the 2020 Comprehensive Plan Policy Prioritization, H-2020-0073, and we will turn it over to Brian McClure for the staff report. Brian, go ahead, sir.

McClure: Good evening, Commissioners. I'm here tonight to discuss the Comprehensive Plan text amendment with you. Really briefly, though, the current Comprehensive Plan was adopted in December of last year. It's still very shiny. There are 492 policies, 380 which are action items. The plan is really two documents, the regular text policies and, then, the map, of course, which is the Comprehensive Plan and that focuses on the report and, then, the existing conditions report, which is an addendum to the Comprehensive Plan. The report is needed to address some of the state requirements and it's focused on where we have been and where we are today. It's usually updated every few years. Why do we plan and what are the state requirements? In summary, we plan because we are supposed to for the community good and to incorporate the community's vision. The 17 required components of the state enabling legislation, which is on the right, is part of the Local Land Use Planning Act, and which just also note in there that Planning and Zoning is specifically called out in that act. And this is why we are here tonight. This amendment does not change the map and it doesn't revise any of the text in the adopted plan. The purpose of this update is to add priorities and responsibilities to the adopted policies. This is needed for transparency, so the public can understand our priorities and to be efficient. We also said we do it, which is incorporated into the text of the plan. The text on the right here is straight out of Chapter One under the next steps and I have highlighted the relevant sections in red. We can't go through all the policies due to the number of them, but you have the complete information in your packets. On a high level

and as a method of process, though, these policies and responsibilities were reviewed and proposed by consensus. I think that's pretty significant. We shared them with city leadership and discussed what was best for everyone. A few areas may receive some proposed tweets when we do this -- the first real update, like for next year, but for now they remain unchanged. As an example, some of the action items are too big for just one department to delete and we will likely want to split those up. Hopefully you have all been able to take a look at these and if you have any suggestions we can certainly take those forward to City Council. Briefly on the right here you can see a breakdown of policies by topic. Each one of these falls within a chapter or thing and here are the policies by lead and priority and, then, ongoing by department. These were all in the packet, both the application letter and the staff report. The ones with a time frame -- so, low, medium, high, very high -- those are like the projects and the ones that are ongoing are more day to day or specific to development review. Lastly, into the next steps, priorities will help to inform other planning and budgeting efforts across all levels of City Hall. I do have one slide after this, which is related, but not part of an action. I guess for now, though, I would stand for any questions on this proposed amendment.

Fitzgerald: Thanks, Brian. We appreciate it. Are there questions for staff?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: The only remark I would like to make is on the priority it just says -- there is a lot in here that just say ongoing and that to me doesn't really put them into a bucket that's kind of nice and tidy as far as what the city's priorities are on that. Is that something that's going to be addressed or is that on purpose?

McClure: Commissioner Seal, that is on purpose. We certainly are open to feedback, though. The reason for that is the -- the projects that have a time frame -- so, a low or time frame associated with them -- so, low, medium, high, very high -- those are more -- it's something we do for a one time when we need to implement -- do something that there needs to be a new plan, there needs to be a new process, there needs to be something. The ones that are ongoing are something that we don't ever finish, we continually do those every -- at every opportunity or every time we review a plan. Does that help?

Seal: Would those be considered high priority then?

McClure: That is a good question.

Seal: And that's more where I'm going. I mean it's hard to define in there and understandably. I mean there is a lot of things that are ongoing, because -- I mean there is a lot of things that are marked that way, but it would be good to know, even though they are ongoing, what the priority is of those, you know. I mean if there is something that happens every day, every week, every month, is that something that's still a priority to the

-- you know, to the inner workings of everything or is it a lower priority, but it comes up regularly?

McClure: Commissioner Seal, maybe I can help with that then. So, the intention is to do it at every opportunity. So, the things we never do not want to do, it just -- they don't always come up all the time, so you might see a plan reviewed next week that has X and Y, but not Z and the following you might see one that has -- that has Z on it. So, it really just depends on the circumstances. There is some in there -- it may say ongoing, but it will say like yearly do an update of this and, then, the -- the status or the priority is -- is ongoing. Well, the action item itself said how often to do it, we just marked it as ongoing, because we are never going to check it off the list and we are never going to remove it from the plan. At least that's the intention.

Fitzgerald: And it would be my guess, too -- and you can correct me if I'm wrong, but based on change in Mayor, change in City Council, it may shift; correct?

McClure: Commissioner Fitzgerald, yes. So, this is a living document. We typically review this once a year. We provide an update to Council. Sometimes we remove them, because they have been done, sometimes we add new ones, sometimes there is changes for other reasons.

Parsons: Yeah. Mr. Chair, if I can just add a little context to it as well. If you -- if you think about it this way, with development applications, you know, it -- a lot of times the way the code is written, the comp plan is set up, it's -- the comp plan is a visionary document. The code is what we use to enforce that. So, when we start looking at developments, a lot of times those certain things are triggered with development, not necessarily driven by a city priority or city project. So, some of those ongoing priorities or policies that we have would be -- an example I could give you would be along the Chinden corridor where we have a policy that says preserve right of way through future widening. Yes, we are not getting that road widened right now, but it is a priority for us to widen that through that corridor and we work with our transportation agencies to get that done through the development process. So, we may never get to the finish line on that priority, but it doesn't mean that through the development process we don't make that a priority, it's at least set aside future right of way for that to happen and you can see the fruits of those labors today with Chinden being widened and development occurring along that corridor and all the public and private partnerships occurring up there. So, I think that gives you some example of why some of these have to stay ongoing, because they are, they are a longer time -- it's hard to put a time frame on it, because you just don't know when properties are going to come in, when they are going to develop and what obstacles you are faced with trying to get some of these priority provisions -- what I'm trying to articulate is you don't know when these properties are going to come in and develop or when the city is going have the funds or the agency partners are going to have the funds to do some of those projects as well. That's the basis for at least having a discussion with our Council and those partner -- partnering agencies as well, so that we can send a letter to them and let them know, hey, this is in our Comprehensive Plan, we think this is important and I think if a lot of you keep hearing the message of the Mayor, he's pushing

for that Linder Road overpass right now and so that is a priority. But, again, it's still ongoing in our Comprehensive Plan. But it's something that we definitely need and how we communicate to our partner agencies as well.

Seal: As a follow up to that, just in the -- in the layout of it, would it make sense to have -- I mean a priority and maybe a time scale or something along those lines as far as a heading? That way it's -- it's understood? And the reason -- in my head, I mean I'm -- like we pick on pathways and things like that, I mean that's an ongoing, but it -- is it -- you know, how big of a priority is that in the -- in the mix of everything else that's -- that's going on? So, just trying to get a sense of holistically what are the high priority items versus what are the, you know, low and medium priority items and, then, you get a sense of, you know, this is something that happens -- if it's ongoing, essentially, it's going to happen all the time or it really has no end or other things -- you know, they have a -- you know, a termination date on them or something attached to them where a goal may be that -- to have something completed by that time.

McClure: Commissioner Seal, we can certainly pass it on to City Council if you -- if you wish. We -- we do have that outlined in the staff report and the letter, but if you want something like that in the plan I can look and see if we can fit that in there somehow.

Seal: Appreciate that.

Fitzgerald: Thanks, Brian. Additional comments or questions from -- for staff? So, Brian, since you invited the opportunity, the only thing I'm going to share is I think if -- and I think Council knows it, the Mayor knows it, when Chinden is done being widened and the citizens realize that there is a giant bottleneck, I think the city is going to be in a -- in a really bad spot. I think ICD PCC Meridian partnership needs to come together to fix that problem in short order, because all the barrels that have been up and will be up for the next six months -- when it's all said and done and there is a bottleneck between Meridian and Locust Grove, I think people are going to lose their mind. So, that's just food for thought. As we look at prioritization I think that is crazy and I had the conversation with Director Ness asked about that specific thing and he said that would never happen. They would never let that one mile stretch not get fixed and so I'm pretty disappointed by the fact that that -- we are widening that road, using STARS money to do it, Costco money to do it, and other developers' money to do it and the state and the city can't come together to figure out how to widen the mile stretch of road while we are doing it. So, that will be my only comment and the Mayor can beat me up later, but that -- I think that's crazy. We are going to see a massive influx of folks moving to the state of Idaho, moving to the Chinden campus where HP is and we are not taking advantage of an opportunity where we mobilize to fix the road and we are going to leave a mile that's a bottleneck. So, just comment and that's not for staff, just -- it's a policy decision that someone's made and I think it's a really poor one. So, just wanted to share.

McClure: Commissioner Fitzgerald, thank you for sharing that. I -- I do agree with you.

Fitzgerald: I know you guys do. With that do we -- Andrea or -- do we need to make a motion to recommend approval of these or what is the request?

Pogue: I believe you do.

Fitzgerald: Okay. Well, is there -- do we have public testimony that needs to be taken on this? Madam Clerk, is there anyone out in the audience who would like to testify on it?

Weatherly: Mr. Chair, there is not.

Fitzgerald: Okay. Is there any -- one more person online that's an attendee. Anyone want to testify, please, raise your hand. Commissioner Seal, is there anyone in the audience that wants to testify?

Seal: No one in the audience. So, we can clear it out for the next one, too.

Fitzgerald: Brian, we really appreciate the input and the -- just the information, I think it's great for us to understand how you guys work through this. Thank you. And did have it before we go or is for the next application?

McClure: This is just a before you go. You can read it if you want. I don't have to go through it. I just would put a plug in for using the online plan. It's pretty interactive and you can search and do all sorts of stuff. So, if you haven't checked it out, please, do so.

Fitzgerald: Thank you for that information and for sharing with us. We appreciate it. With that can I get a public -- or I mean a motion to close the public hearing?

Seal: So moved.

Grove: Second.

Cassinelli: Second.

Fitzgerald: Motion and a second to close the public hearing on H-2020-0073, the Comprehensive Plan Policy Prioritization for 2020. All those in favor say aye. Any opposed? Okay. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Team, any comments or thoughts before we make a motion? I appreciate the information greatly. I think Commissioner Seal's comments were well onlined. I think that makes sense, see where the Council goes with that, but any additional comments?

Holland: Mr. Chair, I would just say thank you to staff. I know they have been working really hard on this Comprehensive Plan and I sat on that committee and they have done

a great job with the website tools and trying to make it really accessible for the public and I -- I know that prioritizing these things is not -- not easy to do. So, I just wanted to say thank you to staff for all their hard work on that.

McClure: Thank you.

Fitzgerald: I agree with that. It was informative as heck when I read through it, so thank you. I thought it was really well laid out.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I will go ahead and do the motion then.

Fitzgerald: Oh, good.

Grove: After considering all staff and applicant testimony -- I lost my place. See if I can -- can't do it from memory. Sorry. I'm still new. I can say that for like a year; right? Okay. After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of file number H-2020-0073 as presented in the staff report for the hearing date of July 16th, 2020.

McCarvel: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0073, 2020 Comprehensive Plan Policy Prioritization. All those in favor say aye.

Seal: Real quick?

Fitzgerald: Oh, we have a comment. What's up?

Seal: I just had a comment about adding a column to -- for the timing, so that they can classify all the priorities from low to very high. I would add that in there.

Fitzgerald: And that's up to the motion maker. Mr. Grove, that's your call.

Grove: Okay. How do you want that worded, I guess, Commissioner Seal?

Seal: I was -- I was going to put it in as just literally -- the following modifications to add a column for timing and classify all priorities low to very high or -- the scale that's provided in there, as far as I can tell, it's low to very high. I don't know that there is any more categories than that, but --

Grove: All right.

Fitzgerald: Are you modifying your motion in that regard?

Grove: Yes.

Fitzgerald: Is the seconder okay with that?

McCarvel: I am. Second continues.

Fitzgerald: Okay. Second continues. I have a motion and a second to recommend approval of file number H-2020-0073. All those in favor say aye. Any opposed? Okay. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

7. Public Hearing for 2020 UDC Text Amendment (H-2020-0072) by City of Meridian Planning Division

- A. Request: Request for text amendments to update certain sections of the City's Unified Development Code (UDC) pertaining to Code Enforcement and Penalties in Chapter 1; Specific Use Standards in Chapter 4; the Public Hearing Process in Chapter 5; and the Subdivision Design and Improvement Standards in Chapter 6.

Fitzgerald: Brian, we will go back to you on the second one. I will open the public hearing on 2020-UDC -- or 2020 UDC Text Amendment, H-2020-0072. Start with the staff report.

Parsons: Thank you, Mr. Chair. I'm actually going to be presenting this one for you this evening.

Fitzgerald: Okay. Go ahead, Bill.

Parsons: Give me a moment here and I will bring up another screen, the table that I have to share with you tonight. All right. Mr. Chair, can everyone see those changes now?

Fitzgerald: Yes, sir.

Parsons: Or at least the table here.

Fitzgerald: Yep.

Parsons: Perfect. So, Mr. Chair, Members of the Commission, last item on the agenda this evening is the 2020 UDC Text Amendment. I think this body is aware that staff tries to come forward at least once a year with some proposed changes to the UDC. The one -- this year we are going to attempt to do two in a year, just because one we have heard loud and clear through the Comprehensive Plan process that there needed to be -- public

involvement did not seem to be very transparent in the eyes of our community and as much as staff has improved the system over the years trying to be -- increase the transparency, we realize that we can do things a little bit better and so that's really the first phase of the changes before you this evening is really to change some -- some procedural changes in our code to -- to require a greater radius to our citizens, so that they can participate in the process. We have also partnered with code enforcement like we did on last year's changes to help them do their job better. We actually have Lacy Ooi, who is the planning -- code enforcement planning supervisor -- or supervisor this evening here. She is here to answer any questions you may have -- at least on the first section of the text amendments and that's really pertaining to chapter one that we have here. So, it's really the first two pages of the table of changes. Again, this -- these are only being proposed to help them do better -- to help them with their job of enforcement. I know in my conversations with Lacy -- we are in close partnership. We want to make sure that they understand our codes and that whatever job they do out in the field it's easier to enforce. In my conversation with her again she says they come from a place of education, rather than -- so, they want to help educate the public, more so than enforce the rules, but I won't go into all of the proposed changes. Again, this is just to kind of clean up the code, clarify some sections at least in Chapter One and how they can enforce the code and it just -- again, it helps educate the public a little bit more, but also helps them to do their job better. So, I would turn it over to you for any questions you may have for the code enforcement officer that's here this evening. If you don't have any questions, then, I will go ahead and continue on with my presentation.

Fitzgerald: Thanks, Bill. Is there any questions on the code enforcement side, so that Lacy can be a part of that conversation? Thank you. We appreciate you being here tonight. Hopefully you don't have any questions. So, Bill, you can carry on, sir.

Parsons: Thank you, Mr. Chair. Again, next sections -- really, the changes tonight -- we will have one -- or code enforcement changes two. We have a couple cleanup items in the code and, then, three, again, as I mentioned to you, is just clean up some of the process improvements that we shared with the City Council about six to eight weeks ago with them. And, again, this was some of the feedback that we were getting from our customers, our citizens, our residents and I know this body's pretty familiar with some of those changes. Recently we had someone testifying that we know -- so, what these -- these plans that we have coming before you a lot of times there could be a lot of different modifications to those plans and they come in at certain points of the process and not -- the citizens don't always understand how the process works and certainly we want to make sure that we share that information with them, but we want to make sure we share that with them in a prudent timeline and not just get it at the last minute, so that, one, staff isn't scrambling, you are scrambling and not getting the information that you need in order to make a decision and it also will help us formulate a better recommendation for you moving forward. So, that's really what I want to spend my time on this evening is just focusing on the process improvement changes in the code that we are proposing this evening. So, the first one that we realized -- recently we had a home occupation that came -- the staff approved and one of the residents -- adjacent neighbors did not feel that the -- the resident met the requirements of the code. So, they actually appealed the direct

-- director's decision and we realized -- and that went before City Council and we realized that that process wasn't laid out very well. So, essentially, that person that appealed the AUP application had to put up a public hearing sign that was four by four for the City Council review. It just didn't make a lot of sense for an appellant to put up a big sign in their front yard to dispute what their neighbor is doing on their property and so we worked with our Legal Department to realize -- at least change the code to make it a little easier to clear that if those -- the City Council reviews are coming forward and you have smaller acreage, that you have the ability to put up a smaller sign. So, essentially, we are just making it a little easier for the customer to post within the city's requirements correctly and not require the larger sign and, then, we also lessened the acreage from three down to two. So, again, this is more of a procedural change than anything. Really didn't get any feedback from any of the development community on this particular change this evening. The second one is quite a bit of improvements -- or some -- quite a few changes that we anticipate. So, currently we require with annexation -- everything that requires a public hearing requires notification and the way the code is written we usually notify residents within 300 -- or property owners within 300 feet of a project boundary. This proposed change is changing that -- or at least -- and that includes the radius notification for neighborhood meetings. So, this particular change is actually increasing the notification radiuses for neighborhood meetings from 300 feet to 500 feet. One, we think that's going to get more people involved in the neighborhood meeting. The other thing that we did was we put some parameters on how much time between application submittal and when you hold your neighborhood meetings. So, right now what -- the way it works is there is a minimum of a ten day process for the developer to get an application to us for a neighborhood meeting. So, essentially, a developer can send out a notification for a neighborhood meeting, wait five days, hold the meeting and, then, wait an additional five days to submit their application. That's the minimum process right now. The way this is structured it will be 20 days, essentially. You have to send out your letter, wait five days, but you have to wait 15 days -- excuse me. Then you have to wait ten days before you submit your application. So, we are going from a ten day window -- minimum window to a 15 day window and why we did that is to allow the applicant time to address some of the concerns they hear during that neighborhood process. I think this body's very aware of some of the contentions and arguments that can occur at those neighborhood meetings and where they don't feel like all the information was shared, the plan doesn't match what they showed at the neighborhood meeting, and, then, all of a sudden we get up here in a debate with -- between the residents and the applicant and it just doesn't seem like a very transparent, fair process for both parties. So, this is what this is trying to do. The other thing is we are making it very specific on what days you are supposed to hold those neighborhood meetings. So, you can see here on number four on the proposed changes, we are saying they need to be held on Mondays, Tuesdays, Wednesdays or Thursdays and cannot be held on any holidays. And, then, there is a time period, too. They should be held between 6:00 p.m. and 8:00 p.m. And, then, underneath that we are saying it has to be held within a five mile radius of the proposed project area or City Hall. So, we want to make sure that the meeting is held in some proximity to the -- where the project is being proposed. Next item is the same thing with the mailing radiuses. So, we are changing what that is as well. Again, going from 300 feet to 500 feet, being consistent with the code above it. Next item is probably the one that we received the most public

testimony on, at least when I looked at the public record this evening, is the time frame in which we are going to receive written testimony. Right now we really don't have anything in the code to this. This is something new. So, as this body is aware, we could -- we could be here at the hearing tonight and someone -- five minutes before the hearing someone could submit written comments and we wouldn't have -- know if they were submitted or it was even included in the public record, because we got it too late. So, what we are trying to attempt here is establish the time frame when people -- at least residents can submit written testimony on an application and you can see here we are saying by noon the day prior to the public hearing. So, essentially, giving the applicant a day to get comments before the public hearing. Noon before the day of the hearing. In looking at the proposed -- the public record, we did receive testimony from three individuals. One was Sally Reynolds. Her testimony was pertaining to open space survey, which, again, none of these changes are even touching the open spaces at this time, that will come with the latter -- later UDC changes coming up in the year. But the two other ones were -- were specific to this topic and in their testimony they were -- they thought the city should actually have a greater time period and they were actually recommending two days to receive written testimony. So, I don't know if that is within the purview of what you want to discuss tonight, if that's something that the Council -- that Commission wants to make changes moving forward to the City Council hearing, but at least I just wanted to go on record that they didn't feel like anything -- if an applicant was scheduled for a Tuesday hearing, that written testimony would not be received -- the cutoff date for that would be a Friday and, then, for P&Z it would be a Tuesday. So, again, staff's proposed changes are here. Other than that, again, nothing much from the development community. These have been vetted the -- for the -- with -- to the UDC focus group and City Council. And, again, most of the changes are endorsed by those bodies. So, with that I will just conclude my presentation and stand for any questions you may have on the items that I discussed this evening. Thank you.

Fitzgerald: Thanks, Bill. Appreciate the presentation. Comments or questions for the staff?

Grove: Mr. Chair?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Grove and, then, Commissioner Cassinelli, you hop in afterwards.

Grove: Real quick -- thanks, Mr. Chair. Bill, what -- is there a way that you will be notifying or making aware for the public for the written testimony that there is a deadline? What's the -- like marketing of that -- or noticing of that I guess?

Parsons: Yeah. Mr. Chair, Members of the Commission, you bring up a good point and I know Caleb and I and staff, we have all had those conversations on how to, again, improve the process and so Caleb and I will be putting together, in conjunction with working with -- with the team, putting together kind of a one page summary for best

practices for neighborhood meetings, so that we can hand out to our citizens and also our development community on what they can expect as part of a best practice neighborhood meeting. In that particular document I would imagine we are going to have this exact verbiage in there letting the community know that the deadlines for when written testimony will be received and probably laying out all of that process for them. So, we definitely want to make sure that we get this rolled out correctly for folks, so that they understand the process.

Fitzgerald: Commissioner Grove, did you have a follow up there or are you good?

Grove: Thank you.

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Yeah. Bill, I didn't -- there is nothing in here on the -- on the noticing issue. I want to talk about that. Signage. I don't see anything here -- I don't know if we can add -- add to that, amend to it, but recently we had a -- there was a -- an application that -- I made a comment -- I don't know if it was in public session or e-mail, I can't recall, where the noticing sign on the property -- it was very temporary in nature and had been knocked over for -- basically almost the entire time period as a notification before it came to Planning and Zoning and, then, when it went in front of -- after it went through Planning and Zoning and, then, went on to City Council, same thing. Sign went up, a day later it's down on the ground and it was -- remained down on the ground for the -- up until the point that it was -- went to City Council. So, I don't know if it was -- it was -- it was by a school. My guess is, you know, it was kids, but is there any way to put in there something that would -- would require those signs to be in the ground a little bit more permanent on -- on -- on certain developments, so that the sign doesn't get knocked over, doesn't -- doesn't get covered up, because for some people I think that's the only -- you know, that may be the only way they are going to see it. If you are not within the 500 foot radius or you are not actively going on to city's website and looking at agendas, you are not going to see it. That sign is the only thing that -- if it's temporary and knocked over, to me that's an issue. So, I don't know -- the question -- question would be that have -- I have two other comments on this, but -- and I will save until everybody else gets a chance. So, if you can address that one, Bill, I would appreciate it.

Parsons: Yeah. Mr. Chair, Commissioner Cassinelli, I remember your e-mail. I remember that discussion very well. And certainly that -- we had some of that language in this -- this round and due to just the time constraints we said let's push it out to phase two to maybe evaluate that, because some of the code -- proposed code changes -- or at least some of the vetting that we did with City Council we had proposed potentially putting out an RFP for having a sign company post the sites, so that the city could control that a little bit more and make sure that we wouldn't get too many continuances, because of these people knocking down signs or applicants forgetting to post the site. It was just too much labor -- too much upfront work at this time in order to keep this application moving forward. Council really wanted to get these -- these proposed process improvements moving forward, so we elected to remove that from this first phase and, hopefully, we will

look at -- try to -- I will take your comments and, then, reevaluate that with what we want to incorporate with phase two, if that's okay with you, Commissioner.

Cassinelli: Yeah. You -- you recall that, you know that's on the radar, so, yeah, it's just -- I would like to see that addressed as soon as you can. The next -- the next round would -- would I think be great, so thank you.

Parsons: Yeah. Thank you.

Fitzgerald: Comments or questions for Bill?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go right ahead.

Seal: First one is just a grammatical thing for 11-43-38. It looks like you want to include service, but the way that I read it it's vehicle sales or rental and service. So, should that be an or instead an and in front of service? Because the way I read it it's -- it's either vehicle sales or rental and service, not -- breaking service out being its own thing.

Parsons: Yeah. We could certainly look at that.

Seal: And, then, one of the things that I'm not seeing here -- and let me preface this by saying that I really really respect all the work that the staff does and I try to first read through the staff report, you know, and, then, go through the public comments, go through the agency comments and things like that, but one of the things that I'm noticing more as things get busy is the staff reports are coming in pretty late in the process for certain things and -- and, again, I understand the load that staff is under and I don't want to beat up on anybody here too much, but it would be nice if the agencies also had some kind of criteria for submitting comments. Also some minimums as far as which agencies should need to submit comments and, then, maybe how that ties into, you know, something as far as the staff reports being available for Commission to take a look at those, because, again, I mean trying to go through the applicant submittal without the staff report, is like -- you know, a little bit like me trying to fumble around in the dark. So, the staff report helps turn the light on for me and sometimes it -- you know, after I read the staff report I have to go back in and read different things that were submitted just to make sure it all still makes sense. So, I guess in all -- I guess what I'm trying to say is, you know, is -- is there going to be a criteria for agency submittals as far as time and which agencies we need to have submit feedback and is there something in there as far as when the staff reports need to be available?

Parsons: Mr. Chair, Members of the Commission, again, yes, the last thing we want to do is get you late staff reports and we -- I can assure you there is multiple reasons for that. I'm not going to sit up here and make all the excuses in the world. Yes, we -- our deadline is Friday, 5:00 o'clock. That's -- that's our internal deadline to you, so that you have that weekend and, then, the clerk publishes an agenda Monday, that's when you

get -- you are supposed to get the information and review the staff report from us. I can tell you next month we are starting a pilot program where the Council has -- the clerk is going to be publishing the agenda for the City Council meetings a couple days early and that's pushed our staff report deadline to them a few days back. So, I would imagine if that works and the Mayor wants to move forward some of those changes, we will communicate that to the Commission and try to see what we can do to implement that for the other commissions. But for right now we are going to test it out in August with the City Council and what I have told my staff is if -- build enough time in here to get you the information so that you need it. So, what we do now is -- the way it works is the agencies sign up for whether or not they want to be part of the agenda and they have done that through the clerk's office and, then, the clerk transmits the application to that agency. So, there is no -- what we -- what the city can't do is we can't force them to respond. What we can do is provide them a copy of the application and that's what we do. We provide all of those partners and agencies all of that information and how they choose to respond and don't, we don't force them to, but I can tell you if we don't have -- from what we hear from the City Council and the commission, traffic is a concern, so we always want to make sure we have ACHD comments. We know the schools are a concern. We always want to reach out to our partner and say, hey, what is going on, like, you know, what are your comments on this application. I don't see it in the packet. So, we try to reach out and provide that courtesy to those two agencies. The other thing that I try to do, if I know it's a controversial or a larger project that's going to take a -- take a longer period of time is I reach out to our agency partners and I say, hey, what's a reasonable time frame that we can expect comment for you and, then, we start -- we look at our schedule and, okay, this is the date we need to target for P&Z, let's back it up there and, then, work towards that goal. Most the time that works, but sometimes it doesn't. What this body doesn't know -- and sometimes we don't -- I don't know how all of ACHD works either, but I know if even one resident complains about a staff report, they have to go to the commission and I can't control who is going to complain and want to appeal the staff's decision and go to -- and schedule that thing for a night meeting or -- or afternoon meeting with ACHD. We can't control any of that. But I know our communication to those agencies are I think very -- very good. Not -- not a concern that you won't ever get the information you are seeking. Timing for that is an issue and we are starting to see that a little bit more where we are at the 11th hour and sometimes agencies will change their comments at the last minute. We were anticipating something else and all of a sudden they -- we have a staff report ready for you and we get a kink and we are like, wow, this isn't what we were expecting from you. So, we asked for a continuance or staff is trying to get that additional information to try to formalize that staff report and sometimes we can't get that information quickly enough to meet that deadline and so we need to have a discussion with our director and determine whether or not staff has the ability to be more forceful on requiring continuances on the applicant and bringing that to you as a staff recommendation to continue, because we don't have all the information to share with you. It's been our policy to let the -- kind of let the applicant drive the continuance or request those continuances. So, yeah, we have some work to do there and we are trying to do that. The other thing that we have toyed with as well is not scheduling projects for hearings until we have all agency comments. Maybe we don't bring it to you until we work everything out on the front end and, then, come in and as soon as we have all that information we get it printed

on the staff report and schedule a hearing. A lot of places do that outside of Idaho. They will want to get all the comments up front first and get the -- get it set up so that you can go forward without conditioning it that much. But those are discussions that we kicked off this week to see how we can brainstorm some ideas and see how we can improve on that. The other thing is we weren't fully staffed and now we are and we are getting to the point where we are training people and you can see them coming up to speed and seeing them grow and moving projects through the hearing process. So, as we get that experience and get people trained up and hopefully retain good people, I think we will -- our timeline should be getting better and better. I have seen that and I track all of the projects, so I know where our time frames are, what's taking us longest, but these bigger projects I would agree with you, they are taking longer and you are getting them later and that's something that we have to improve on and we have and hopefully you have seen that, you have done some projects earlier lately to where you can read that and get us comments and your questions, too. So, hopefully, you have seen an improvement on that recently, but there have been a couple outliers where, again, staff is going back and forth to the applicants at the 11th hour trying to get the information, so that we can get you that detailed report and sometimes that does bleed over into the following week. So, again, apologies for that, but we are trying.

Seal: Thank you. Appreciate that.

Holland: Mr. Chair?

Fitzgerald: One quick -- just to add on. I think your comment -- I really appreciate the text amendments you guys are putting forward. I think it gives us enough opportunity to -- it gives a deadline for everybody to be on the same page, so they get the information, we all have the same information at the same time. I think pushing it to 48 hours is probably a little bit too long, because people get -- their lives are busy and they will hear about the -- neighbors get together and getting it -- I mean you guys are scrambling, the staff is running crazy, we are trying to review things and so I think having that 24 hour period to get everything in is a great thing and I also think getting the public more involved is a good thing. We hear -- we will hear -- we are always going to hear I wasn't notified, but -- but at least hopefully show that we are being responsive to the citizen's request and I think you guys are doing a great job of putting the pieces together. So, thank you for these. I think they are -- they are a good step. Commissioner Holland, sorry about that.

Holland: That's fine. I was just going to carry on. This isn't really necessarily about the text amendments, but just a comment to what Commissioner Seal was saying. I know we have had a lot of late nights lately with the P&Z Commission, so one -- one request I might ask of you is if you see that there is going to be several that have a lot of written testimony and we know that we are going to be going late, one specific request is for the poor guy that ends up at the end of that meeting that doesn't have any public testimony and they wait until 10:30 and we are letting them in just because we feel bad for him, but I know at one point we talked about cutting off Commission meetings at -- at 10:30 or 10:00 and we have gone past that several times lately. So, I don't know if there is a way to help mitigate that and it's hard to predict how much testimony you are going to get or

how much deliberation we are going to have, but if you see some contentious ones we appreciate when you can help us balance those out on the agenda. So, just a comment. But thanks for the cleanup and I think you have done some good work here. So, thanks, Bill.

Parsons: Yeah. Appreciate those comments and I would also let you know that if there is a controversial project I try to have the team add that to that table at the -- on the first front page of the staff report, so you know to go right to the public record and see those issues, because that's something that's important to us, we want you to know -- we want you to be aware of the issues and know what's -- what's -- potentially that it could be a late evening for that hearing and, then, I do set the agenda in conjunction with the clerk's office, so I try to -- I try to get the easier projects out of the way where I don't anticipate a lot of those hurdles and that way we can get through some business before we get to the controversial project and, then, just going back to Commissioner Seal's comments I want to let them know that, yeah, we are holding ourselves to earlier deadlines, too. Just like we are for the customers, too. So, I didn't quite wrap up that comment, but I just want to let you know that's -- that's the expectation moving forward.

Holland: Thanks, Bill.

Parsons: Yeah.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: So, yeah, I think we are all in total support of you guys -- of staff, Bill. I think the comments of getting the staff report is just as much protection for you guys as it is us being able to have the time to read it. You guys do do such a good job -- I know I lean heavily on those staff reports as well, but there is only so much that's humanly possible in a work week and I think we have seen even a pandemic isn't going to slow down growth in Meridian. So, you know, however -- if there is only so many things that fit on an agenda and there is only so much that can be done and if somebody's application has to wait its turn, it just has to wait.

Cassinelli: Amen to that.

Fitzgerald: Commissioner McCarvel, anything -- additional comments from the team?

McCarvel: Yeah. I appreciate all the work that's gone into all of this and I don't have anything else that would be in reference to the text amendments. So, we can wrap it up.

Fitzgerald: Commissioner Cassinelli, you had a couple things you wanted to keep to the end. Go right ahead, sir.

Cassinelli: Yes. Thank you. You -- you take good notes or got a good memory there. One of the two. One of them was addressed and that was the -- the -- the timing of when we see things. So, Bill, thank you for going into detail. Thank you guys for doing that and -- and juggling all that. I appreciate it. But I just kind of want to ask about that. The last item on there has brought up something else and -- and I just maybe get feedback from you of when you might address this, unless you get -- and maybe you haven't, but what's come up a lot lately are the common drives and I think the limit is six. Is that something that you guys might have another look at and reduce that amount, because it seems like we always -- we beat up the applicant. We always ask them to bring it down to like two. So, I just want to know a timeline if you guys are going to -- I'm not asking you to put it on this, but is that something you have been talking about?

Parsons: We may want to. It certainly is becoming an issue to have that text amendment, bring it up, maybe go back to four. And the reason why we went to six, because they -- I think the applicant -- actually that request came from the development community. I don't remember the -- it's been a number of years, probably 13 or 14, or maybe even sooner than that. I -- I know it came forth when I did work on that Spurwing development, Spurwing Greens, when that was bought out by Brighton and Chris Anderson Sundance Company to resurrect that plat. They had some unique common drive situations where they actually had it U-shaped, so it was almost like a long U-shaped driveway and so that seemed to work in that situation where you could have six homes off of that and what's happening is people are using it to just cram a bunch more lots in. So, I don't know if it's working as effective as it should be. But, again, that section is all -- is eligible for alternative compliance, but certainly the code used to be no more than four. So, I'm not sure what this -- again, it's not on my radar to discuss, but I know the second phase we will start getting into more code changes, which will be -- there will be more involvement with the UDC focus group, who is made up of the development community and other, you know, residents -- other business professionals, staff. So, if that's something that you would like us to take under consideration I'm more than happy to add that to the list and see if they are willing or wanting to discuss that and make changes to that section of code.

Cassinelli: Yeah. I would love to see that discussed sooner rather than later. I don't know if anybody else is under the same opinion.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Just a real quick -- just kind of in the same vein for future pieces like this. Looking at the parking requirements, because that's always been the theme. It feel like that's a sticking point on some of the -- like apartment complex developments and things like that where the minimum doesn't ever meet what we are looking for or what the community is looking for. So, just keeping that on the radar. I know it's probably been talked about a lot in the past and will always be talked about, but just kind of keeping that on the radar for that future group.

Fitzgerald: Thank you, Commissioner Grove. Anything additional for staff? Bill, I think you guys did a great job. We really appreciate all your efforts and I know there is constant adjustment and constant looking at -- and we just appreciate the work the staff has done lately. I know it's been -- it's been underwater and -- and to hear that your staff is back up and getting people squared away. So, thank you for all you are doing and thank you for this.

Parsons: Yeah. Thank you. Appreciate it. I will pass along any comments to others that work on this as well.

Fitzgerald: Thanks, Bill.

Seal: Mr. Chair?

Fitzgerald: Is there any public testimony on this -- sorry. Go right ahead.

Seal: No. You go ahead. I was out of order.

Fitzgerald: Is there any public testimony, Madam Clerk? I think -- if anybody else wants to --

Weatherly: Mr. Chair, there is not. No.

Fitzgerald: Okay. Sure we are squared away. With that a motion is always in order. Commissioner Seal, were you moving that direction?

Seal: Absolutely. Do we need to close the public comment first?

Fitzgerald: Yes. Can we get a motion to close the public hearing on file number H-2020-0072?

Holland: So moved.

Seal: Second.

Cassinelli: So moved. Second.

Fitzgerald: Motion and a second to close the public hearing on H-2020-0072, the 2020 UDC Text Amendment. All those in favor say aye. Any opposed? Okay.

MOTION CARRIED: SIX AYES. ONE ABSENT

Fitzgerald: Any other comments before I have another motion? Go right ahead, if not.

Seal: Mr. Chair, after considering all staff, applicant and public testimony, I move to recommend approval to City -- City Council of file number H-2020-0072 as presented in the staff report for the hearing date of July 16th, 2020.

McCarvel: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0072, the 2020 UDC Text Amendments. All those in favor say aye. Any opposed? Motion passes. Thanks, team.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: I need one more motion.

Seal: Move we adjourn.

Cassinelli: Mr. Chair, I move we adjourn.

McCarvel: Second.

Fitzgerald: Have a motion to adjourn and a second to adjourn. All those in favor say aye.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thank you so much.

MEETING ADJOURNED AT 9:37 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

RYAN FITZGERALD - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: August 6, 2020

Topic: **Public Hearing Continued from June 18, 2020 for Gateway at 10 Mile (H-2020-0046) by GFI - Meridian Investments III, LLC, Located at the Northeast Corner of N. Ten Mile Rd. and W. Franklin Rd.**

- A. Request: Annexation and Zoning of approximately 41.28 acres of land from RUT in Ada County to the C-G (26.54 acres) and R-40 (14.74) zoning districts to accommodate the future construction of a mixed-use commercial and high-density residential development.

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: August 6, 2020

- Topic:** **Public Hearing for Pura Vida Ridge Ranch (H-2020-0064) by Jay Gibbons, South Beck & Baird, Located 3727 E. Lake Hazel Rd.**
- A. Request: Annexation of 26.34 acres of land with R-8 (6.64 acres) and R-15 (19.69 acres) zoning districts.
 - B. Request: A Preliminary Plat consisting of 157 buildable lots and 35 common lots on 26.34 acres of land in the R-8 and R-15 zoning districts.
 - C. Request: A Planned Unit Development with a request for a deviation from the dimensional standards listed in UDC Table 11-2A-7 to allow reduced building setbacks in the R-15 zoning district.
-

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: August 6, 2020

Topic: **Public Hearing for Pearson Subdivision (H-2020-0075) by Melanie Pearson, Located at 175 W. Paint Horse Ln.**
A. Request: A Combined Preliminary and Final Plat consisting of 2 building lots on 3.98 acres of land in the R-4 zoning district.

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: August 6, 2020

Topic: **Public Hearing for Rock & Armor Fitness (H-2020-0076) by Matt Garner with Architecture Northwest, Located at 1649 and 1703 E. Pine Ave.**

- A. Request: A Conditional Use Permit for a 19,162 square foot fitness and training center on 1.8 acres of land in the I-L zoning district.

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/6/2020

TO: Planning & Zoning Commission

FROM: Alan Tiefenbach, Associate Planner
208-489-0573

SUBJECT: H-2020-0076
Rock and Armor Fitness CUP

LOCATION: 1649 E. Pine Avenue



I. PROJECT DESCRIPTION

The Applicant has submitted an application for a conditional use permit to allow a 15,314 sf fitness and training center (Arts, Entertainment and Recreation Facility), along with a 3,600 square foot outdoor turf training and warm-up area. The subject property is in the I-L zone district and consists of two lots totaling 1.8 acres.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.8 acres	
Future Land Use Designation	General Industrial	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Arts, Entertainment and Recreation Facility	
Lots (# and type; bldg./common)	Two (2) building lots	
Neighborhood meeting date; # of attendees:	May 21, 2020	
History (previous approvals)	Nola Subdivision Preliminary – Final Plat PFP 04-008	

B. Community Metrics

Description	Details	Page
Ada County Highway District	No comments submitted	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Primary access will occur from existing access off E. Pine Avenue, secondary access will occur via internal drive aisle behind existing daycare to east at 1771 E. Pine Ave. and to N. Nola Rd.	
Existing Road Network	Yes	
Fire Service	No comments submitted	
Wastewater		
• Distance to Sewer Services	N/A	
• Sewer Shed	Five Mile Trunkshed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	13.97	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Comments	<ul style="list-style-type: none"> Additional 591 gpd of flow has been committed. No proposed changes to public sewer infrastructure is shown within record. Any changes or modifications to the public sewer infrastructure shall be reviewed and approved by Public Works. 	
Water		
• Distance to Water Services	0	
• Pressure Zone	3	
• Estimated Project Water ERU's	See application	
• Water Quality	No concerns	
• Project Consistent with Water Master Plan	Yes	
• Impacts/Concerns	<ul style="list-style-type: none"> No new public water infrastructure proposed in this record. There are two existing water stubs at the northern boundary that either need to be used or abandoned. 	

III. APPLICANT INFORMATION

A. Applicant:

Matt Garner, Architecture Northwest – 224 16th Ave South, Nampa, ID 83651

B. Owner:

Timothy Williams – 1902 W. Mountain Man Dr., Meridian, ID 83646

C. Representative:

Matt Garner, Architecture Northwest – 224 16th Ave South, Nampa, ID 83651

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	7/17/2020	
Radius notification mailed to properties within 300 feet	7/14/2020	
Site Posting Date	7/24/2020	
NextDoor posting	7/14/2020	

V. STAFF ANALYSIS

A. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)

General Industrial - This designation allows a range of uses that support industrial and **commercial** activities. Industrial uses may include warehouses, storage units, light manufacturing, flex, and incidental retail and offices uses. In some cases uses may include processing, manufacturing, warehouses, storage units, and industrial support activities.

The subject site is already zoned Light Industrial (I-L). The proposed use is not one that is described specifically by the general industrial category of the Future Land Use Map. However, the present zoning allows an indoor recreation facility by conditional use. The proposed fitness center is a use determined to be appropriate in this zone district, subject to the specific use standards listed in UDC 11-4-3-2.

B. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in italics):

- Encourage infill development. (3.03.01E)

The Comprehensive Plan defines infill as “development on vacant parcels, or redevelopment of existing parcels to a higher and better use that is surrounded by developed property within the City of Meridian.” The subject property is a vacant lot surrounded by existing development on all sides. This includes a daycare to the east, trucking company to the south, research and development uses across E. Pine Ave. and

residential at the northwest quadrant of the E. Pine Ave / N. Locust Grove intersection. The property has available water and sewer. This project would be considered infill development.

Preserve private property rights and values by enforcing regulations that will prevent and mitigate against incompatible and detrimental neighboring uses. (3.05.01C)

The conditional use is a process to ensure any impacts associated with a particular use are mitigated. All uses directly adjacent to the subject property are commercial.

- Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods. (5.01.02D)

Building design and landscaping will be reviewed as part of the Certificate of Zoning Compliance (CZC) and administrative design review that would follow this proposal if it were approved.

C. Existing Structures/Site Improvements:

The subject property is presently vacant. The 25' landscape buffers that are required along E. Pine Ave. and N. Locust Grove Rd. were already installed with the infrastructure improvements required of the Nola Subdivision as were the required sidewalks.

D. Proposed Use Analysis:

The proposed use is a sports performance center for training and physical therapy. It specializes in strength conditioning and rehabilitation for athletes and is classified in UDC Table 11-2C-2 as an indoor recreation facility. This facility is not a "drop-in fitness center. Classes and personal sessions will operate by appointment only between 8:00 A.M. and 6:00 P.M. Outdoor training on the turf field will occur during the warmer months of May-November.

The subject property is within the light industrial (I-L) zone district. This zone district is intended to provide for convenient employment centers of light manufacturing, research and development, warehousing, and distributing. The proposed use is not one of the uses described above. However, indoor and outdoor recreation facilities are allowed in the I-L zone district by conditional use. The proposed use complies with the zoning for the site but is subject to specific use standards as listed in 11-4-3-2.

E. Specific Use Standards (UDC 11-4-3):

An "Arts, Entertainment or Recreation Facility, Indoors and Outdoors" is subject to specific use standards as outlined in UDC 11-4-3-2. These standards include all outdoor recreation areas that are not fully enclosed maintaining a minimum setback of one hundred feet (100') from any abutting residential districts and outdoor activities only being allowed between six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M. The subject property is surrounded by commercial and light industrial zoning, and the establishment only operates between 8:00 A.M. and 6:00 P.M.

F. Dimensional Standards (UDC 11-2):

Dimensional standards in the Light Industrial District (I-L) include street setbacks of 35', arterial landscape buffers of 25', 25' buffers to residential uses and a maximum building height of 50'. The proposed fitness and training center meets all dimensional standards.

G. Access (*UDC 11-3A-3, 11-3H-4*):

The subject property is located at the southeast quadrant of E. Pine Ave. and N. Locust Grove Rd., both arterial roads. The primary access will be from an existing shared driveway off E. Pine Street approximately 300 feet back from the intersection on E. Pine Street. There is a second (internal) access to the site from N. Nola Rd at the east, along the south side (rear) of the existing daycare at 1771 E. Pine Avenue. The plat does not reflect a cross access easement between the subject property and 1771 E. Pine Avenue to N. Nola Rd. Staff recommends a condition of approval that an access easement be recorded and reflected on the site plan at time of CZC.

This proposal was referred to ACHD, who estimated a total trip generation of 53 peak hour trips per day. ACHD did anticipate any decrease in level of service. There were no additional comments from ACHD.

H. Parking (*UDC 11-3C*):

The subject property is within the Light Industrial (I-L) zone district. Per UDC 11-3C-6B-2, parking in industrial districts is based on one (1) parking space per 2,000 square feet of gross floor area. However, the proposed use is a commercial use, not an industrial use. UDC 11-3C-2 allows the City to require a greater number of spaces in any application involving a conditional use permit. Based on the commercial parking standards of one (1) space per 500 sf of gross floor area, this use would require 31 parking spaces and 2 bicycle spaces. The site plan indicates 53 parking spaces and 5 bicycle spaces. As is required by UDC 11-3C-5, all internal 2-way drive aisles are at least 25' in width.

I. Sidewalks (*UDC 11-3A-17*)

Sidewalks were constructed with the subdivision. This includes a 7' attached sidewalk along both E. Pine Ave. and N. Locust Grove Rd. frontages.

J. Parkways

No parkways are proposed with this expansion.

K. Landscaping (*UDC 11-3B*):

UDC 11-2C-3 requires landscape buffers of a minimum width of 25' along arterial streets. These buffers (and 7' sidewalk) were installed per conditions of the Nola Subdivision Plat that was approved in 2005. The applicant will be required to landscape the parking lot per UDC 11-3B-8 including 5' wide landscape buffers adjacent to parking, loading and driveways, and landscape islands required for any parking lot with more than 12 spaces. The conceptual landscape plan submitted with this conditional use does appear to meet the requirements.

Staff notes there are a number of trees in the required landscape buffers that appear to be dead or dying. This has been addressed in the "Tree Mitigation" section of the proposed landscape plan. Staff is recommending dead or dying trees be replaced as a condition of approval.

L. Fencing (*UDC 11-3A-6, 11-3A-7*):

Existing vinyl fencing is located along the eastern property lines (adjacent to the daycare) and there is existing chain link fence to the south (surrounding the trucking business). This fencing will be retained. The applicant has not shown any other fencing. Any additional fencing would be required to comply with the fence standards in the UDC 11-3A-7.

M. Utilities

All utilities for the proposed development are already in place. No additional services are needed.

N. Building Elevations

The applicant submitted conceptual elevations with this conditional use application. The elevations indicate a pre-engineered metal building connected to a smaller hand-framed structure with stucco interior.

The proposed elevations will be reviewed in detail at the time of Certificate of Zoning Compliance (CZC). However, there does appear to be several elements that might not meet the standards of the Architectural Standards Manual. The narrative and elevations call out metal siding whereas the ASM states untextured concrete panels and prefabricated steel panels are prohibited as field materials for building façades, except when used with a minimum of two other qualifying field materials. The northern elevation (fronting E. Pine Ave) has a roofline that does not meet the requirements for buildings with rooflines 50-feet in length or greater incorporating roofline and parapet variations. (The southern roofline also does not meet these requirements but backs to the trucking company and is not visible). Specifics of the architecture will be reviewed and discussed at time of CZC and DES submittal; it is possible the applicant will need to request a design exception or comply with UDC and ASM design standards.

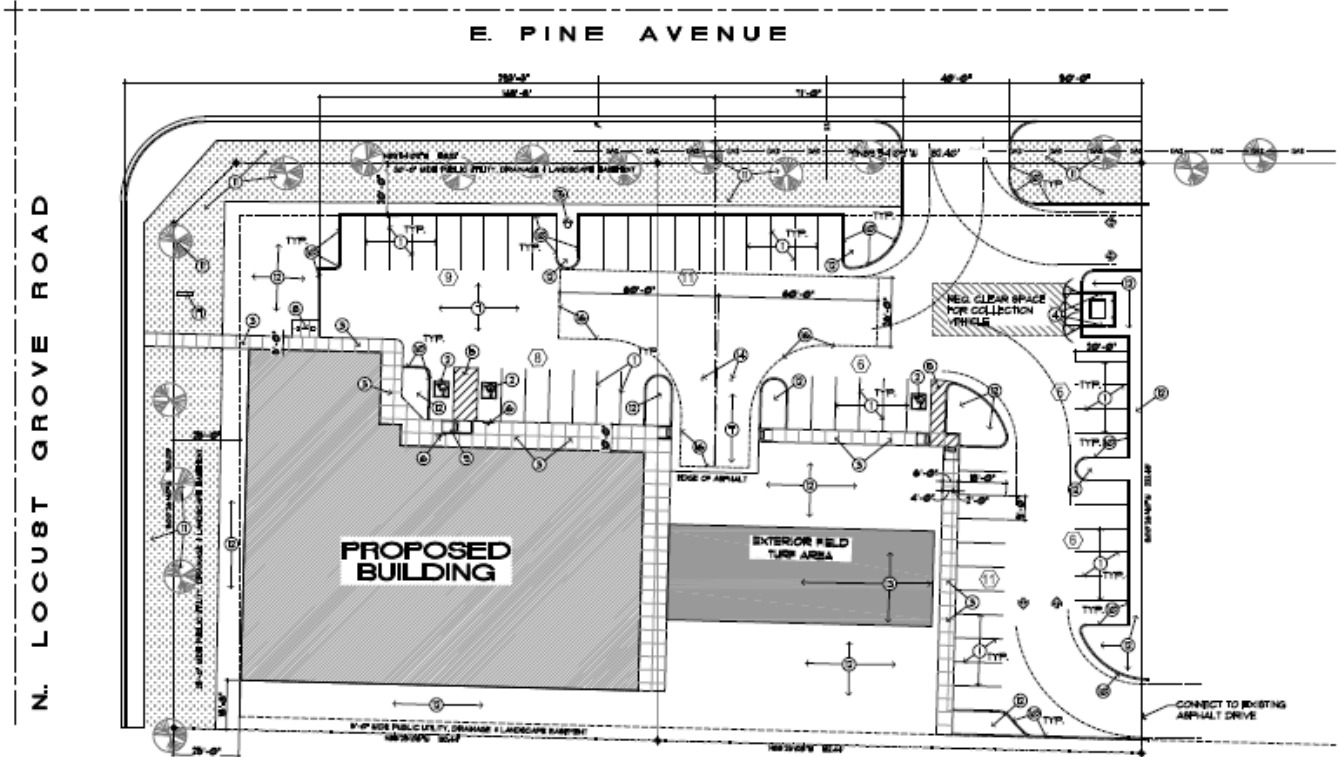
VI. DECISION

A. Staff:

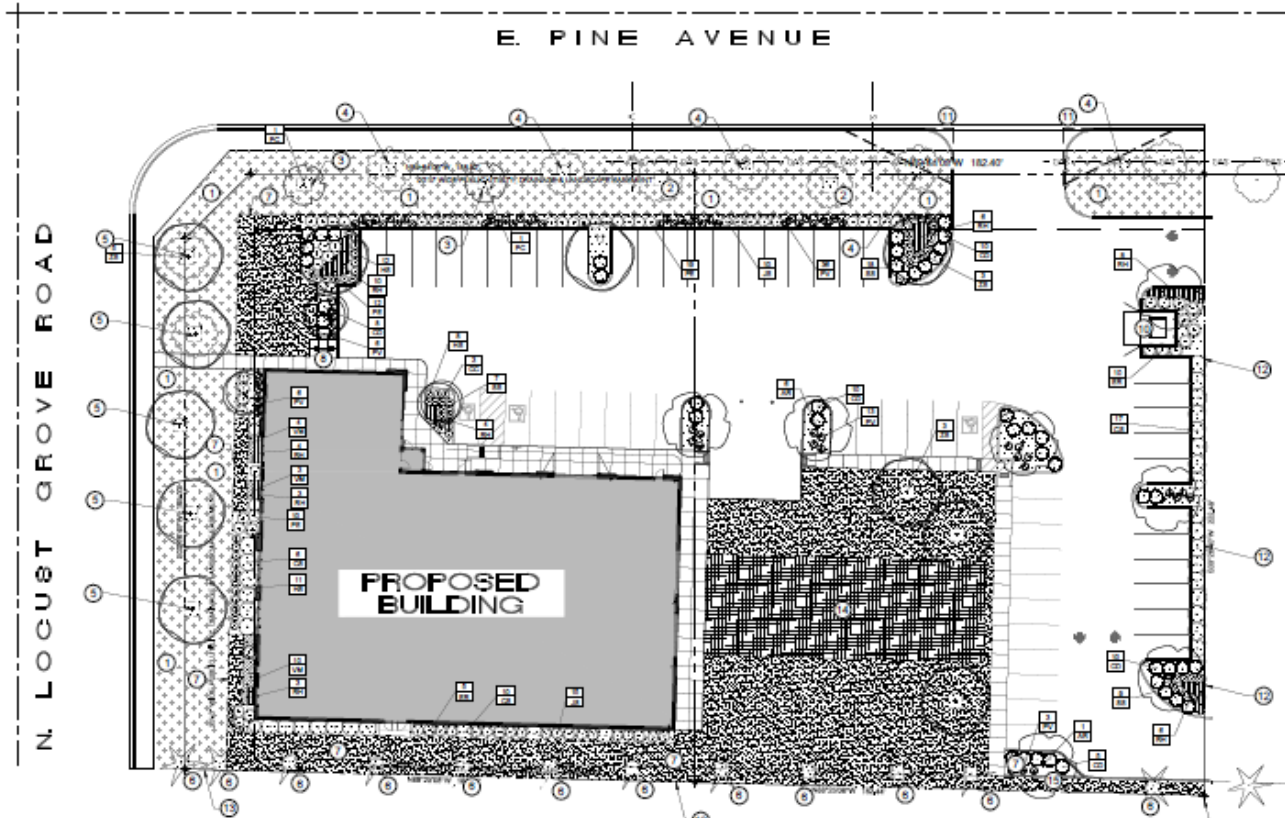
Staff recommends approval of the proposed conditional use permit with the conditions in Section VIII per the Findings in Section IX.

VII. EXHIBITS

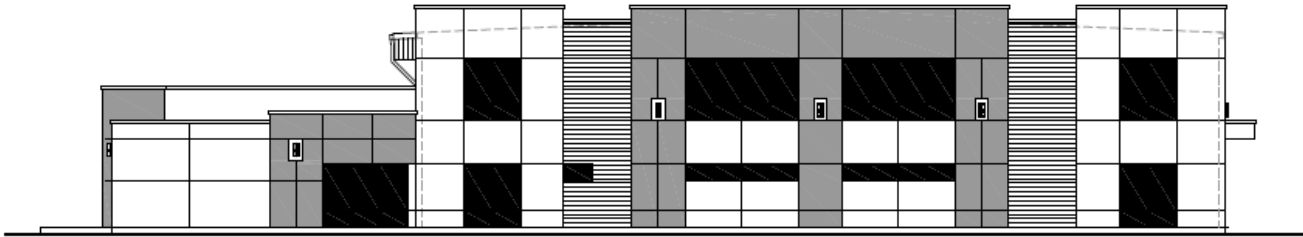
A. Conceptual Site Plan (date July 27, 2020)



B. Conceptual Landscape Plan (date July 27, 2020)

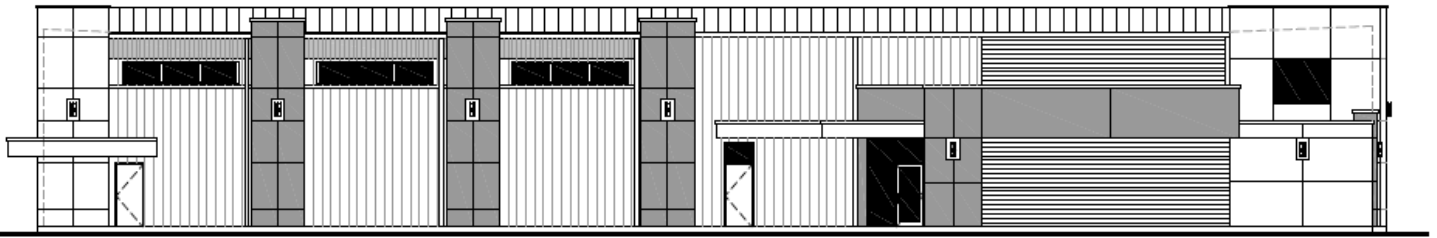


C. Conceptual Elevations (date: 6/5/2022)



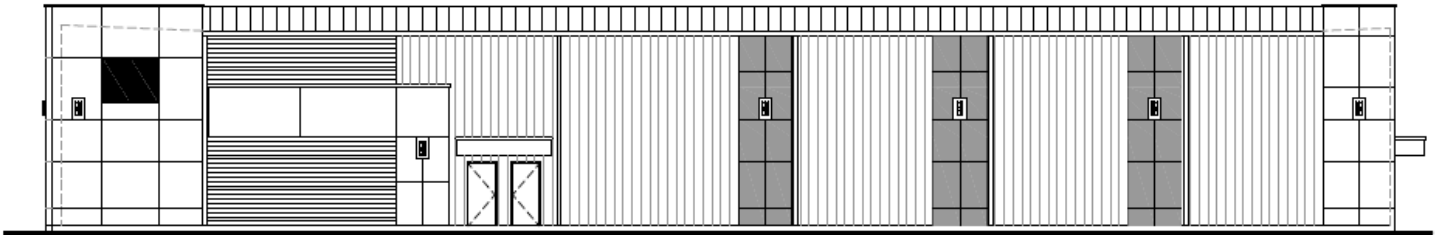
WEST ELEVATION

SCALE: 3/16" = 1'-0"



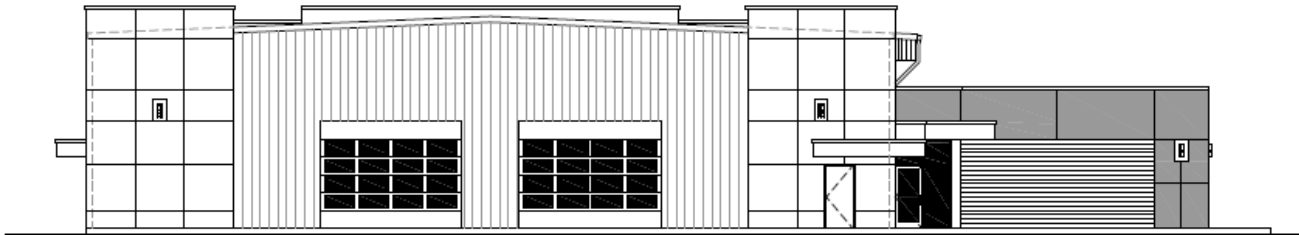
NORTH ELEVATION

SCALE: 3/16" = 1'-0"



SOUTH ELEVATION

SCALE: 3/16" = 1'-0"



EAST ELEVATION

SCALE: 3/16" = 1'-0"

D. Conceptual Colored Elevations (dated: 7/20/2020)



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning

1. A Certificate of Zoning Compliance and administrative design review application is required to be submitted to the Planning Division and approved prior to submittal of building permit applications. The applicant will either meet all architectural requirements of the Architectural Standards Manual (ASM) or apply for a design exception as part of the CZC submittal.
2. The Applicant shall have a maximum of two (2) years to commence the use as permitted in accord with the conditions of approval listed above. If the use has not begun within two (2) years of approval, a new conditional use permit must be obtained prior to operation or a time extension must be requested in accord with UDC 11-5B-6F.
3. The site plan prepared by Architecture Northwest, dated July 27, 2020, is approved as submitted with the following modifications:
 - a. A cross access easement will be recorded and shown on the site plan with instrument number noted that provides access from N. Nola Rd across the south side of 1771 E. Pine Avenue to the subject property.
 - b. A cross access easement will be recorded and shown on the site plan with instrument number that provides access from E. Pine Avenue across the subject property and to 1771 E. Pine Avenue.
4. The landscape plan prepared by Rodney Evans + Partners, dated July 27, 2020 is approved as submitted:
5. Parking requirements associated with the indoor/outdoor recreation facility shall comply with the commercial parking standards; 1 per 500 square feet of gross floor area.
6. Prior to issuance of Certificate of Occupancy, the applicant shall replace all dead or dying trees that are within the 25' wide landscape buffers adjacent to E. Pine Avenue and N. Locust Grove Road.
7. The Applicant shall comply with all bulk, use, and development standards of the applicable district listed in UDC Chapter 2 District regulations.
8. The Applicant shall comply with the outdoor service and equipment area standards as set forth in UDC 11-3A-12.
9. The Applicant shall comply with the structure and site design standards as set forth in UDC 11-3A-19 and the Architectural Standards Manual.
10. The applicant shall comply with standards and installation for landscaping as set forth in UDC 11-3B-5 and maintenance thereof as set forth in UDC 11-3B-13.
11. The Applicant shall provide bicycle parking spaces as set forth in UDC 11-3C-6G consistent with the location and design standards as set forth in UDC 11-3C-5C.
12. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F4.

B. Public Works

1. No proposed changes to public sewer infrastructure has been shown within record. Any changes or modifications to the public sewer infrastructure shall be reviewed and approved by Public Works.
2. There are two existing water stubs at the northern boundary that either need to be used or abandoned per Meridian Public Works Standards.

C. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192428&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Conditional Use Permit

The Commission shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

The site meets all dimensional and development regulations in the I-L zoning district. The site already contains landscape buffers, parking is adequate, and the parking area will be landscaped as required by UDC 11-3B-8. Staff finds the site is large enough to accommodate the proposed use.

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this title.

Staff finds the proposed Arts, Entertainment and Recreation Facility will be harmonious with the Comprehensive Plan per the analysis in Section V of this staff report.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

The subject site is within an industrially-zoned area. Directly south of the site is a trucking company. East of the property is an existing daycare. Across E. Pine Avenue to the north is research and development and office uses, with similar uses across N. Locust Grove Rd. to the west including auto body repair. The site will be adequately landscaped, and architecture will be required to meet the Architectural Design Manual (ASM) at time of Certificate of Zoning Compliance (CZC). The business will only operate between 8:00 A.M. to 6:00 P.M. and any training in the outdoor area will take place during this same time. Staff finds the proposed use should not change the character nature of the area as there is a mix of uses developed or developing in the area.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

If the proposed Arts, Entertainment and Recreation Facility complies with the conditions of approval in Section VIII and UDC 11-4-3-2 as required, Staff finds the proposed use should not adversely affect other properties in the vicinity.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

The proposed use will be served adequately by all public facilities and services.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

Staff finds the proposed use should not create any additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

This proposal is for an Arts, Entertainment and Recreation Facility, by appointment only, in an area zoned for light industrial. The use would be surrounded by office and light industrial uses, as well as an existing daycare to the east. The proposed facility is appropriate in this location.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

Staff is unaware of any natural, scenic, or historic features on this site; thus, Staff finds the proposed use should not result in damage of any such features.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: August 6, 2020

Topic: **Public Hearing for 1625 E. Bentley Drive (H-2020-0078) by Clint Hansen of Land Solutions, Located at 1625 E. Bentley Dr.**

A. Request: Annexation of 1.03 acres of land with the C-C zoning district.

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/6/2020

TO: Planning & Zoning Commission

FROM: Alan Tiefenbach, Associate Planner
208-489-0573

SUBJECT: H-2020-0078
1625 E. Bentley Drive

LOCATION: The site is located within the southeast quadrant of S. Locust Grove Rd. and E. Bentley Dr. (north of I-84), in the SW ¼ of Section 17, Township 3 N., Range 1W.



I. PROJECT DESCRIPTION

Annexation & zoning of 1.55 acres of land with Community Business District (C-C) zoning district to allow a 4,800 sf +/- office flex building, by Clint Hansen of Land Solutions. The applicant may eventually build a second commercial building.

II. SUMMARY OF REPORT

A. Project Summary

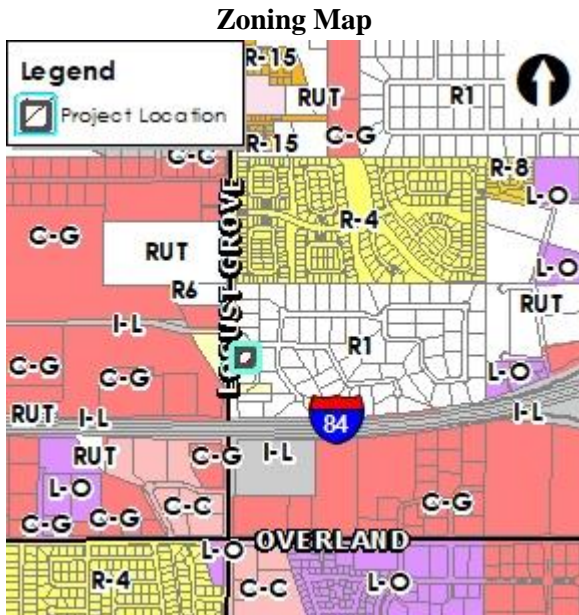
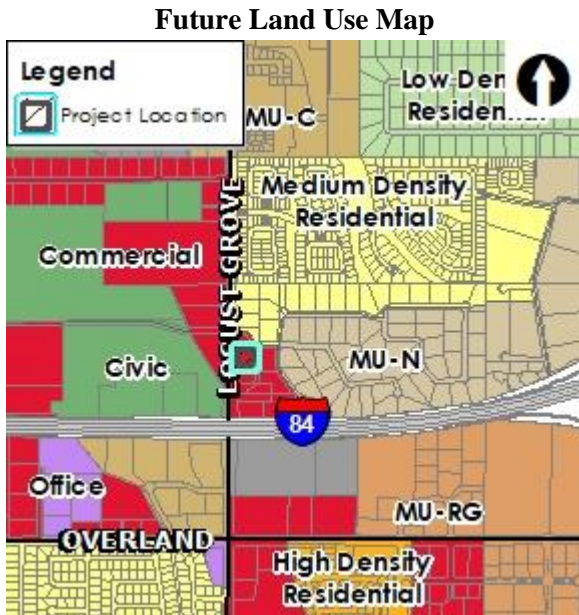
Description	Details	Page
Acreage	1.55	
Future Land Use Designation	Commercial	
Existing Land Use(s)	Single Family / Rural	
Proposed Land Use(s)	Commercial Office Flex Space	
Lots (# and type; bldg./common)	2 parcels	
Number of Residential Units (type of units)	None (existing house to be removed)	
Physical Features (waterways, hazards, flood plain, hillside)	No significant physical features.	
Neighborhood meeting date; # of attendees:	May 26, 2020 – 14 attendees signed in.	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	No	

Description	Details	Page	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No		
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	There is only one point of through access to this property – From S. Locust Grove Rd. to S. Truss Pl / E. Bentley Dr. There is presently no eastern through access due to cul-de-sacs and dead end streets.		
Stub Street/Interconnectivity/Cross Access	There is an unnamed stub (ROW in front of the property) that dead-ends just east (but does not connect) to S. Locust Grove Rd. Westbound E. Bentley Dr. connects to S. Locust Grover Rd.		
Existing Road Network	Arterial and Local Streets		
Existing Arterial Sidewalks / Buffers	The applicant will be responsible for a 25' wide landscape buffer along S. Locust Grove Rd (sidewalks already exist in this area), 10' buffer and curb, gutter and sidewalk along S. Truss Pl., and a 25' residential buffer along the south property line.		
Proposed Road Improvements	S. Locust Grove Rd. has recently been widened and there is a roundabout planned for the S. Locust Grove Rd. / E. Bentley Dr. intersection.		
Fire Service – No comments submitted			
Police Service – No comments submitted			
Wastewater			
<ul style="list-style-type: none"> Distance to Sewer Services 	0		
<ul style="list-style-type: none"> Sewer Shed 	Five Mile Trunkshed		
<ul style="list-style-type: none"> Estimated Project Sewer ERU's 	See Application		
<ul style="list-style-type: none"> WRRF Declining Balance 	13.97		
<ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan 	Yes		
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> Flow is committed No proposed changes to Public Sewer Infrastructure has been shown within record. Any changes or modifications to the public sewer infrastructure shall be reviewed and approved by Public Works. 		
Water			
<ul style="list-style-type: none"> Distance to Water Services 	0		
<ul style="list-style-type: none"> Pressure Zone 	3		
<ul style="list-style-type: none"> Estimated Project Water ERU's 	See application		
<ul style="list-style-type: none"> Water Quality 	No concerns		
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	N/A		
<ul style="list-style-type: none"> Impacts/Concerns 	No changes to public water infrastructure proposed.		

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant / Owner:

Clint Hansen, Land Solutions – 231 E. 5th St., Suite A, Meridian, ID 83642

B. Representative:

Clint Hansen, Land Solutions – 231 E. 5th St., Suite A, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	7/7/2020	
Radius notification mailed to properties within 300 feet	7/14/2020	
Public hearing notice sign posted on site	7/24/2020	
Nextdoor posting	7/14/2020	

V. STAFF ANALYSIS

A. Annexation:

The proposed annexation area is contiguous to City annexed property and is within the Area of City Impact Boundary. To ensure the site develops as proposed by the applicant, staff is recommending a development agreement as part of the annexation approval.

B. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)

This property is designated as Commercial on the City’s Future Land Use Map (FLUM) contained in the Comprehensive Plan.

This designation is to provide a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses.

The annexation area is near existing public services and is adjacent to the city limits. Although the majority of the properties in this area east of S. Locust Grove Road and north of I-84 are rural residential, the land directly surrounding the subject property is recommended for commercial uses. Also, approximately 350 feet to the east of the property, the FLUM recommends mixed use neighborhood. Most of the land on the west side of S. Locust Grove Rd. and south of I-84 is zoned commercial; directly across S. Locust Grove Rd. there are several large non-residential developments such as the Renaissance High School and the Idaho College of Osteopathic Medicine. The professional office flex space (for professional services) proposed under this annexation complies with the recommendations of the FLUM and would provide an appropriate transition in intensity from a commercial corridor to the existing residential at the north and east.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. In order to ensure the site develops as proposed with this application, staff recommends a DA as a provision of annexation with the provisions included in Section VIII.A. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation.

Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

The following Comprehensive Plan Policies are applicable to this development:

- Focus on developing industries that tend to exceed the living wage, such as technology, healthcare and other similar industries. (2.06.01E)

This annexation proposes a 4,300 square foot building for a land surveying company. This is considered a professional service, which may be a primary employer with higher wages.

- Work with existing industrial businesses to expand or relocate operations to appropriate areas. (2.08.03C)

The business proposed with this annexation is presently located at 213 E. 5th Ave. in Meridian in a shared 3,800 square foot building. The existing business leases approximately 1,300 square feet of available space. The applicant has stated the size and configuration of the present building does not lend itself to the existing operations and there is no room for expansion. The applicant intends to construct and own a larger building designed for the operations which would also allow more flexibility in workspaces.

According to the conceptual site plan submitted by the Applicant, the new office building would be constructed on the southern half of the property, to allow the possibility to eventually construct a second commercial building on the northern portion. The Comprehensive Plan supports this type of business in the proposed location.

- Encourage infill development. (3.03.01E)

The Comprehensive Plan defines infill as “development on vacant parcels, or redevelopment of existing parcels to a higher and better use that is surrounded by developed property within the City of Meridian.” The subject property is surrounded by existing development on all sides, is directly adjacent to a commercial corridor, contains a vacant single family residence and is already connected to city water and sewer.

- Focus development and redevelopment intensity on key transportation corridors. (3.07.02C)

The proposed office flex building is proposed adjacent to S. Locust Grove Rd., a key transportation corridor.

- Encourage compatible uses and site design to minimize conflicts and maximize use of land. (3.07.00)

The surrounding neighborhood consists of primarily low density single family residential. The FLUM recommends the subject property and to the south for commercial uses, medium density residential to the north and mixed use neighborhood to the east. To the west of the property (across S. Locust Grove Rd.) are higher intensity non-residential uses such as the Renaissance High School and the Idaho College of Osteopathic Medicine. South of the property (south of I-84) are intensive commercial uses such as drive through restaurants and movie theaters. The proposed office flex building in this location will provide an appropriate transition from the residential and mixed use residential uses to the east to the commercial uses to the west and south.

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

City water and sewer service is available along S. Locust Grove Rd. and can be extended by the developer with development in accord with UDC 11-3A-21.

C. Existing Structures/Site Improvements:

There is an existing 2,123 single family residence on the property, constructed in 1972. As the property is proposed to be zoned to C-C, which does not allow single family residential, the existing house should be required to be removed as part of the annexation agreement.

Proposed Use Analysis:

Office buildings are listed as a principal permitted use (professional services) in the C-C zoning districts in UDC Table 11-2B-1.

The applicant's intent is to construct a new 4,800 square foot building on the southern portion of the property. However, the applicant has indicated a second commercial building may be built to the north. The property consists of a 1 acre parcel and a small .2 acre 'strip of land' so it is possible the applicant could do a boundary line adjustment to create an additional buildable lot.

At staff's request, the applicant has provided the conceptual layout for both buildings. The site plan provided reflects commercial buildings at the north and south perimeters of the property, with parking central to the development. Staff believes the layout as proposed is an efficient design for the property.

As the applicant intends this project to build out in two phases, staff has concerns that the undeveloped half of the property will remain a "no-man's land" while the other half builds out. Staff recommends that the undeveloped portion of the property be seeded with native seed and maintained free of weeds until such a time as future development occurs.

D. Dimensional Standards (UDC 11-2):

The zoning is proposed to be C-C. This requires no street setback but does require a 25' landscape buffer along arterial roads (S. Locust Grove Road) and 10' buffer along S. Truss Pl. A 25' residential landscape buffer is also required at the south of the property, adjacent to the neighboring existing single family residence. Building height is limited to 50'.

E. Specific Use Standards (UDC 11-4-3):

There are specific requirements regarding flex space. This includes roll-up doors not being visible from a public street and loading docks being prohibited. The conceptual elevations show the roll up doors on the north side of the building (away from S. Locust Grove Road), parking oriented toward the center of the buildings, and no loading docks. If a second building is constructed as proposed, this will also help minimize the view of the garage doors from public street view.

F. Access (11-3A-3):

Access to this property will occur from two points off of S. Truss Pl. S. Truss Pl. connects to E. Bentley Dr. and out to S. Locust Grove Rd (an arterial). The applicant has stated ACHD will require them to add curb, gutter and sidewalk along S. Truss Pl. to the south extent of their property. There is an existing stub off E. Bentley Dr. north of the subject property, which terminates in a dead end east of S. Locust Grove Rd. The applicant does not propose access from this street and ACHD is not requiring improvements to this road.

G. Parking (UDC 11-3C):

Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for commercial districts based on one space per 500 feet of gross floor area. With a

proposed building size of 4,835 square feet, 10 parking spaces would be required. The conceptual site plan indicates 17 parking spaces for the first building, and the same amount of parking spaces for a conceptual second building. The parking requirements are satisfied, but staff notes the final number will probably be less because UDC 11-3B-8 requires an internal planter island of at least 50 square feet for every row of more than 12 parking spaces.

H. Sidewalks (UDC 11-3A-17):

Sidewalks already exist along S. Locust Grove Rd. The Applicant is required to add curb, gutter and sidewalk along S. Truss Pl. to the south extent of their property line.

I. Parkways (UDC 11-3A-17):

No parkways are proposed with this development.

J. Landscaping (UDC 11-3B):

The applicant will be required to install a 25' wide buffer along S. Locust Grove RD. as is required for arterial streets, a 10' landscape buffer along S. Truss Pl. and E. Bentley Dr. as is required for local streets, and a 25' wide landscape at the south of the property as is required for any parcel sharing a contiguous lot line with a residential land use per UDC 11-2B. Parking lot landscaping, including 5' buffers adjacent to parking, loading and other vehicular use areas, including the possibility of planter islands, will also be required per UDC 11-3B.

As mentioned, the applicant's plans reflect the desire to construct the first commercial building as phase one, and eventually construct a second building on the other half of the property. As mentioned above, staff is recommending the undeveloped portion of the property be seeded with native seed and maintained free of weeds until such a time as future development occurs.

K. Tree preservation (11-3B-10)

There are several existing trees on site. At time of CZC submittal, the applicant will be required to work with the City Arborist if removal is proposed. A mitigation plan may be required which would be required to indicate the total number and caliper inches of trees proposed for removal and the total number of replacement trees proposed.

L. Waterways (UDC 11-3A-6):

There are no significant waterways on the property.

M. Fencing (UDC 11-3A-6, 11-3A-7):

The concept plans do not indicate any fencing. All fencing is required to comply with the standards listed in UDC 11-3A-6C and 11-3A-7.

N. Utilities (UDC 11-3A-21):

Public services are available to accommodate the proposed development. The subject property is already connected to City water and sewer which was installed with recent expansions to S. Locust Grove Road.

O. Building Elevations (UDC 11-3A-19 | Architectural Standards Manual):

The Applicant has submitted sample elevations of the proposed office flex building for this project (see Section VII).

The conceptual elevations show a one-story office building comprised of metal and fiber cement siding, with a sloping roof. As is required by UDC 11-4-3-18 for flex space, the roll-up doors are faced to the north, away from public streets. At time of CZC and DES submittal, complete architectural elevations with materials called out will be required and the architecture will be reviewed against the Architectural Standards Manual (ASM). It does appear that the conceptual elevations might not meet the standards of the ASM in regard to buildings with rooflines 50-feet in length incorporating roofline and parapet variations. Also, the Applicant should be aware that untextured concrete panels and prefabricated steel panels are prohibited as field materials for building façades, except when used with a minimum of two other qualifying field materials and meeting all other standard fenestration and material requirements. The applicant site and building design is required to comply with the design standards in the UDC and the ASM.

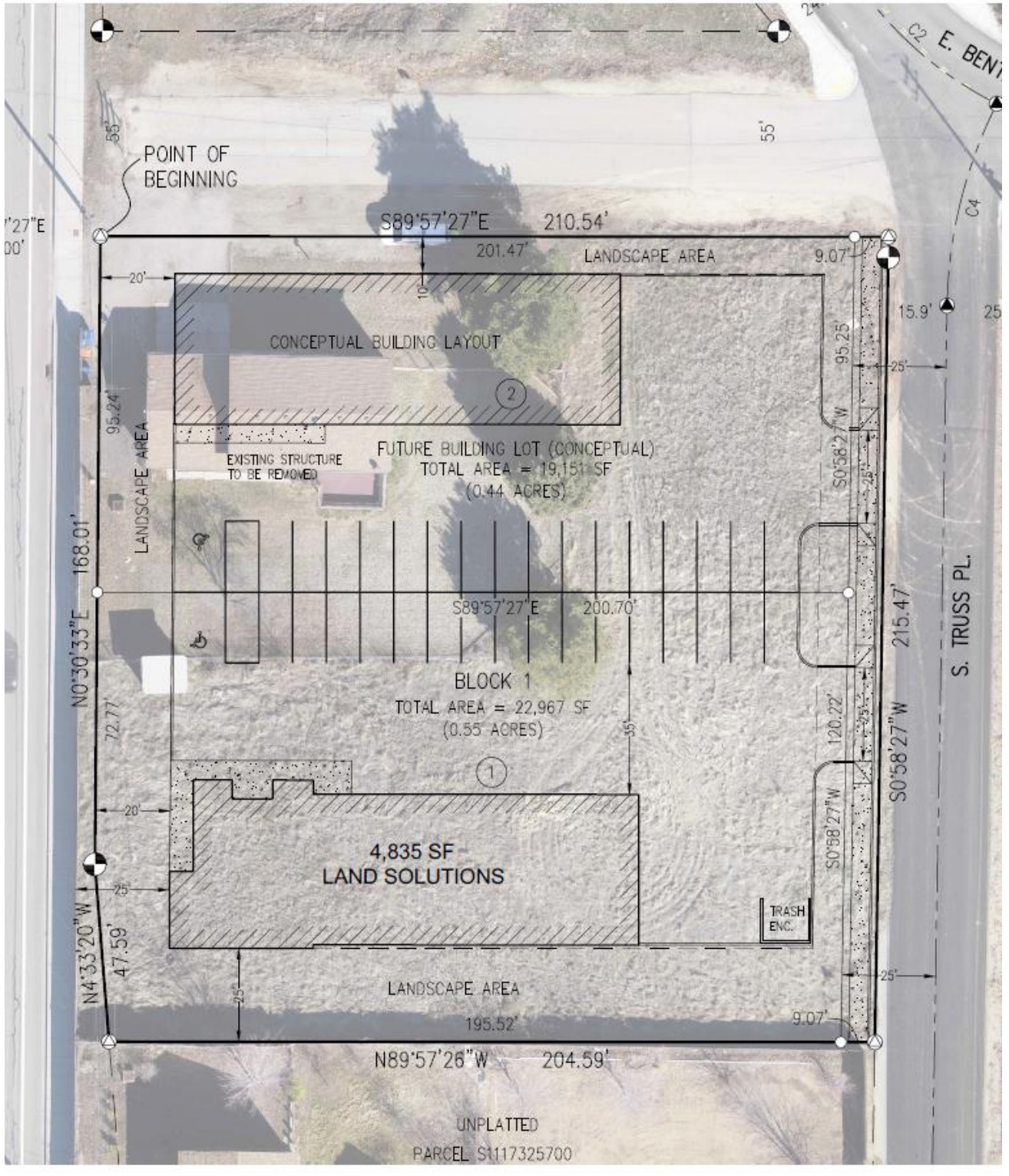
VI. DECISION

A. Staff:

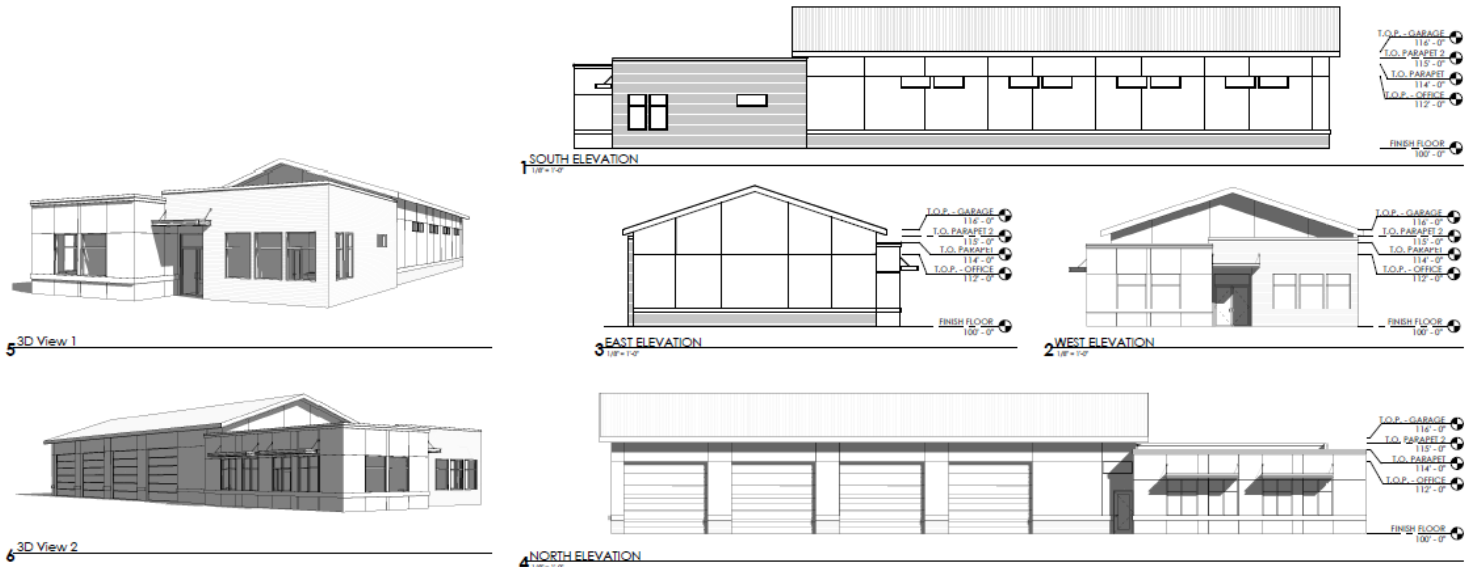
Staff recommends approval of the requested annexation and zoning with the requirement of a Development Agreement with the conditions noted in Section VIII per the Findings in Section IX.

VII. EXHIBITS

A. Concept Site Plan (date: 7/30/2020)



B. Elevations (date: 6/26/2020)



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer.

Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be generally consistent with the conceptual site plan and conceptual building elevations included in Section VII and the provisions contained herein.
- b. The existing house shall be removed prior to certificate of occupancy.
- c. The undeveloped portion of the property shall be seeded with native seed and maintained free of weeds until such a time as future development occurs on that portion.
- d. The applicant will submit a tree mitigation plan at time of Certificate of Zoning Compliance (CZC). This mitigation plan shall indicate the total number and caliper inches of trees proposed for removal and the total number of replacement trees proposed.

- e. There shall not be direct access to N. Locust Grove Rd.

B. PUBLIC WORKS

1. No proposed changes to public sewer infrastructure has been shown within record. Any changes or modifications to the public sewer infrastructure shall be reviewed and approved by Public Works.
2. There are two existing water stubs at the northern boundary that either need to be used or abandoned per Meridian Public Works Standards.

C. ACHD

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192567&dbid=0&repo=MeridianCity>

D. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192349&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Annexation and/or Rezone (UDC 11-5B-3E)

Required Findings: Upon recommendation from the commission, the council shall make a full investigation and shall at the public hearing, review the application. In order to grant an annexation and/or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;
Staff finds annexation of the subject site with a C-C zoning designation is consistent with the Comprehensive Plan Commercial FLUM designation for this property.
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
Staff finds the proposed office flex building will be consistent with the purpose statement of the commercial districts in that it will support the purpose of providing for the service needs of the community, in accordance with the Meridian Comprehensive Plan
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
Staff finds that the proposed annexation and zoning should not be detrimental to the public health, safety, or welfare. Staff recommends the Commission and Council consider any oral or written testimony that may be provided when determining this finding.
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and
Staff finds that the proposed annexation and zoning will not result in any adverse impact upon the delivery of services by any political subdivision providing services to this site.
5. The annexation (as applicable) is in the best interest of city
Staff finds the proposed annexation is in the best interest of the City.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: August 6, 2020

Topic: **Public Hearing for Jocelyn Park Subdivision (H-2020-0067) by Bonnie Layton, Located on the South Side of W. Victory Rd., Approximately ¼ Mile West of S. Meridian Rd.**

1. Request: A Preliminary Plat consisting of 67 single-family residential lots and 7 common lots in an existing R-8 zoning district.
-

Information Resources:

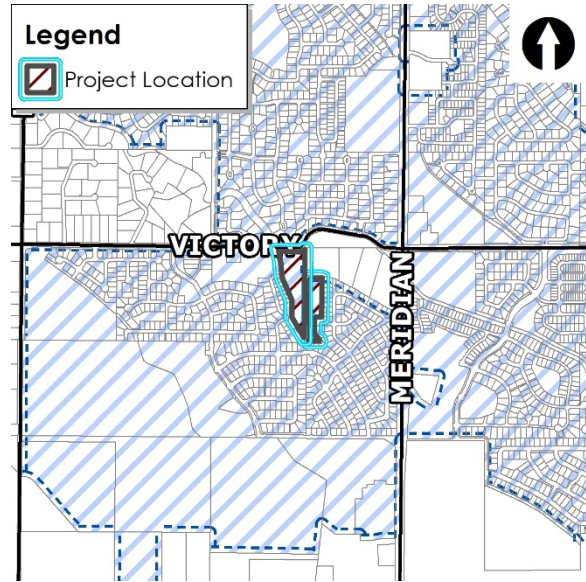
[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/6/2020
TO: Planning & Zoning Commission
FROM: Joe Dodson, Associate Planner
208-884-5533
SUBJECT: H-2020-0067
Jocelyn Park Subdivision
LOCATION: The site is located on the south side of W. Victory Road, approximately 1/4 mile west of S. Meridian Road, in the NW 1/4 of the NE 1/4 of Section 25, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

Request for Preliminary Plat approval of 67 single-family residential lots and 7 common lots in an existing R-8 zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	12.675 (R-8 zoning district)	
Future Land Use Designation	Medium Density Residential	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Detached Single-family Residential	
Lots (# and type; bldg./common)	74 total lots – 67 single-family residential; 7 common lots.	
Phasing Plan (# of phases)	Proposed as one phase	
Number of Residential Units (type of units)	67 units – detached single-family homes	
Density (gross & net)	Gross – 5.1 du/ac.; Net – 9.76 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	3.75 acres total – 2.56 acres of qualified open space (19.8%)	
Amenities	4 qualifying amenities – walking paths; shaded picnic area; tot-lot; and additional qualified open space.	
Physical Features (waterways, hazards, flood plain, hillside)	Ridenbaugh Canal – along northern and northeastern borders of property. Existing pond in south end of site is proposed to stay.	
Neighborhood meeting date; # of attendees:	April 28, 2020 (Online Zoom Meeting due to Covid-19 Virus) – 4 attendees	

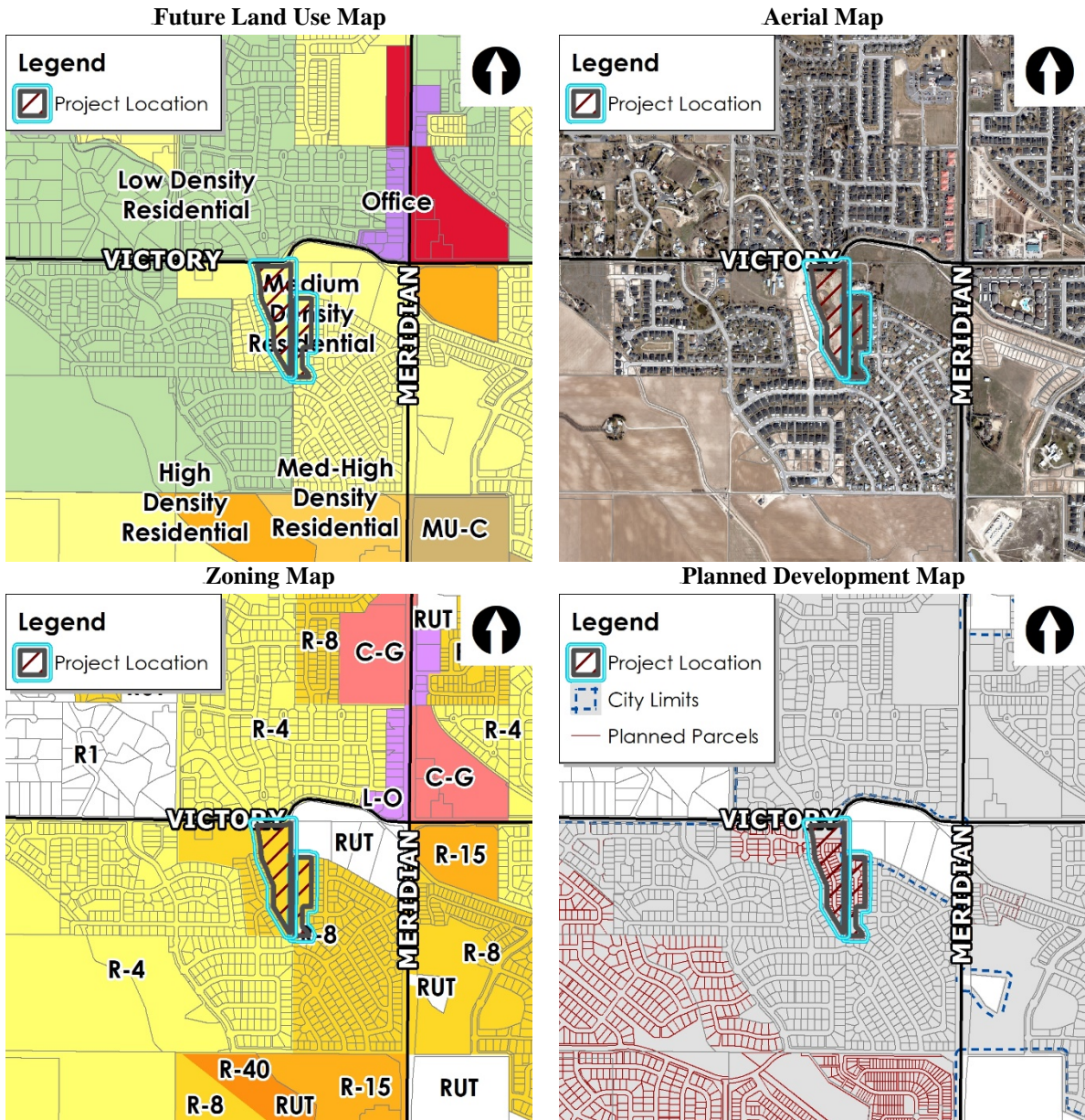
Description	Details	Page
History (previous approvals)	H-2018-0100 (PP, set to expire in December of 2020); AZ-13-014, DA Inst. #114007668.	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	<p>Draft Staff Report</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via extending existing and proposed local streets into the development from the west and southeast. No access is proposed to W. Victory Road.	
Stub Street/Interconnectivity/Cross Access	<p>Access into this development would be from stub streets of adjacent subdivisions. The stub street in the southeast from Meridian Heights Subdivision currently exists; the stub street from Timberline No. 2 is proposed and approved in their final plat.</p> <p>This property is proposing a stub street to the adjacent property abutting the site in the northeast.</p>	
Existing Road Network	No	
Existing Arterial Sidewalks / Buffers	The subject property has a small area of arterial street frontage along W. Victory Road that is between the right-of-way and the Ridenbaugh Canal. This area is not improved with curb, gutter, and sidewalk at this time.	
Proposed Road Improvements	Applicant is not proposing to improve any right-of-way along W. Victory Road.	
Distance to nearest City Park (+ size)	0.8 miles to Bear Creek Park (18 acres in size)	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station Fire Response Time Resource Reliability Risk Identification Accessibility 	<p>1.9 miles from Fire Station #6</p> <p>This project lies within the Meridian Fire response time goal of 5 minutes.</p> <p>Fire Station #6 reliability is unknown at this time due to it being the newest station.</p> <p>Risk Factor 2 – residential with hazards (open waterways)</p> <p>Proposed project meets all Fire required access, road widths, and turnarounds.</p>	
Police Service		
<ul style="list-style-type: none"> Distance to Station Response Time Call Data 	<p>3 miles from Meridian Police Department</p> <p>Approximately 3 minute response time to an emergency.</p> <p>Between 3/1/2019- 2/29/2020, the Meridian Police Department responded to 459 calls for service within a mile of the proposed development. The crime count on the calls for service was 26. See attached documents for details.</p> <p>Between 3/1/2019- 2/29/2020, the Meridian Police Department responded to 8 crashes within a mile of the proposed development. See attached documents for details.</p>	Section VIII.D
<ul style="list-style-type: none"> Additional Concerns 	None	

Description	Details	Page
West Ada School District—West Ada did not send any comments for this project.		
Wastewater		
• Distance to Sewer Services	N/A	
• Sewer Shed	South Black Cat Trunkshed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	13.96	
• Project Consistent with WW Master Plan/Facility Plan	YES	
• Impacts/Concerns	Committed additional 1,530 gpd to model.	
Water		
• Distance to Water Services	0'	
• Pressure Zone	4	
• Estimated Project Water ERU's	See application	
• Water Quality Concerns	None	
• Project Consistent with Water Master Plan	YES	
• Impacts/Concerns	There is an existing 8-inch diameter water main on the west side of the existing pond that is not shown on the conceptual engineering plan; this water main is to be abandoned. See Exhibit VII.D for illustration of the extent of this main to be abandoned.	
COMPASS		
Job/Housing Ratio	0.5 (range of 1-1.5 is ideal; lower number indicates an employment need)	
Nearest Services	Bus Stop – 1.5 miles Public Park – 0.8 miles Grocery Store – 1.1 miles	
Additional Comments	The site is not currently served by public transportation, although ValleyConnect 2.0 proposes bus service from downtown Kuna to the Boise Research Center along Victory Road and Stoddard Road. The closest bus stop would be less than ¼ mile in distance when that route is operational. Sidewalks and bicycle lanes and safe crossing of Victory Road are recommended.	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Bonnie Layton, WHPacific, Inc., an NV5 Company – 690 S. Industry Way, Meridian, ID 83642

B. Agent for Owner:

Cooperative DevCo, LLP, Austin Edwards – 3573 E. Longwing Lane, Ste. 210, Meridian, ID 83642

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	7/17/2020	
Radius notification mailed to properties within 300 feet	7/14/2020	
Site Posting	7/20/2020	
Nextdoor posting	7/14/2020	

V. STAFF ANALYSIS

The subject property was annexed in 2013 as part of a larger area known as Victory South (AZ-13-014). There is an existing Development Agreement (DA) associated with this annexation and property but the requested application and the recorded DA do not require modification as the proposed development is consistent with the provision contained in the agreement. In addition, a preliminary plat was approved for this property in 2018 for the same titled plat name, Jocelyn Park. The existing plat is set to expire in December, 2020 but the current developer wishes to obtain approval of a new plat with higher density more in line with the dimensional standards of the existing R-8 zoning district. Please see further Staff analysis below.

A. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)

Medium Density Residential – This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

The subject site is located in an area of the City where low and medium density residential developments are existing and anticipated. The subject site is surrounded by existing City of Meridian zoning and development except for a small parcel that abuts its northeastern property boundary. Therefore, this project is an infill development per the definitions in City code. The proposed development has a gross density of 5.1 du/ac meeting the density requirements for this future land use designation. In addition, the existing R-8 zoning allows for detached single-family residences with average lot sizes above 4,000 square feet. The proposed development meets these requirements as well. Staff finds the proposed use and gross density to meet the intent of the future land use designation of Medium Density Residential.

B. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

The applicable Comprehensive Plan policies are cited below with Staff analysis in italics.

“Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City” (2.01.01G). *The proposed development has existing R-8 zoning on the subject site. A majority of the surrounding development has R-4 zoning which requires lot sizes twice as large as the ones proposed within this development. There is a pocket of additional R-8 zoning to the east of the subject site that the proposed density is consistent with. Overall, adding a development of this density flows with the existing development naturally and adds to the availability of smaller lots in this area of the City.*

“Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices” (3.07.01A). *The proposed project design connects the two local streets that are stubbed to this property which adds to the overall connectivity in this immediate area. In addition, the proposed density of this project matches that of adjacent subdivisions to the east and west and therefore is not in a*

geographic position to offer transitional density. This development would be screened from Victory Road, an arterial street, by way of a large open space lot in the north of the site. The Applicant is also proposing a large open space lot in the south of the project site which also offers further buffering of this development. Sidewalks are shown throughout the project with some micro-path connections that will help connect open space in this development to that in adjacent developments.

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). All public utilities are available for this project site due to the existing subdivisions surrounding the development. This project also lies within the Fire Department response time goal and the Meridian Police Department has stated this development can be serviced if approved. W. Victory Road is only a 2-lane road in this area of the City but there is no access proposed to Victory other than through the approved access through Timberline No. 2 to the west (this road network has not yet been constructed). Instead, access to this development will be through two adjacent subdivisions, one to the east and one to the west.

West Ada School District has not offered comments on this project at this time. Staff understands that school enrollment is a major issue that is continually being monitored and worked through.

Staff finds that the existing and planned development of the immediate area create conditions for adequate levels of service to for this proposed project.

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). There is an existing open water pond in the south end of the subject site; the Applicant has proposed to keep this pond open and beautify it with landscaping and will recirculate the water according to city code. This pond is in excess of the 25% of the common lot and therefore cannot count towards the qualified open space. However, Staff finds that preserving and beautifying this pond is a great asset to this development and likely the development directly to the east and south because this open space lot abuts open space in adjacent subdivisions to the west and south (Timberline No. 1 and Biltmore Estates, respectively). In addition to this pond and open space lot, the Applicant is proposing nearly twice as much qualified open space than is required by code. Staff finds the areas of open space in this development will be extensively used despite not being wholly located in the center of the development.

*“Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity” (2.02.01D). Jocelyn Park is proposed with attached sidewalks throughout the subdivision that are also interconnected via micro-paths and open space. The non-qualifying open space lot in the south of the development with the open water pond abuts open space in two other adjacent subdivisions which offers connectivity between the developments. **In addition, the Applicant is using the micro-paths and sidewalks as an avenue to promote pedestrian connectivity and link this subdivision to adjacent ones; specifically, by placing one of the micro-paths on the west boundary and in line with adjacent open space in the Timberline Subdivision to the west, the interconnectivity and overall pedestrian access is further increased.***

Staff finds this development to be generally consistent and in alignment with the Comprehensive Plan.

C. Existing Structures/Site Improvements:

The subject site is vacant at this time with no known site improvements. There is an existing open water pond at the south end of the site that has been used for irrigation only. The applicant

intends on preserving this pond for the benefit of the development. There are no existing improvements along Victory Road.

The previous preliminary plat that was approved in 2018 received conditions from ACHD to construct curb, gutter, and attached sidewalk along W. Victory Road. Staff has not yet received a draft staff report for this application but has been notified that this condition will remain. Therefore, Staff is recommending a condition of approval to revise the plat and landscape plan to show these improvements along Victory Road, including 5-foot attached sidewalk.

Furthermore, the adjacent property owner to the northeast has a shed that is actually on the subject property. The Applicant has created a specific lot (shown as Lot 1, Block 3) in the plat in order for the adjacent property owner to later purchase the property and correct the boundary dispute. Staff supports and appreciates this consideration from the property owner regarding this property boundary issue.

D. Proposed Use Analysis:

The proposed use is single-family residential; single-family detached dwellings are listed as principally permitted uses in the R-8 zoning district per UDC Table 11-2A-2. This development is proposed as one (1) phase with no direct accesses to W. Victory Road. The average lot size is 4,455 square feet with the largest lot being 7,238 square feet. The proposed use appears to comply with all UDC requirements for the R-8 zoning district.

E. Dimensional Standards ([UDC 11-2](#)):

The submitted Preliminary Plat shows lots that are at least 4,000 square feet in size with street frontages of at least 40 feet in accord with the required dimensional standards for the R-8 zoning district. In addition, all local streets are proposed with 5-foot attached sidewalks as required by code. Subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3).

The proposed preliminary plat appears to meet the UDC requirements for the R-8 zoning district as well as those requirements in UDC 11-6C-3.

F. Access ([UDC 11-3A-3](#), [11-3H-4](#)):

Access to and for this development is proposed via extension of local stub streets. The stub street located in the southeast corner of the site (W. Winnipeg Street) is an existing stub from Meridian Heights Subdivision. The other proposed connection is located in the northwest corner of the site but is not yet constructed. This stub street will be built with the second phase of the Timberline Subdivision directly to the west of the subject site. These two local streets will supply the access points for this development. In addition, the Applicant is proposing to stub a street to the property located to the northeast of the site for future connectivity. On this stub street, the Applicant is also constructing a temporary hammerhead type turnaround to ensure safe fire turnaround. *NOTE: In discussion with ACHD the hammerhead type design will not meet their requirements for adequate turnaround and the Applicant will have to construct a temporary turnaround that meets both ACHD and MFD requirements.*

G. Parking ([UDC 11-3C](#)):

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. In addition, the Applicant is proposing 33-foot street sections within 47-feet of right-of-way which would allow on-street parking where there are no driveways. Staff finds that if the single-family lots are developed according to UDC standards, the proposed plat offers adequate on and off-street parking for the development.

H. Pathways ([UDC 11-3A-8](#)):

There are no multi-use pathways proposed or required with this development. There is existing multi-use pathway on the north side of Victory Road, directly north of the subject site. However, the Applicant is proposing micro-pathways in multiple locations in the development to add pedestrian and bicycle connections throughout. These pathways connect the central open space area with the 5-foot attached sidewalks located along the local streets throughout the development. The Applicant is also proposing a micro-pathway connection on the west side of the project to connect with a pathway and open space connection in Timberline No. 1. In addition, a pathway is proposed within the large open space lot abutting the Ridenbaugh Canal.

Staff supports the addition of micro-pathways throughout the development but has some concerns regarding their placement. First, Staff believes the micro-path connection from the central open space lot to the western street should be relocated two lots further north, between Lots 10 & 11, Block 3 to help with potential visibility issues and crime prevention. Second, Staff has concerns over how the pathway within the large open space lot along the Ridenbaugh Canal is depicted on the submitted plans and where it shown to connect to the Timberline Subdivision to the west. The Timberline lot directly abutting the subject site in the northwest corner is a buildable lot and will have a privacy fence on the shared property boundary. Therefore, the proposed layout of the pathway shown would likely never become a reality. The only other pedestrian access out to Victory Road from this site would be via the irrigation district access road but this is not supported by staff nor the irrigation district at this time. This access road will likely be fenced off from this open space lot to ensure a safer open space area along the canal. Because of these issues, staff proposes that the proposed pathway be completely out of the irrigation district easement and looped around this northern open space lot for a walking path around the perimeter of the lot and connect back to the proposed sidewalks along the extended W. Cumberland Drive.

I. Sidewalks ([UDC 11-3A-17](#)):

Attached sidewalks are proposed along all internal streets as part of the overall pedestrian circulation, in accord with the standards listed in UDC 11-3A-17. Staff supports the sidewalk and pedestrian circulation plan for this development with the specific changes noted above and in the conditions of approval.

J. Landscaping ([UDC 11-3B](#)):

A 25-foot wide street buffer is required adjacent to W. Victory Road, an arterial street, landscaped per the standards listed in [UDC 11-3B-7C](#).

*The Ridenbaugh Canal and the Victory Road right-of-way appear to take up all of the required landscape buffer along the arterial street. Because of the physical lack of space between the right-of-way and the irrigation easement, the Applicant is not proposing any landscaping directly along Victory. **Despite the constrained area, Staff recommends that the Applicant coordinate with the irrigation district to determine if landscaping along the north side of the canal is feasible or doable prior to the City Council hearing. If allowed, the applicant would be required to obtain a license agreement for these improvements, subject to NMID requirements.***

Landscaping is required along all pathways (including micro-pathways) in accord with the standards listed in [UDC 11-3B-12C](#). The total lineal feet of pathways with the required and proposed number of trees are NOT included in the Landscape Calculations table but the Applicant appears to show the required number of trees per the UDC. *Staff is ok with this as the correct number of trees are shown.*

Common open space is required to be landscaped in accord with the standards listed in *UDC 11-3G-3E*. The total square footage of common open space and the required number of trees to demonstrate compliance with UDC standards is included in the Landscape Calculations table.

Although the correct number of trees are shown on the landscape plans and within the calculations table, the required shrubs and other vegetative ground cover is not depicted on the landscape plans. Therefore, Staff is recommending a condition of approval to show the required shrubs along the micro-pathways per UDC 11-3B-12C.2.

K. Qualified Open Space (*UDC 11-3G*):

A minimum of 10% **qualified** open space meeting the standards listed in UDC 11-3G-3B is required. Based on the proposed plat of 12.93 acres, a minimum of 1.29 acres of qualified common open space should be provided to satisfy this requirement.

According to the open space exhibit (see Exhibit VII.B), the applicant is proposing a total of 3.65 acres of open space. The exhibit shows three (3) distinct areas of open space: one area in the south that contains the pond; one area along the entire northern boundary of the subject site; and one centralized area. The large open space lot containing the pond abuts open space area in the Timberline No. 1 subdivision currently under construction. In addition, there is an end cap lot and a micro-pathway connection to the west shown on the open space exhibit. The submitted open space exhibit shows all of this area as qualifying but upon Staff's review, some of this area is not qualifying.

The existing pond is more than 25% of the lot in which it resides and therefore the entire lot is not qualifying open space per the standards listed in UDC 11-3G-3B.7. The other area of open space that is listed as qualifying but is indeed non-qualifying is the end cap lot located at the south end of the lot (approximately 4,200 square feet) directly north of the pond. This area meets neither the 50' by 100' dimensions nor the 5,000 square foot minimum size in order to count towards the qualified open space. After removing the end cap lot and the lot containing the pond from the open space calculations, there are 2.46 acres of area that is all qualifying open space. Staff is recommending a condition to revise the open space exhibit prior to the City Council hearing to ensure a clean record.

An area of additional concern for Staff is the open space area directly north of Lots 35-37, Block 3 (the lots at the end of S. Garibaldi Court in the eastern half of the site). The Applicant is proposing to leave an area of open space between the rear yards of these three homes and the irrigation district access road. The access road must be fenced off from this development which leaves a thin area behind homes with the only true visibility coming from the open vision fencing of these three homes' rear fence. This area leads to nowhere and does not appear to offer any usable benefit for the development if left as is. Even with the required open vision fencing along the rear of these lots, Staff is concerned this area of open space will be neglected due to the slope of the terrain and its location. Therefore, Staff is recommending that this area be added to the adjacent lots, Lots 35-37, Block 3, instead of remaining open space. The open space calculations should then be revised to remove this area from the calculations table.

L. Qualified Site Amenities (*UDC 11-3G*):

Based on the area of the proposed plat (12.93 acres), a minimum of one (1) qualified site amenity is required to be provided per the standards listed in [UDC 11-3G-3C](#).

The applicant is proposing four (4) qualified amenities to satisfy the requirements in this section of the UDC: a child's play structure, a shaded picnic area, walking paths, and an additional 20,000 square feet of qualified open space. The proposed amenities exceed the minimum

requirements of the UDC. *Staff finds the proposed amenities to be great additions to the community and should serve as more than adequate for the proposed development.*

M. Fencing ([UDC 11-3A-6](#), [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7. Proposed fencing is shown on the landscape plans submitted to Staff and as seen in Exhibit VII.C. The proposed fencing does not meet all UDC requirements.

The non-qualified open space area containing the pond (Lot 24, Block 2) abuts open space in the adjacent Timberline subdivision, as noted above. This area of open space was not fenced by the developer of Timberline No. 1 and Staff supports no fencing along this shared boundary to allow better integration of both open spaces as required by the UDC. The submitted landscape plan shows closed vision fencing along this shared property line which is not in line with the UDC. Staff is recommending a condition of approval to remove the fencing in this area so that the open space is continuous between the two developments.

The proposed children's play structure located in the north open space lot should also be fenced off from the Ridenbaugh Canal to ensure an area of safe play for everyone within the development. The only fencing shown on the submitted landscape plans in this area is a fence on the north side of the irrigation district access road. As noted in the comments from the Parks Department, the fence should be on the south side of the access road, in order to separate the access road from the open space and proposed play structure. Therefore, Staff is recommending a condition of approval to correct this and show the fencing on the opposite side of the access road.

N. Building Elevations ([UDC 11-3A-19](#) | [Architectural Standards Manual](#)):

The Applicant has submitted conceptual elevations for the single-family homes for this development as seen in Exhibit VII.E. Staff has been made aware that the submitted elevations do not show the full mixture of materials that will be used and the Applicant states that some high-end masonry will be used with most of the housing designs. *The submitted elevations, with the inclusion of masonry elements, meet the required design standards for detached single-family homes.*

O. Waterways ([UDC 11-3A-6](#)):

The Ridenbaugh Canal runs through the northern portion of the subject site. Per UDC, this waterway is required to be tiled. However, the Applicant wishes to keep the canal open and act as a buffer between W. Victory Road, an arterial street, and the common open space lot proposed south of the canal. *Staff supports this proposition by the Applicant. The Applicant is requesting a Council Waiver to keep the canal open.*

VI. DECISION

A. Staff:

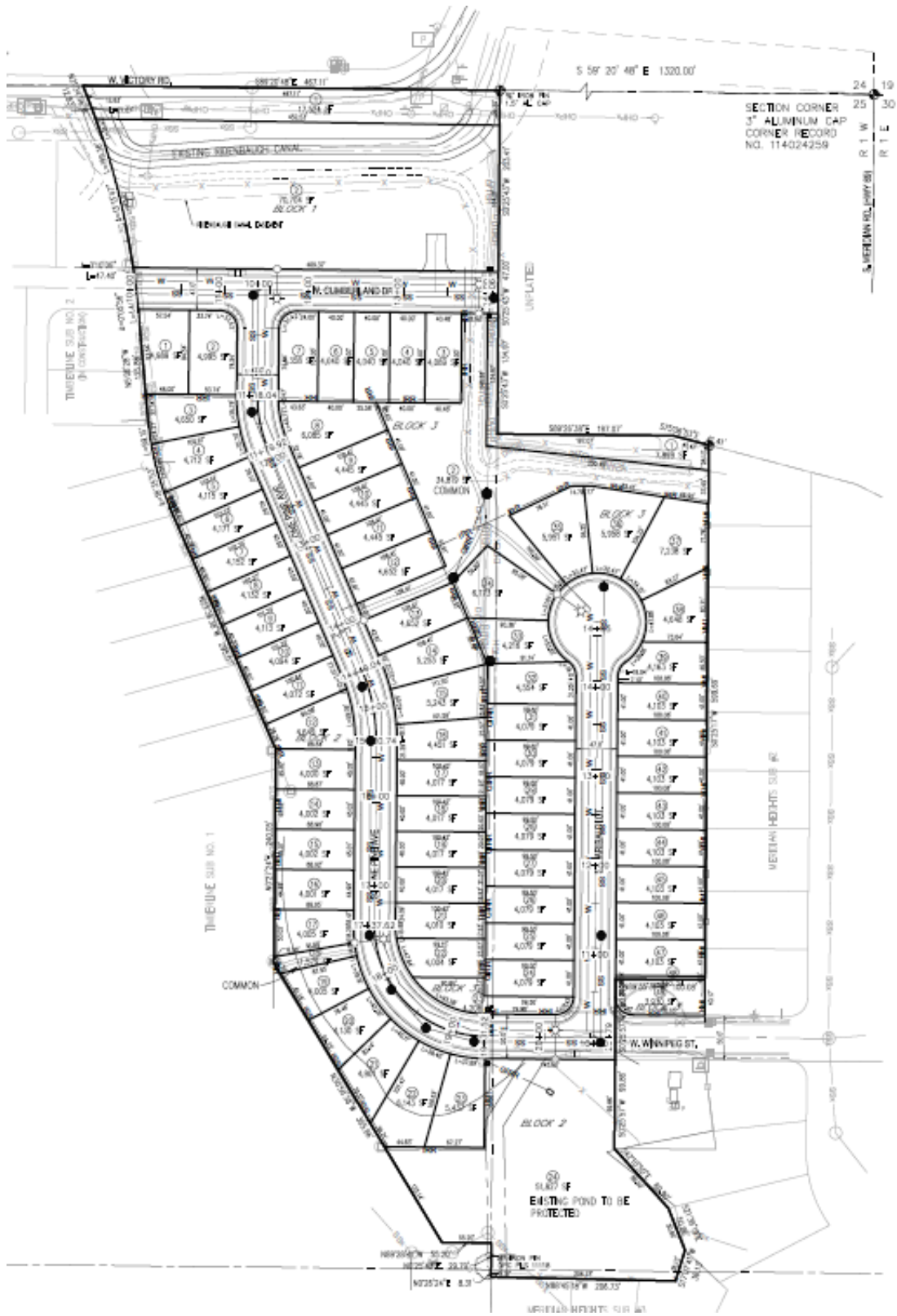
Staff recommends approval of the requested preliminary plat application per the Findings in Section IX of this staff report.

B. Commission:

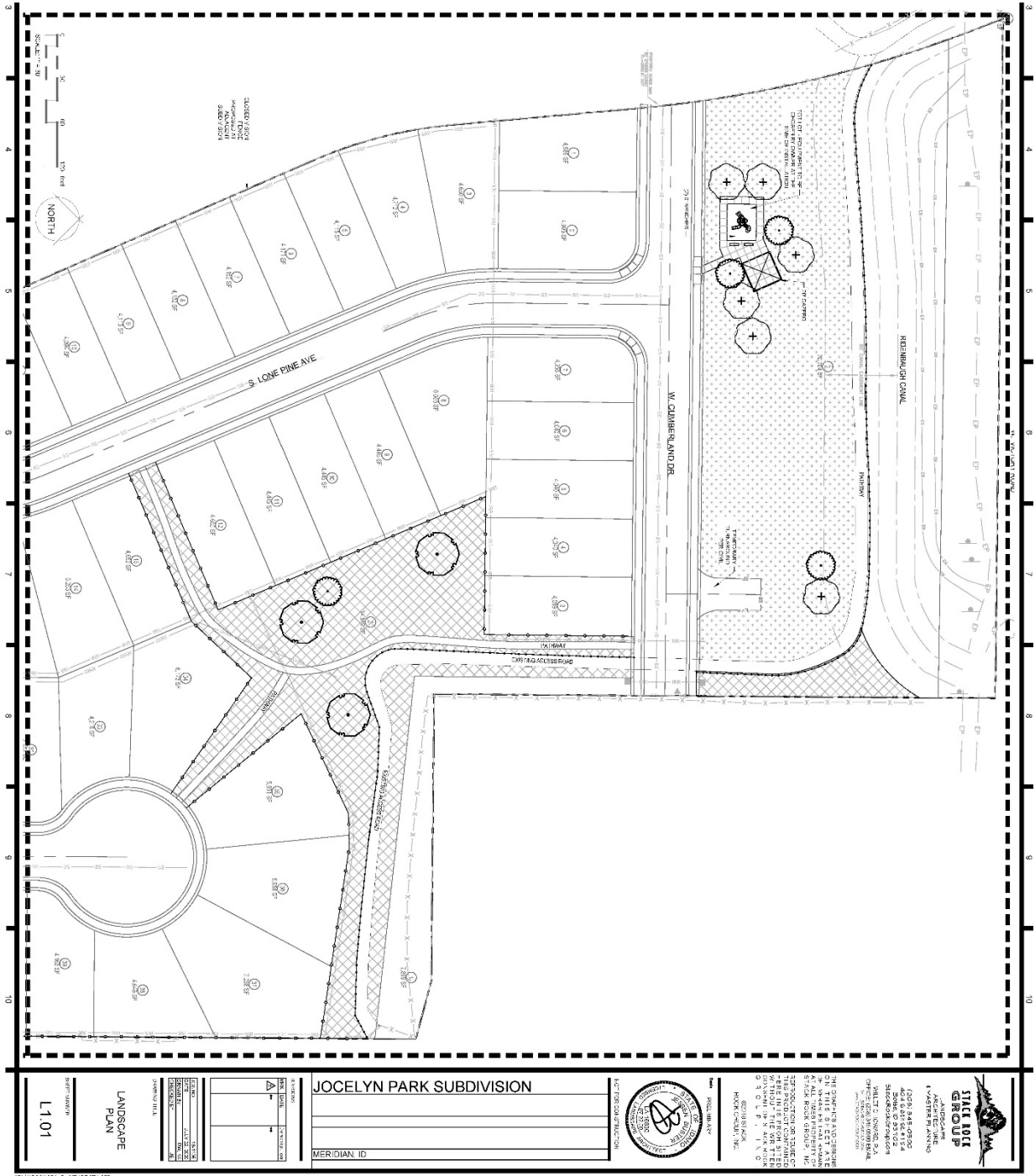
Enter Summary of Commission Decision.

C. City Council:

To be heard at future date.



C. Landscape Plans (date: 7/22/2020)



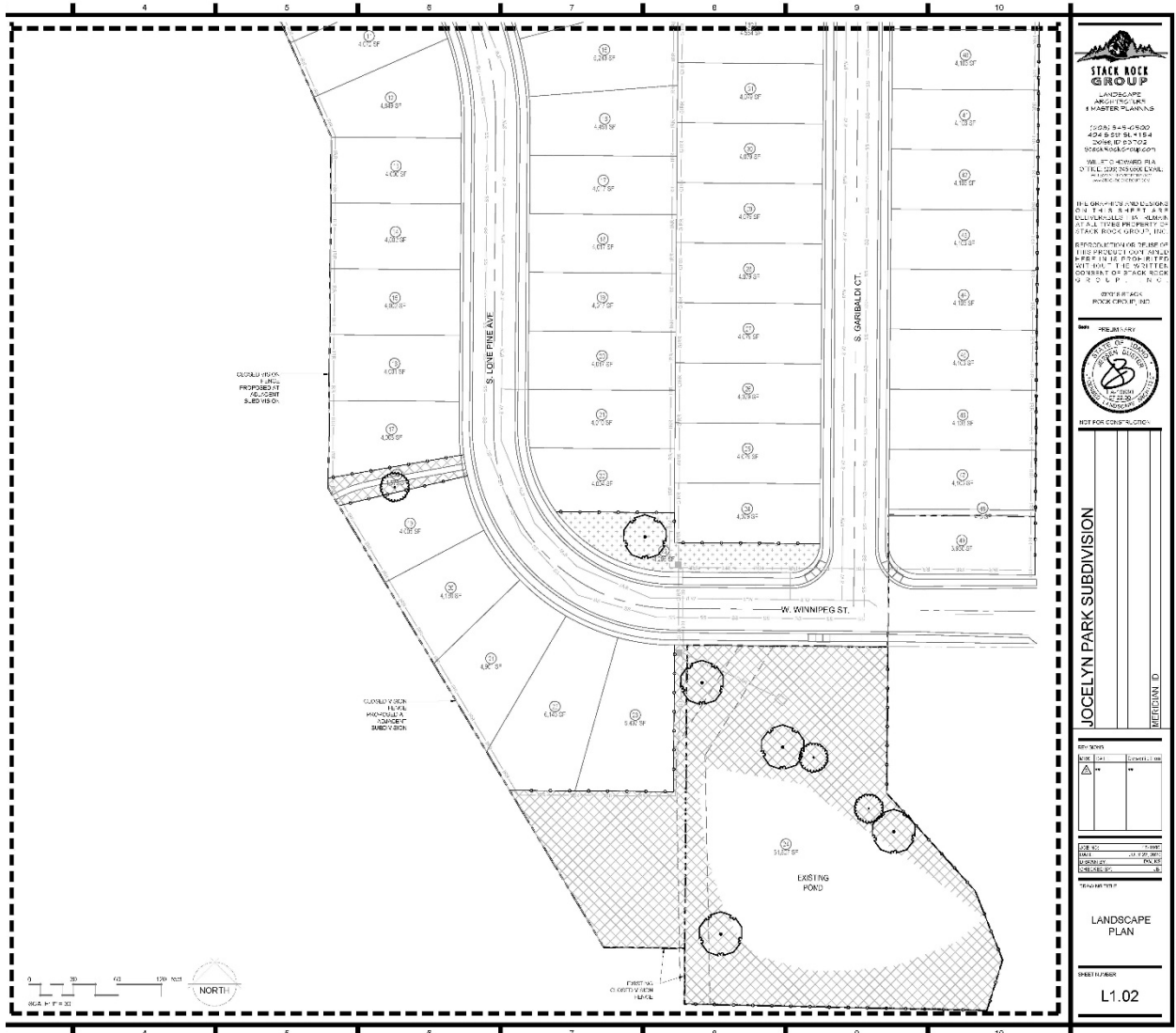
L1.01

LANDSCAPE PLAN

JOCELYN PARK SUBDIVISION



STILL ROOT GROUP
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DATE: 08/20/2014
 PROJECT: JOCELYN PARK SUBDIVISION
 SHEET: L1.02
 DRAWN BY: J. ROBE
 CHECKED BY: J. ROBE
 SCALE: AS SHOWN

JOCELYN PARK SUBDIVISION

LANDSCAPE PLAN
 SHEET NUMBER
 L1.02

D. Water Main Exhibit – portion of water main to be abandoned (per Public Works)



E. Conceptual Building Elevations







VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The preliminary plat included in Section VII.A, dated July 17, 2020, shall be revised as follows at least ten (10) days prior to the City Council hearing:
 - a. Revise the plat to include some of the area behind Lots 35-37, Block 3 as part of these building lots instead of common open space up to the boundary of the irrigation district easement.
 - b. Revise the plat to show the micro-pathway to be located between Lots 10 & 11, Block 3 instead of between Lots 12 & 13, Block 3.
 - c. Revise the plat to show the additional right-of-way along W. Victory Road as required by ACHD; this should include a 5-foot wide sidewalk located at least 31-feet from centerline.
 - d. Replace the temporary hammerhead type turnaround with an approved temporary cul-de-sac at the terminus of W. Cumberland Drive at the eastern property boundary in accord with ACHD and Meridian Fire Department standards.
2. The landscape plan included in Section VII.C, dated 06/18/2020, shall be revised as follows prior to Final Plat application submittal:
 - a. Revise the landscape plans to show shrubs and other vegetative ground cover to the areas along all pathways in accord with UDC 11-3B-12C.
 - b. Revise the landscape plans to show the fencing along the Ridenbaugh Canal to be on the south side of the irrigation district access road and maintain accordance with UDC 11-3A-6 to separate the open space and play structure from the canal.
 - c. Show the micro-pathway to be located between Lots 10 & 11, Block 3 instead of between Lots 12 & 13, Block 3.
 - d. Show the required sidewalk along W. Victory Road.
 - e. Remove the fencing shown along the western subdivision boundary located on the common open space lot, shown as Lot 24, Block 2.
3. The Open Space Exhibit and calculations table shall be corrected as follows at least ten (10) days prior to the City Council hearing:
 - a. Revise the calculations table to show the correct amount of qualified versus non-qualified open space in accord with UDC 11-3G-3.
 - b. Revise the open space exhibit and calculations table to remove that area behind Lots 35-37, Block 3 up to the boundary of the irrigation district easement.
 - c. Revise the open space calculations to remove that area where the required temporary turnaround is located on the common open space lot, Lot 2, Block 1.

4. At least ten (10) days prior to the City Council hearing, the Applicant shall revise the preliminary plat, landscape plans, and open space exhibit to show the proposed pathway in the northern open space lot (Lot 2, Block 1) as completely separate from the irrigation district access road and loop through the open space lot to connect back to the proposed W. Cumberland Drive in the northwest corner of the site.
5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district.
6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per dwelling.
7. The Applicant shall be required to fence the proposed children's play area separately from other fences to ensure a safe play environment; the fencing shall meet UDC requirements in 11-3A-7.
8. The Applicant shall comply with all ACHD conditions of approval.
9. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
10. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
11. At least ten (10) days prior to the City Council hearing, the Applicant shall coordinate with the irrigation district to determine if landscaping is feasible on the north side of the Ridenbaugh Canal.
12. Prior to the City Engineer's signature of the final plat, the Applicant shall transfer ownership of Lot 1, Block 3 to the owner of the parcel located to the northeast (parcel #S1225110160) to ensure the existing shed is not spanning property lines.
13. Architectural design of the future homes shall be generally consistent with the submitted building elevations with the addition of masonry finishes as proposed by the Applicant.
14. The preliminary plat approval shall become null and void if the applicant fails to either 1) obtain the City Engineer signature on a final plat within two years of preliminary plat approval by City Council (date unknown at this time); or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
15. The Applicant shall comply with all ACHD conditions of approval.
16. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. **NOTE: The applicant is seeking City Council waiver to leave the adjacent waterways open.**

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 There is an existing 8-inch diameter water main on the west side of the existing pond that is not shown on the conceptual engineering plan; this water main is to be abandoned. See Exhibit VII.D for illustration of the extent of this main to be abandoned.
- 1.2 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards. A future installation

agreement is required for the streetlights on Chinden Blvd. Contact the Meridian Transportation and Utility Coordinator for additional information.

- 1.3 A sanitary sewer service will need to be installed to serve the parcel at the end of W. Winnipeg Street.
 - 1.4 **Much of this development is within an area once occupied by a sanitary sewage lagoon. The area has been reclaimed by means of imported fill materials of various sources. The GeoTechnical Engineering Report by Materials Testing & Inspection Co. (MTI) dated March 14, 2019 makes note of the various materials found at ground surface, as well as the special considerations that must be followed to ensure that structures are constructed on suitable bearing soils. It shall be required that personnel from MTI, or another qualified geotechnical engineer, verify the bearing soil suitability for each structure at the time of construction. Evidence of such determination shall be presented to the Meridian Building Inspector prior to footing inspection.**
- 2. General Conditions of Approval**
- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
 - 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
 - 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
 - 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
 - 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
 - 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed

per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.

- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.

- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT (MFD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191324&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT (MPD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191275&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192297&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192103&dbid=0&repo=MeridianCity>

G. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191405&dbid=0&repo=MeridianCity>

H. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192040&dbid=0&repo=MeridianCity>

I. CENTRAL DISTRICT HEALTH DEPARTMENT (CDH)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191385&dbid=0&repo=MeridianCity>

J. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191616&dbid=0&repo=MeridianCity>

K. ADA COUNTY HIGHWAY DISTRICT (ACHD)

Only a draft staff report has been submitted at this time. Following receipt of the final report and the Planning & Zoning Commission hearing, Staff will add the link to their report.

IX. FINDINGS**A. Preliminary Plat Findings:**

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

1. The plat is in conformance with the Comprehensive Plan;

Staff finds that the proposed plat, with Staff's recommendations, is in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)

2. Public services are available or can be made available and are adequate to accommodate the proposed development;

Staff finds that public services will be provided to the subject property with development. (See Section VIII of the Staff Report for more details from public service providers.)

3. The plat is in conformance with scheduled public improvements in accord with the City's capital improvement program;

Because City water and sewer and any other utilities will be provided by the development at their own cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.

4. There is public financial capability of supporting services for the proposed development;

Staff finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VII for more information.)

5. The development will not be detrimental to the public health, safety or general welfare; and,

Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis but has not provided comments at this time.

6. The development preserves significant natural, scenic or historic features.

Staff is unaware of any significant natural, scenic or historic features that exist on this site that require preserving. The Applicant is proposing to keep the existing pond on the property for the benefit of the development which Staff fully supports.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: August 6, 2020

Topic: **Public Hearing for TM Center (H-2020-0074) by SCS Brighton, et al., Located East of S. Ten Mile Rd. and South of W. Franklin Rd.**
A. Request: A Preliminary Plat consisting of 83 buildable lots and 2 common lots on 132.42 acres of land in the R-40, TN-C, C-C and C-G zoning districts.

Information Resources:

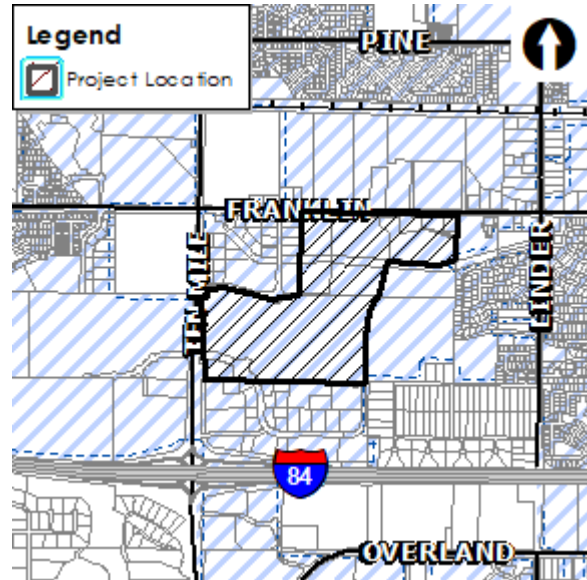
[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: August 6, 2020
TO: Planning & Zoning Commission
FROM: Sonya Allen, Associate Planner
208-884-5533
SUBJECT: H-2020-0074
TM Center - PP
LOCATION: East of S. Ten Mile Rd. & south of W. Franklin Rd., in the north half of Section 14, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

Preliminary Plat consisting of 83 buildable lots and 2 common lots on 132.42 acres of land in the R-8, R-40, TN-C, C-C and C-G zoning districts.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	132.42	
Future Land Use Designation	Mixed Use – Residential (MU-R), Medium High-Density Residential (MHDR); High Density Residential (HDR), Mixed Use – Commercial (MU-C) and Commercial in the TMISAP	
Existing Land Use	Agricultural, commercial, restaurant, carwash, office, multi-family residential	
Proposed Land Use(s)	Commercial and high density residential	
Current Zoning	Mostly R-40, C-C and C-G with small remnants of R-8 & TN-C	
Proposed Zoning	NA	
Lots (# and type; bldg/common)	83 building (74 commercial, 9 high-density residential)/2 common	
Phasing plan (# of phases)	6 (conceptually, based on market demand)	
Number of Residential Units (type of units)	TBD	
Density (gross & net)	TBD	

Open Space (acres, total [%] / buffer / qualified)	TBD with future residential development	
Amenities	TBD with future residential development	
Physical Features (waterways, hazards, flood plain, hillside)	The Ten Mile Creek and Kennedy Lateral cross this site	
Neighborhood meeting date; # of attendees:	March 12, 2020; 6 attendees	
History (previous approvals)	TM Creek East – H-2015-0018 (MDA #2016-037777); Ten Mile Center – AZ-14-001 (DA #2014-065514); Calnon – H-2015-0017 (AZ/CPAM, DA #2016-030845); Bainbridge Franklin – H-2018-0057 (AZ DA #2019-077071) <i>[Associated but not part of this application: TM Crossing – CPAM-12-001/AZ-12-005 (DA #114002254)/PP-12-003/H-2016-0054 (MDA #2016-062220)/H-2017-0027 (MDA 2017-051907)/H-2018-0122 (MDA #2019-011700); and TM Creek – AZ-13-015 (DA #114045759)/PP-13-030/H-2016-0067 (MDA #2016-072497)/H-2017-0124 (MDA #2017-113747)]</i>	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes (draft)	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No A full Traffic Impact Study (TIS) was not required.	
<ul style="list-style-type: none"> Existing Conditions 	Abutting roadways (Ten Mile & Franklin Rds.) are fully improved.	
<ul style="list-style-type: none"> CIP/IFYWP 	NA	

Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One collector street access (S. New Market Ave.) and two (2) driveway accesses are proposed via Franklin Rd.	
Traffic Level of Service	Better than “D”) – Franklin & Ten Mile Roads (acceptable level of service is “E”)	
Stub Street/Interconnectivity/ Cross Access	Cobalt Dr. is being extended from the west boundary to the east to New Market; Wayfinder is being extending between the two roundabouts; and New Market is extending from Franklin to the south boundary for extension from TM Crossing	
Existing Road Network	Ten Mile and Franklin Roads exist along the west and north boundaries of this site. Vanguard exists at the southwest corner of the site and provides a connection from Ten Mile Rd. to the south and includes a roundabout with a stub to this property.	
Existing Arterial Sidewalks / Buffers	A detached sidewalk exists along Franklin, no buffer; an existing asphalt pathway exists along Ten Mile, no buffer	
Proposed Road Improvements	None	

Fire Service

• Distance to Fire Station	1.7 miles – Fire Station #2	
• Fire Response Time	Falls within 5 minute response time	
• Resource Reliability	76% for Fire Station #2 – does <i>not</i> meet the target goal of 80% or greater	
• Risk Identification	Risk factor of 4 – current resources would <i>not</i> be adequate to supply service to this project (see comments in Section VIII.C)	
• Accessibility	Project meets all required access, road widths and turnarounds	
• Special/resource needs	An aerial device is required; the closest truck company is 6 minutes travel time (under ideal conditions) – Fire Dept. can meet this need in the required timeframe if required.	
• Water Supply	Requires 1,500 gallons per minute for 2 hours; may be less if building is fully sprinklered, which all are proposed to be	
• Other Resources	NA	

Police Service

• Distance to Police Station	4 miles	
• Police Response Time	3.5 minutes	
• Calls for Service	577 within a mile of site (3/1/2019 – 2/29/2020)	
• Accessibility	No concerns with the proposed access	
• Specialty/resource needs	No additional resources are required at this time; the PD already services the area	
• Crimes	67 within a mile of site (3/1/2019 – 2/29/2020)	
• Crashes	25 within a mile of site (3/1/2019 – 2/29/2020)	

West Ada School District

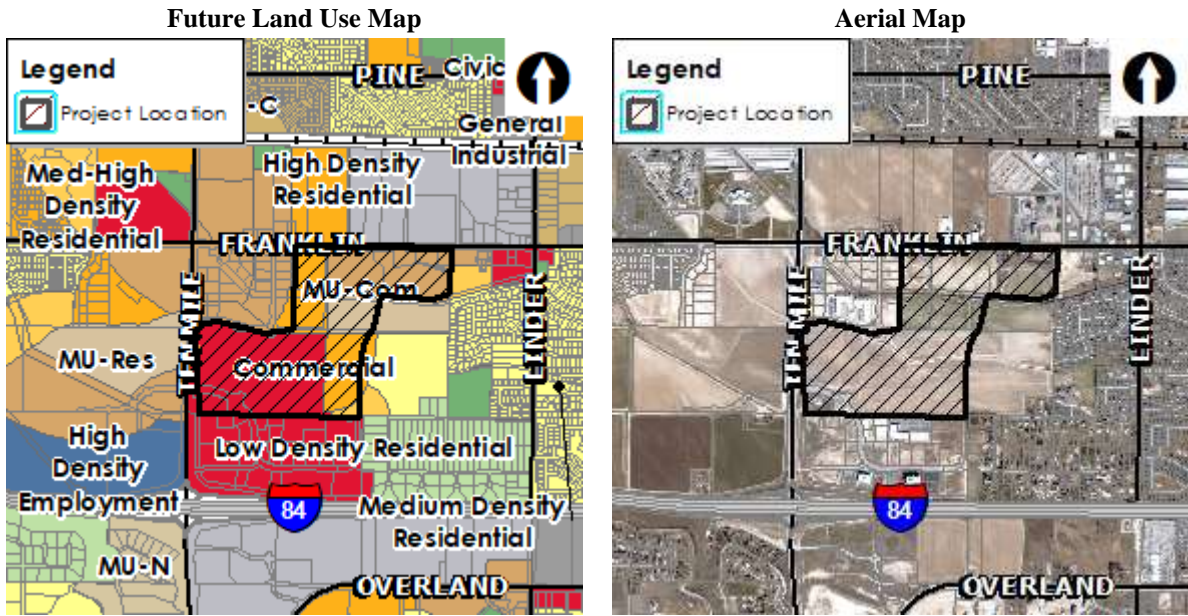
No comments were received

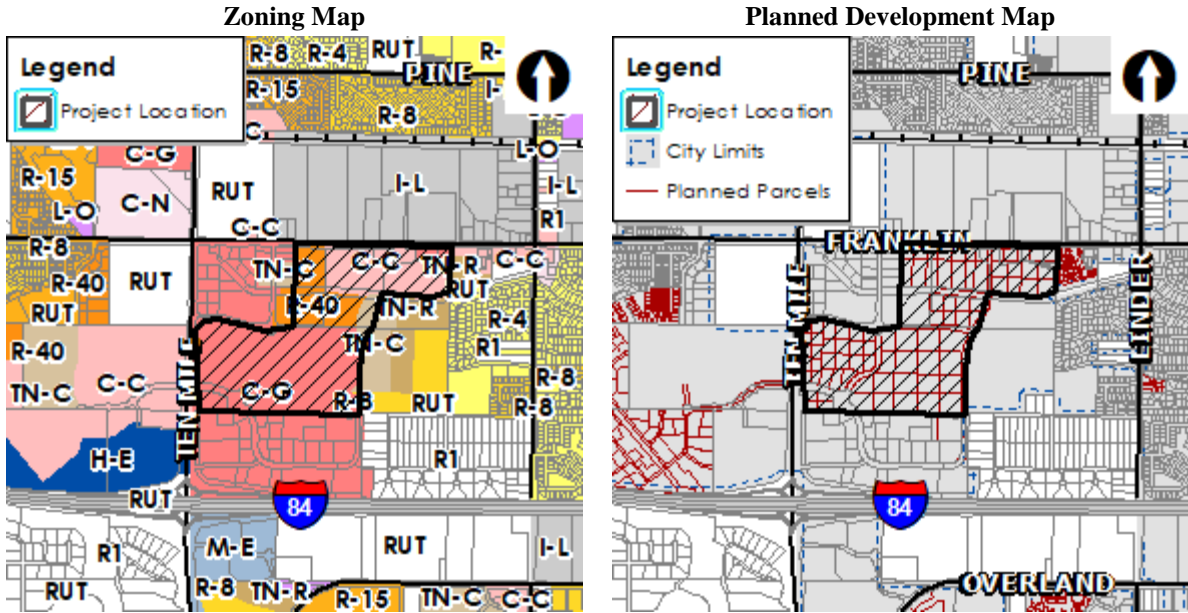
Wastewater

• Distance to Sewer Services	Directly adjacent	
• Sewer Shed	South Black Cat Trunkshed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	13.96	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Impacts/Concerns	The current sewer configuration submitted with this application, depicts at intersection of Colbalt and New Market Avenue, flow being enabled to go in either the north or the west direction. This needs to be corrected so flow only goes in one direction. Based on conversations with applicant 8" sewer line on Cobalt will not connect to manhole at intersection.	

Water	
<ul style="list-style-type: none"> Distance to Water Services 	Directly adjacent
<ul style="list-style-type: none"> Pressure Zone 	2
<ul style="list-style-type: none"> Estimated Project Water ERU's 	See application
<ul style="list-style-type: none"> Water Quality Concerns 	This development will result in a long deadend water main which may result in poor water quality. Connecting to the south will eliminate this deadend and correct this problem.
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> To alleviate the water quality issues, this development must extend the proposed 12" water main south to connect into the existing water main in S New Market Ave (TM Crossing No 4). Make sure to tie into the existing 12" water stub in Vanguard (between lots 6 & 25, block 1)

C. Project Maps





III. APPLICANT INFORMATION

A. Applicant:

SCS Brighton, et al – 2929 W. Navigator Dr. #400, Meridian, ID 83642

B. Owners:

- SCS Brighton, LLC – 2929 W. Navigator Dr. #400, Meridian, ID 83642
- SCS Brighton II, LLC – 2929 W. Navigator Dr., #400, Meridian, ID 83642
- DWT Investments, LLC – 2929 W. Navigator Dr., #400, Meridian, ID 83642
- SCS Investments, Inc. – 2929 W. Navigator Dr., #400, Meridian, ID 83642
- SCS Investments, LLC – 2929 W. Navigator Dr., #400, Meridian, ID 83642
- SCS TM Creek, LLC – 2929 W. Navigator Dr., #400, Meridian, ID 83642
- Brighton Land Holdings, LLC – 2929 W. Navigator Dr., #400, Meridian, ID 83642

C. Representative:

Michael D. Wardle, Brighton Corporation – 2929 W. Navigator Dr. #400, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	7/17/2020	
Radius notification mailed to property owners within 300 feet	7/14/2020	
Public hearing notice sign posted on site	7/21/2020	

Nextdoor posting

7/14/2020

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE:

This property is primarily designated on the Future Land Use Map in the Comprehensive Plan for High-Density Residential (HDR), Mixed Use – Residential (MU-R), Mixed Use – Commercial (MU-C) and Commercial uses with a small portion designated for MHDR (Medium High-Density Residential) uses that is part of a larger MHDR designated area to the east. Development of this area is governed by the Ten Mile Interchange Specific Area Plan (TMISAP). See pages 3-6 thru 3-9 in the Comprehensive Plan for more information on these specific land use designations.

Conceptual development plans and/or uses have previously been approved with Development Agreements (DA's) for the land proposed to be subdivided as follows: TM Center (Inst. #2014-065514), Bainbridge Franklin (Inst. #2019-077071), Calnon (Inst. #2016-030845) and TM Creek East (Inst. #2016-037777).

TRANSPORTATION:

No road improvements are planned adjacent to this site as Ten Mile Rd. is fully improved with 5-travel lanes, curb and gutter; and Franklin Rd. is fully improved with 5-travel lanes with curb, gutter and 5-foot wide attached sidewalk abutting the site. A traffic signal exists at the S. Vanguard Way/S. Ten Mile Rd. intersection and a signal has been installed through the poles at the W. Franklin Rd./S. Wayfinder Way intersection – ACHD will hang the mast arms when warranted. Conduit was also installed at the New Market Ave./Franklin Rd. intersection with the Franklin Road widening project to accommodate installation of a future signal which is required to be constructed through the signal poles and luminaires prior to signature on the final plat. When ACHD determines it's warranted in the future, the District will complete installation of the signal and put it into operation.

Street Network (3-17): The Transportation System Map included in the TMISAP (pg. 3-18) shown below depicts collector streets through this site connecting to existing and future collector streets to the north and south. These street locations coincide with the towncenter collector streets depicted on the Master Street Map (MSM). Roundabouts are also depicted on the Map at the Cobalt/Wayfinder and Vanguard/Wayfinder intersections, which have been constructed.



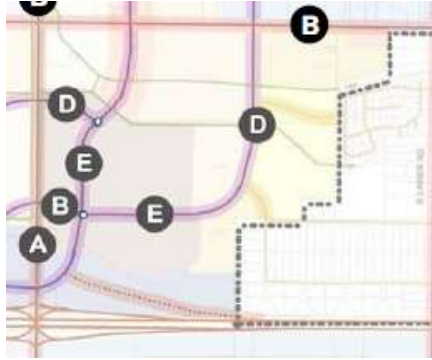
Two (2) north/south collector streets (S. Wayfinder Way and S. New Market Ave.) are proposed on the plat in locations consistent with the Transportation System Map and the MSM. An east/west collector street is not proposed along the southern boundary of the site because a collector street (W. Navigator Dr.) was constructed further to the south with development of the adjacent TM Crossing subdivision, which was deemed to meet the intent of the Maps and provide the desired east/west connection. Another east/west collector street (W. Cobalt Dr.) is proposed through the middle of this site for a connection between Ten Mile Rd. and New Market Ave. that is not depicted on the Transportation System Map or the MSM, which provides more needed connectivity in this area.

Access Control (3-17): In order to move traffic efficiently through the Ten Mile area and optimize performance of streets, direct access via arterial streets is prohibited except for collector street connections. Access to arterial streets should occur via the collector road system. **Two (2) driveway accesses via Franklin Rd. are depicted on the plat. These accesses are prohibited unless specifically approved by the City and ACHD. The City conceptually approved the eastern driveway access via Franklin with the Bainbridge Franklin annexation as set forth in the DA (see provision #5.1i). ACHD has not approved these accesses and is requiring a traffic analysis be submitted to demonstrate additional driveways are necessary to serve the site.**

Complete Streets (3-19): Streets should be designed to serve all users – motorists, bus riders, bicyclists, and pedestrians, including people with disabilities. Bicycling and walking facilities should be incorporated into all streets unless exceptional circumstances exist such as roads where bicyclists or pedestrians are prohibited by law, where the costs are excessive, or where there is clearly no need. **The following are features that should be considered as a starting point for each street: sidewalks, bike lanes, wide shoulders, crosswalks, refuge medians, bus pullouts, special bus lanes, raised crosswalks, audible pedestrian signals, sidewalk bulb-outs, street furnishings and on-street parking.** The street sections depicted on the plat incorporate detached sidewalks/pathways, planter strips and bike lanes along all streets and on-street parking and 2-way left turn lanes within Wayfinder and New Market. **The Applicant should address at the public hearing (or before the hearing in writing) what other features are proposed in accord with this guideline. Staff believes the elements are integral to Ten Mile area to keep many of the multi-modal options envisioned by the Plan.**

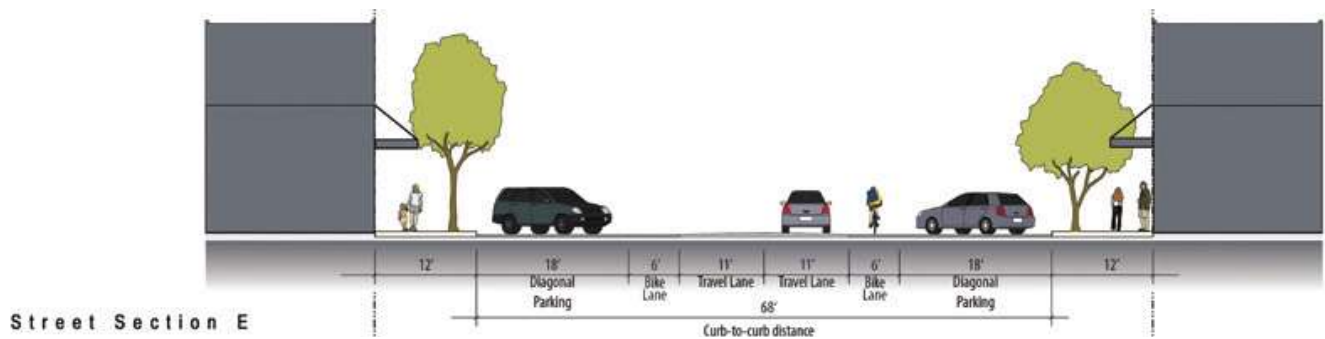
Street Design (3-20): The TMISAP includes several street section types for specific uses and conditions based on projected vehicular and pedestrian usage, desired parking conditions, specific physical conditions, public emergency access, and streetscape character. Streets within the Ten Mile area should be designed and sized to optimize pedestrian comfort and to facilitate slow-moving traffic. It's desirable that lanes on streets be 11 feet in width with the exception of those lanes closest to the intersections with Franklin and Ten Mile Roads which can increase to 12 feet from the point of the intersection with the arterial street to the point of the intersection with another street or access point.

The Street Section Map contained in the TMISAP (pg. 3-22) shown below depicts specific street section classifications for each of the streets shown on the Transportation System Map. These classifications have both a functional and a design-related classification to balance the design considerations for pedestrians and motorists.



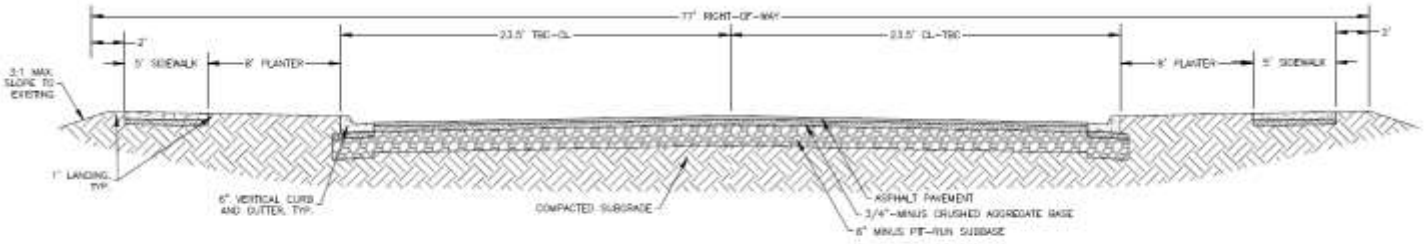
The western north/south collector street (proposed as S. Wayfinder Way) designated as “E”, which is a minor collector street, will extend to the north to a future signalized intersection at W. Franklin Road and to the south to Vanguard to a signal at Ten Mile Rd. This street should be constructed in accord with Street Section E shown below with two (2) 11’ travel lanes, 6’ bike lanes, 18’ diagonal parking and 12’ sidewalks with trees in wells (see pgs. 3-21 & 3-23 in the TMISAP).

Minor collector streets serve as the primary retail streets and are pedestrian-oriented and defined by street-level storefronts. Buildings are built to 12-foot wide sidewalks with street trees in wells and pedestrian-scale lighting. A 5-foot wide dry-utilities corridor should be provided along both sides of the street curb; both wet utilities may be located in the street; and streetlights should be placed in the dry utilities corridor on either side of the street.



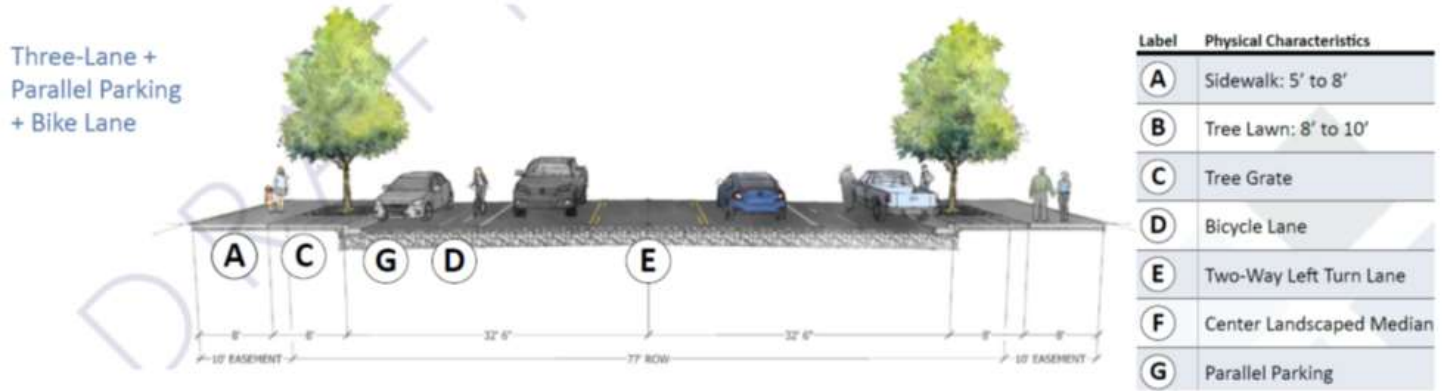
This street is designated on the Master Street Map (MSM) as a towncenter collector street, which differs from the minor collector street in the TMISAP in that it has a center turn lane and parallel parking (see ACHD’s [Livable Street Design Guide](#), pg. 23).

The proposed plat depicts a north/south collector street (S. Wayfinder Way) in alignment with that shown on the Street Section Map and the MSM. The street section from the plat and a detail is shown below consistent with a towncenter collector street and generally consistent with Street Section E except that it has a center turn lane and on-street parallel instead of diagonal parking. This section may be modified to allow parallel parking as a local section in these areas; parallel parking was allowed in the section of Wayfinder north of the Ten Mile Creek bridge. **Staff is amenable to parallel parking being provided in this section of Wayfinder consistent with that to the north if determined appropriate by City Council.** *Note: Construction plans for completion of this street were submitted to ACHD earlier this year and have been approved per the ACHD report.*



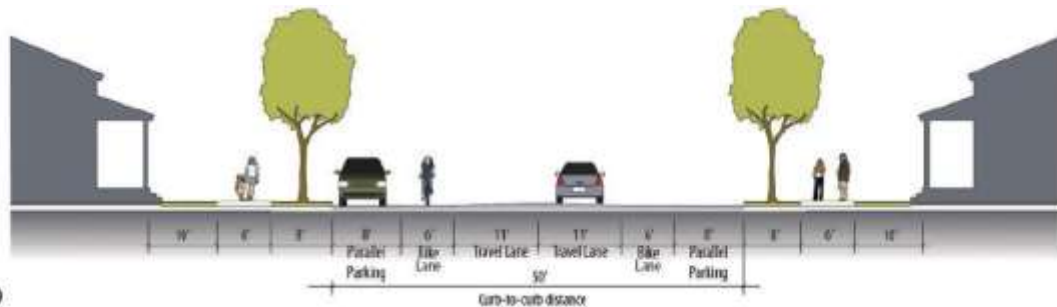
STREET SECTION: S. WAYFINDER AVE.

SCALE: NTS



The eastern north/south collector street (proposed as S. New Market Ave.) designated as “D”, which is a residential collector street, will extend from Franklin Rd. to the south boundary of the site and connect to Navigator Dr. in the TM Crossing project. This street should be constructed in accord with Street Section D shown below with two (2) 11’ travel lanes, 6’ bike lanes, 8’ parallel on-street parking, 8’ planter strips, 6’ detached sidewalks and 10’ buffers (see pgs. 3-21 & 3-23 in the TMISAP). New Market will connect to W. Franklin Rd. at the north boundary and extend to the south with future development of TM Crossing subdivision to W. Navigator Dr.

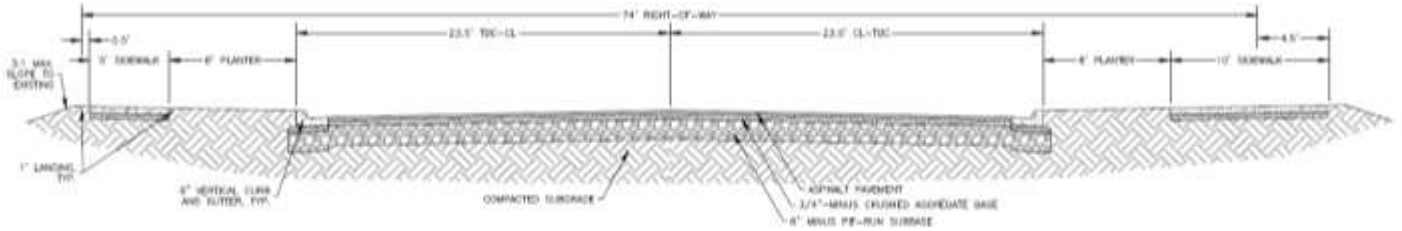
Residential collector streets serve the local access needs of residential, live/work, and commercial activities within a residential neighborhood or mixed use residential area. Buildings on these streets should have limited setbacks behind the sidewalk and a tree lawn should be provided. On-street parking is allowed. A 5-foot dry utilities corridor should be provided along both sides of the street curb; both wet utilities may be located in the street; and streetlights should be placed in the dry utilities corridor on either side of the street.



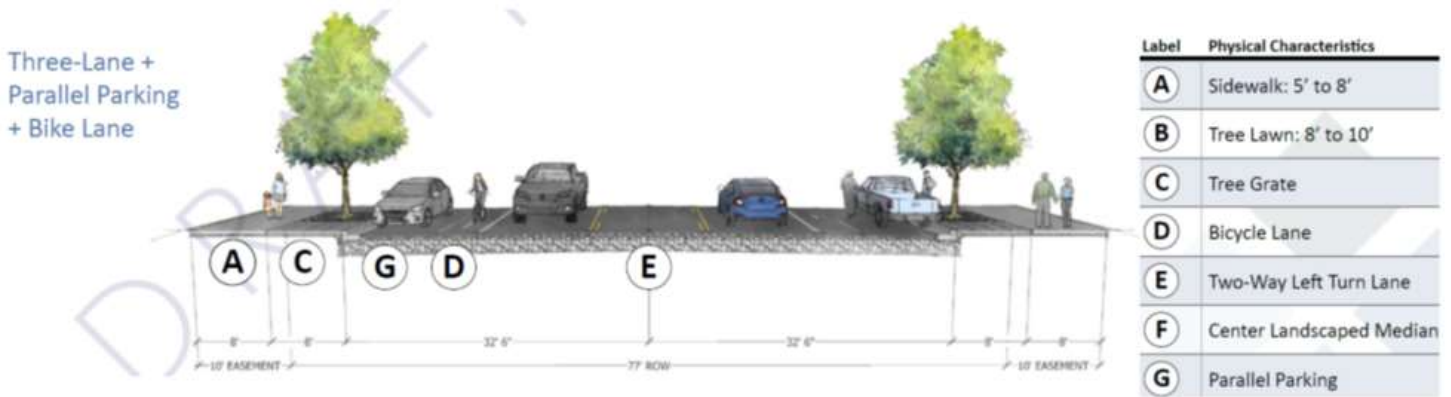
Street Section D

This street is designated on the Master Street Map (MSM) as a towncenter collector street and differs from a residential collector street in the TMISAP in that it has a 11’ center turn lane and no buffer (see ACHD’s [Livable Street Design Guide](#), pg. 23).

The proposed plat depicts a north/south collector street (S. New Market Ave.) in alignment with that shown on the Street Section Map and MSM. **The street section from the plat and a detail is shown below consistent with a towncenter collector street. ACHD has approved the street to be constructed as a towncenter collector street consistent with the MSM although the MSM designation differs from that on the Street Section Map in the TMISAP, which is a residential collector street. Staff recommends the detached sidewalk on the east side of New Market is constructed as a 10' multi-use pathway in accord with the Pathways Master Plan and buffers are constructed at the back edge of the sidewalk/pathway where residential uses are proposed along the street consistent with that depicted on Street Section D. Where residential uses are *not* constructed along along the street, a 12' sidewalk/pathway with tree grates should be constructed.**

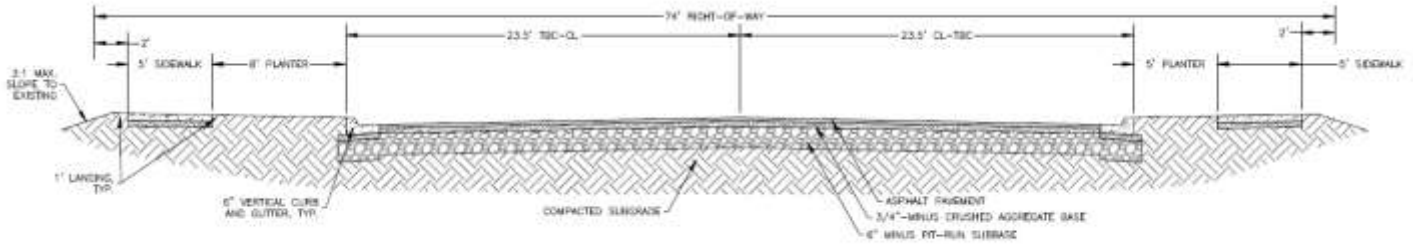


STREET SECTION: S. NEW MARKET AVE.



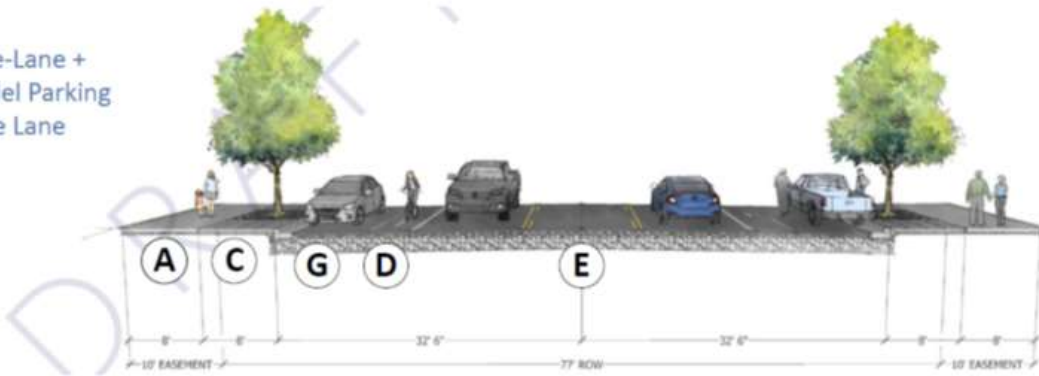
The Street Section Map shown above, nor the MSM, depicts an east/west collector where W. Cobalt Dr. is proposed to extend between Wayfinder and New Market although it does depict such further to the south in alignment with the access via Ten Mile Rd. along the southern boundary of this site which was actually constructed further to the south (i.e. Navigator Dr.) as discussed above. This southern section is designated as a minor collector street (“E”) on the Street Section Map in the TMISAP and as a towncenter collector on the MSM. The portion of Cobalt west of Wayfinder is designated as a residential collector street (Street Section D). The proposed street will provide a connection from Ten Mile between Wayfinder and New Market which Staff believes provides more connectivity in this area as desired.

The street section from the plat and a detail is shown below consistent with a towncenter collector street. This segment of Cobalt was previously approved as part of ACHD’s action on the TM Creek East Apartments that’s currently under construction. A buffer area was depicted on the landscape plan for the apartments project on the north side of the street at the back edge of the sidewalk consistent with Street Section D for residential collector streets; this should be continued to the east (and south if applicable) with future residential projects.



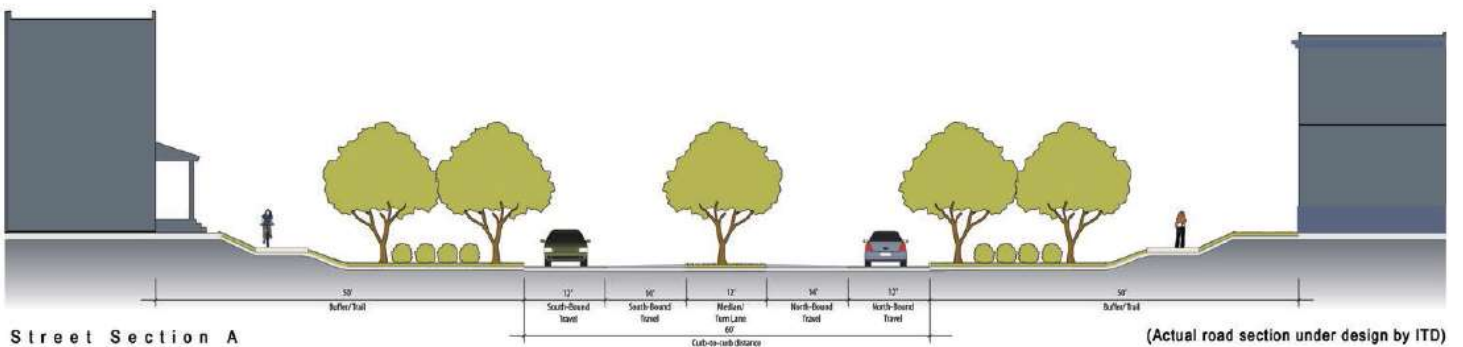
STREET SECTION: W. COBALT DR.

Three-Lane + Parallel Parking + Bike Lane

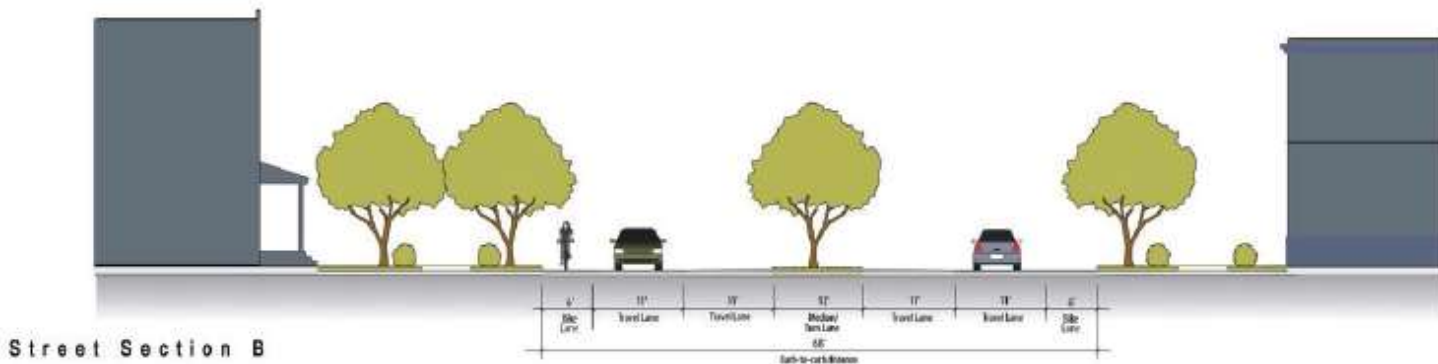


Label	Physical Characteristics
A	Sidewalk: 5' to 8'
B	Tree Lawn: 8' to 10'
C	Tree Grate
D	Bicycle Lane
E	Two-Way Left Turn Lane
F	Center Landscaped Median
G	Parallel Parking

South Ten Mile Rd., an existing arterial street along the west boundary of the site, is designated as a modified 4-lane parkway (“A”) on the Street Section Map. **Buildings should address the street but be set back some distance from the roadway to provide security to the pedestrians and bikes and a wide tree lawn and detached trail should be provided as shown on Street Section A below. Streetlights should be located in the tree lawn area and should be of a pedestrian scale. Dry utilities should be located back of the curb in the dry utilities corridor.**



West Franklin Rd., an existing arterial street along the north boundary of the site, is designated as a typical 4-lane parkway (“B”) on the Street Section Map. **Buildings should address the street but be set back some distance from the roadway edge to provide for a tree lawn and detached sidewalk to provide security to the pedestrian as shown on Street Section B below. Streetlights should be located in the tree lawn area and be of a pedestrian scale. Dry utilities should be located back of the curb in the dry utilities corridor.**



Note: If land uses in this area change with a future PUD application, changes may be required to the street sections approved with this application. If improvements are needed that can't be accommodated in existing right-of-way, such improvements may be required to be placed in an easement or additional right-of-way may need to be dedicated.

Streetscape (3-25): All streets should include street trees within the right-of-way. The proposed development incorporates tree-lined streets with detached sidewalks throughout.

Public Art (3-47): Public art with a high quality of design should be incorporated into the design of streetscapes. No public art is proposed. **Staff recommends public art is provided in the streetscape in accord with the TMISAP.**

Public transit (3-25) – Commercial and employment activity centers need access by multiple modes of transportation and should be pedestrian and transit friendly. Public transit is also important component of residential developments as it effectively decreases parking needs by reducing the number of cars needed for residents.

Transit stops should be designed with shelters for weather protection to patrons; the design of such should be coordinated between the City, VRT and ACHD ensuring architectural consistency with the general theme of the activity center. Transit locations should include pedestrian amenities such as landscaping, pedestrian and landscape lighting, benches and trash receptacles consistent with the design and location of the shelter

Valley Regional Transit (VRT) currently has an intermediate stop at Ten Mile Crossing in its Boise-Nampa service. As the project's employment and residential population grows and more of the internal street systems are completed, the opportunity for expanded transit service will also grow. The Applicant's narrative states Stephen Hunt, VRT Principal Planner, has been tasked to work with Brighton to determine the nature and timing of that service. Public transportation, specifically VRT service and facility needs, is proposed to be addressed in the future with the PUD application. **Staff recommends public transit accommodations are provided in this development in accord with the TMISAP.**

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- "Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services." (3.03.03F)

City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21.

- "With new subdivision plats, require the design and construction of pathway connections, easy

pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities.” (2.02.01A)

Pathways are proposed throughout the development along at least one side of internal public streets as shown on the pathways plan in Section VIII.C. A pathway is planned with future development to the school site to the east for connectivity and a safe route to the school. A multi-use pathway is proposed within the Ten Mile Creek corridor as an amenity in accord with the Pathways Master Plan.

- “Improve and protect creeks and other natural waterways throughout commercial, industrial and residential areas.” (4.05.01D)

The Ten Mile creek runs east/west through this site and is proposed to be improved as an amenity corridor with a multi-use pathway.

- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)

The proposed development will connect to City water and sewer systems; services are proposed to be provided to and through this development in accord with current City plans.

- “Require collectors consistent with the ACHD Master Street Map (MSM), generally at/near the mid-mile location within the Area of City Impact.” (6.01.03B)

Collector streets are proposed consistent with the MSM.

- “Provide pathways, crosswalks, traffic signals and other improvements that encourage safe, physical activity for pedestrians and bicyclists.” (5.01.01B)

Pathways are proposed within the development per the pathways plan in Section VIII.C. Crosswalks, audible pedestrian signals and other improvements to encourage safety should be considered and provided as appropriate for pedestrians and bicyclists.

- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)

Urban sewer and water infrastructure and curb, gutter and sidewalks is required to be provided with development as proposed.

VI. STAFF ANALYSIS

A. PRELIMINARY PLAT

The proposed preliminary plat consists of 83 (74 commercial, 9 high-density residential) buildable lots and 2 common lots on 132.42 acres of land in the R-8, R-40, TN-C, C-C and C-G zoning districts.

The plat is conceptually proposed to develop in six phases. Phase 1 consisting of multi-family apartments in TM Creek East on Lot 16, Block 3 is currently under construction; no development has occurred on the remainder of the site. Phase 2 is proposed to commence this year with the completion of Wayfinder from Vanguard to Cobalt between the existing roundabouts. The development of Phases 3-6 may vary in area and sequence based on product need and market demand.

The proposed common lots will contain the Ten Mile Creek corridor which includes a 10-foot wide segment of the City’s multi-use pathway system on one side and the Nampa and Meridian Irrigation District’s (NMID) maintenance road on the other side (Lot 15, Block 3); and the relocated Von Lateral, which will be deeded to NMID (Lot 1, Block 4).

The Applicant is in the process of preparing a Planned Unit Development application which will govern future development of this overall area in conjunction with the TMISAP. A modification to Development Agreements governing this site to replace the agreements with one overall new agreement is also anticipated along with a rezone to align zoning boundaries with the proposed lot configurations and change the zoning of Lots 20 and 21 and remnant pieces of Lots 19 and 22 that are currently TN-C to the R-40 zoning district.

Existing Structures/Site Improvements:

There are no existing structures on this site. West Cobalt Dr. has been constructed east of the Cobalt/Wayfinder roundabout in front of the TM Creek East apartments project but the design of such was not previously approved with a subdivision plat for consistency with the TMISAP. South Vanguard Way from Ten Mile Rd. and the roundabout at the southwest corner of the site was constructed with the TM Crossing development to the south.

Dimensional Standards (UDC [11-2](#)):

The proposed subdivision and subsequent development is required to comply with the minimum dimensional standards listed in UDC Tables 11-2A-6 (R-8), 11-2A-8 (R-40), 11-2B-3 (C-C and C-G) and 11-2D-5 (TN-C), as applicable. Staff has reviewed the proposed plat and it complies with these standards.

Access (UDC [11-3A-3](#)):

Previous projects (i.e. TM Crossing and TM Creek) in this area established collector street intersections with S. Ten Mile Rd. (i.e. Cobalt and Vanguard) and W. Franklin Rd. (Wayfinder); extension of these streets (Wayfinder and Cobalt) are proposed with this application as depicted on the plat. One new collector street access (New Market) is proposed via Franklin Rd. which will align with the segment of New Market to be constructed to the south in TM Crossing Subdivision. The proposed access points, road alignments and street sections generally conform with the Transportation System Map in the TMISAP and the Master Street Map.

Two (2) driveway accesses are depicted on the plat via W. Franklin Rd. on Lot 4, Block 3 and Lot 4, Block 4. The access on Lot 4, Block 4 was previously conceptually approved with the Bainbridge Franklin annexation by the City (DA provision #1.1.1i) and ACHD (Site Specific condition #B.1) as a temporary full access which may be restricted to a right-in/right-out at any time as determined by ACHD – other than this access, all other access via Franklin on the Bainbridge Franklin site was prohibited. **Per the guidelines in the TMISAP for Street Section B (pg. 3-22) and access control (pg. 3-17), access should be restricted to collector streets. The (UDC 11-3A-3) also limits access points to arterial streets. City Council approval of the proposed driveway access on Lot 4, Block 3 is required; ACHD has approved this access.**

A cross-access/ingress-egress easement is required to be granted via a note on the plat between all non-residential lots and to the parcel to the east (#R8580480020, Twelve Oaks) per requirement of the existing DA for Bainbridge Franklin in accord with UDC 11-3A-3A.2. A note should also be placed on the plat that direct lot access via S. Ten Mile Rd. and W. Franklin Rd. is prohibited unless otherwise approved by the City and ACHD.

Pathways (UDC [11-3A-8](#)):

The Pathways Master Plan (PMP) depicts segments of the City’s multi-use pathway system on this site as follows: on-street within the street buffer along Ten Mile Rd., along the Ten Mile Creek corridor and along New Market Ave. Multi-use pathways are required to be 10-feet wide within a 14-foot wide public pedestrian easement with landscaping on either side per the standards listed in UDC 11-3B-12C.

A pathways plan was submitted by the Applicant, included in Section VIII.C that depicts 8 to 10-foot wide pathways throughout this site and the adjacent properties owned by the same developer consistent with the PMP totaling 3.5 miles of pathways. These pathways connect to the City’s multi-use pathways

and provide a pedestrian connection to the school site to the east. **Pathways and associated landscaping should be depicted on a revised landscape plan submitted with the final plat(s) in accord with UDC standards and the Pathways Master Plan as recommended by the Park's Dept.**

Sidewalks (*UDC [11-3A-17](#)*):

The UDC (11-3A-17) requires minimum 5-foot wide detached sidewalks along all collector and arterial streets. **In the Ten Mile area, wider sidewalks are required ranging from 6 to 12 feet depending on the street section classification; detached sidewalks should be provided at the widths noted in the Plan as discussed above in Section V.**

Parkways (*UDC [11-3A-17](#)*):

Parkways are required to be landscaped per the standards listed in UDC 11-3B-7C in accord with the TMISAP, which requires 8-foot wide tree lawn areas between the curb and sidewalk, except for Street Section E (i.e. Wayfinder and New Market; and Cobalt if non-residential uses are developed on the south side of the street) where trees should be in wells between the street and walkway.

Landscaping (*UDC [11-3B](#)*):

Street buffers are required to be provided along all streets as follows: 25-foot wide along W. Franklin Rd., 35-foot wide along S. Ten Mile Rd., and 20-foot wide along S. Wayfinder Ave., W. Cobalt Dr., S. New Market Ave., and S. Vanguard Way, measured from back of curb, landscaped per the standards listed in UDC 11-3B-7C. **The landscape plan submitted with the final plat(s) should depict landscaping as required.**

Qualified Open Space & Site Amenities (*UDC [11-3G](#)*):

Common open space and site amenities are required to be provided in residential developments of five acres or more in size per the standards listed in UDC 11-3G-3. Although a portion of this site is planned to develop with residential uses in the future, no development is proposed with this application. **Future development should comply with the standards in UDC 11-3G-3 as applicable.**

As mentioned above, 3.5 miles of pathways are proposed in the area shown on the pathways plan in Section VIII.C as an amenity for this development.

Fencing (*UDC [11-3A-6](#), [11-3A-7](#)*):

No fencing is depicted on the landscape plan. All fencing constructed on the site is required to comply with the standards listed in UDC 11-3A-6 and 11-3A-7.

Waterways: The Kennedy Lateral and the Ten Mile Creek run east/west across this site and the Von Lateral runs across the northeast corner of the site.

The Ten Mile Creek lies within a 100-foot wide easement in Lot 15, Block 3 and is a natural waterway; as such, it should remain as a natural amenity and not be piped or otherwise covered and be improved with the development and protected during construction in accord with UDC 11-3A-6. A maintenance road exists for NMID on the north side of the creek and a multi-use pathway is planned on the south side of the creek.

The Kennedy Lateral lies within a 55-foot wide easement and is required to be piped unless left open and improved as a water amenity or linear open space.

The Von Lateral lies within a 40-foot wide easement and is proposed to be relocated along Franklin Rd. in Lot 1, Block 4 and deeded to NMID.

Utilities (*UDC [11-3A-21](#)*):

Connection to City water and sewer services is required in accord with UDC 11-3A-21. Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances and the TMISAP. *See Section VIII.B below for Public Works comments/conditions.*

Pressurized Irrigation System (UDC 11-3A-15):

An underground pressurized irrigation (PI) system is required to be provided for each lot within the development as set forth as set forth in UDC 11-3A-15.

Storm Drainage (UDC 11-3A-18):

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18.

Building Elevations (UDC 11-3A-19 | *Architectural Standards Manual*) ([TMISAP](#))

The Applicant submitted pictures/renderings of 14 existing and approved buildings at TM Crossing: commercial, office, retail and residential structures including multi-story office buildings; single-story commercial structures (medical, hospice, gym, restaurant and food service, retail, auto service); and the first two multi-family projects (see Section VIII.D). The Applicant proposes to include these as "typical" elevations in the future PUD application as a point of reference for future design review submittals.

Final design of structures in this development is required to comply with the design standards listed in the Architectural Standards Manual and the design guidelines in the TMISAP.

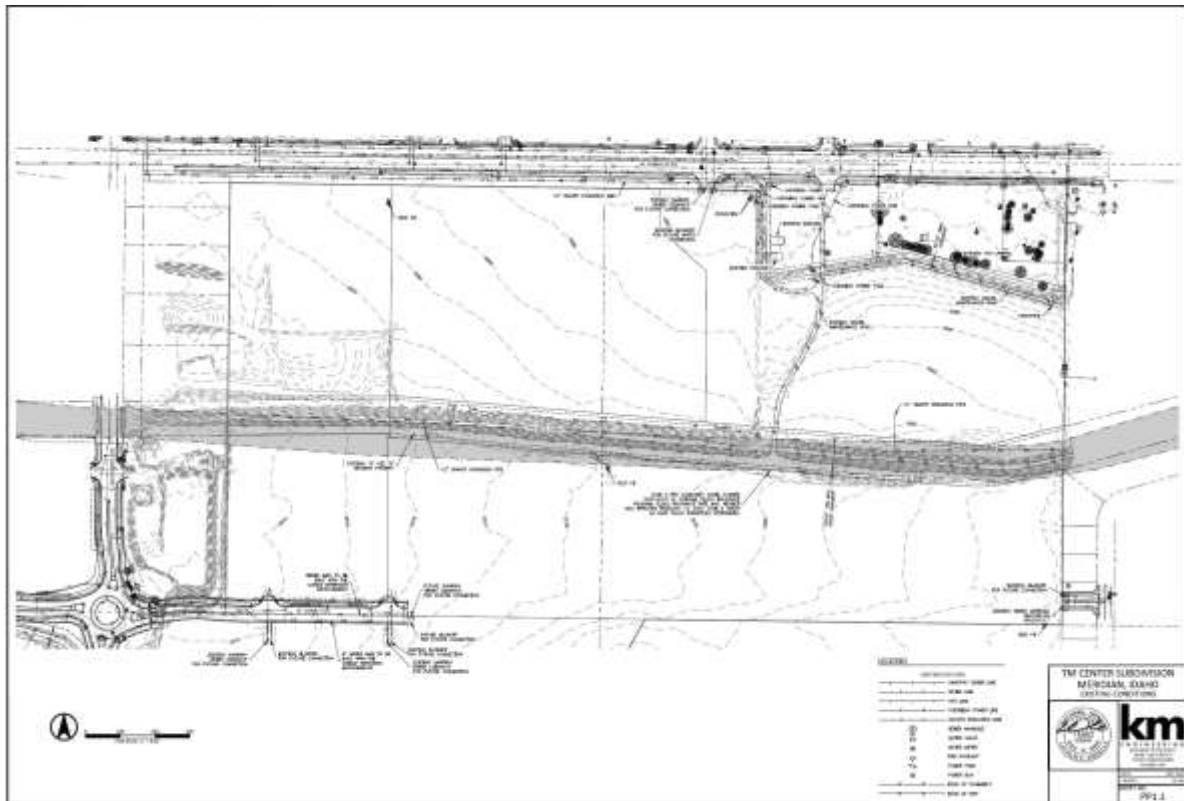
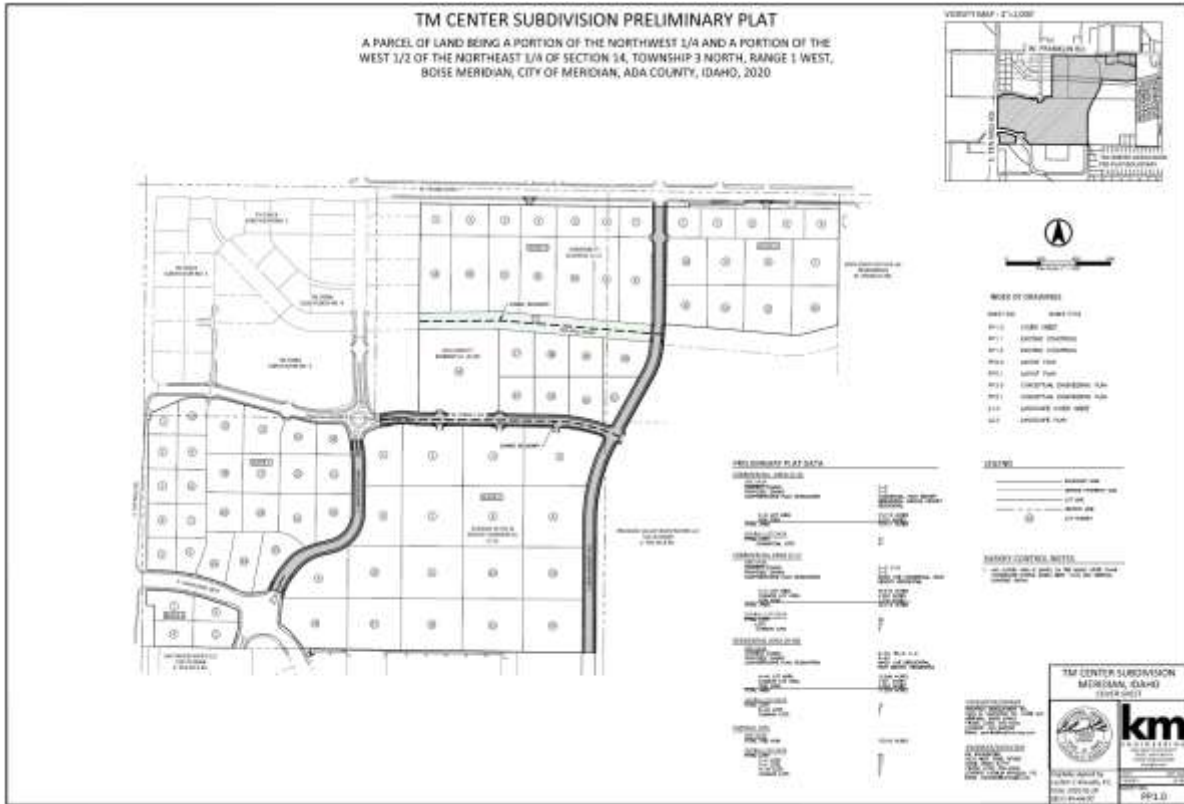
VII. DECISION

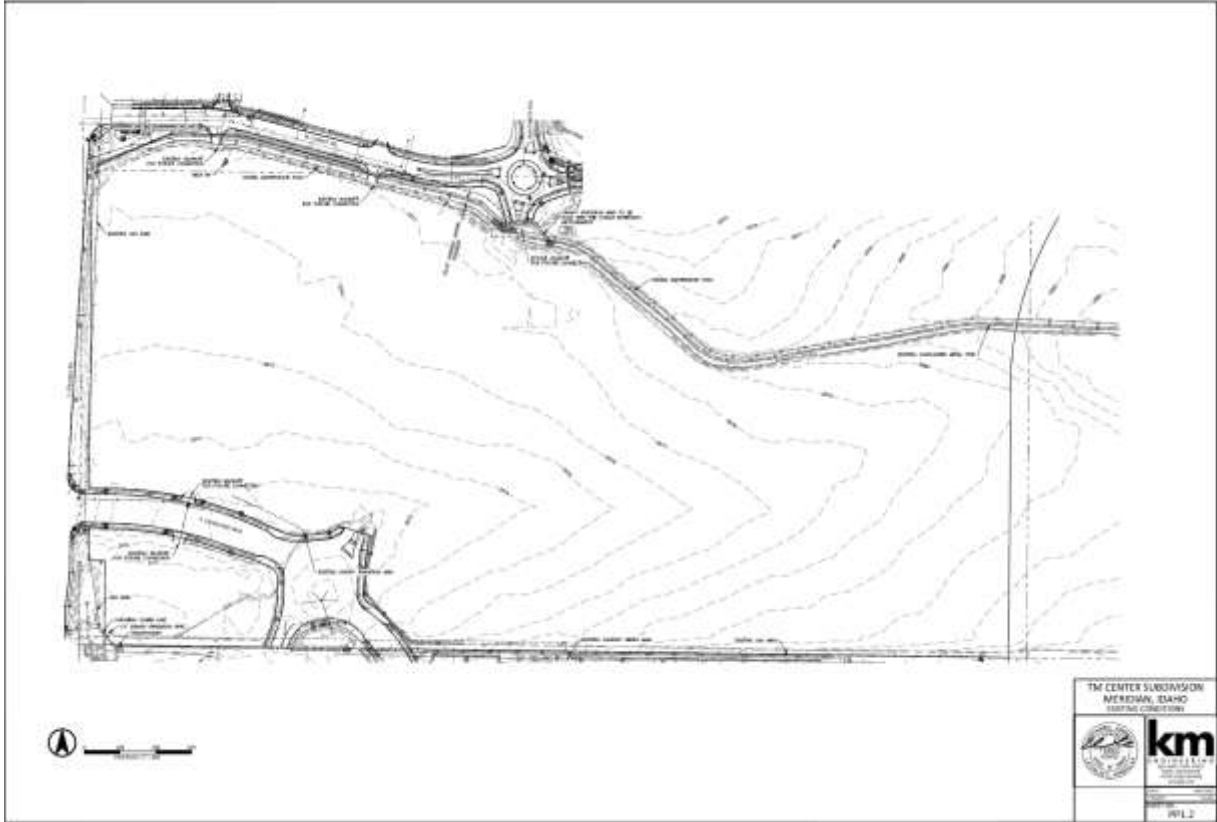
A. Staff:

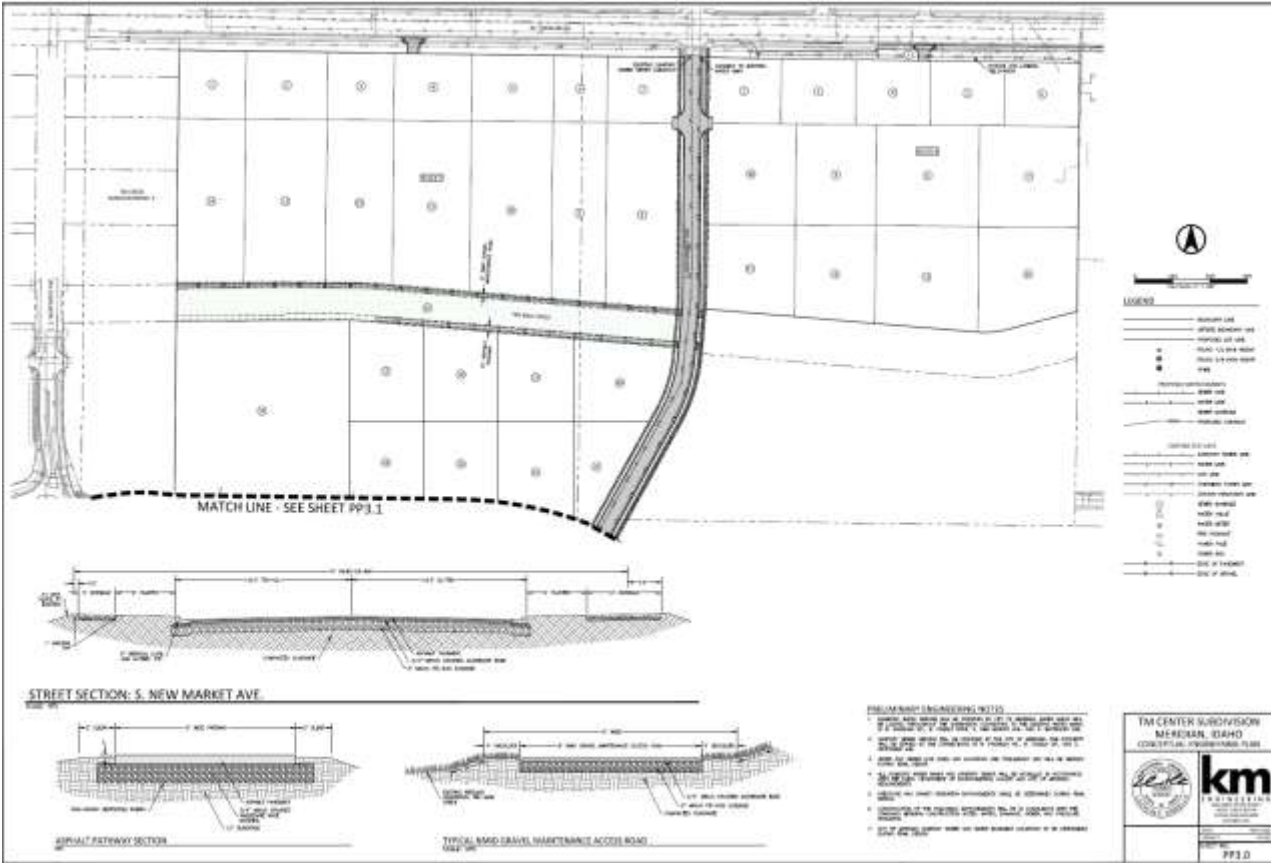
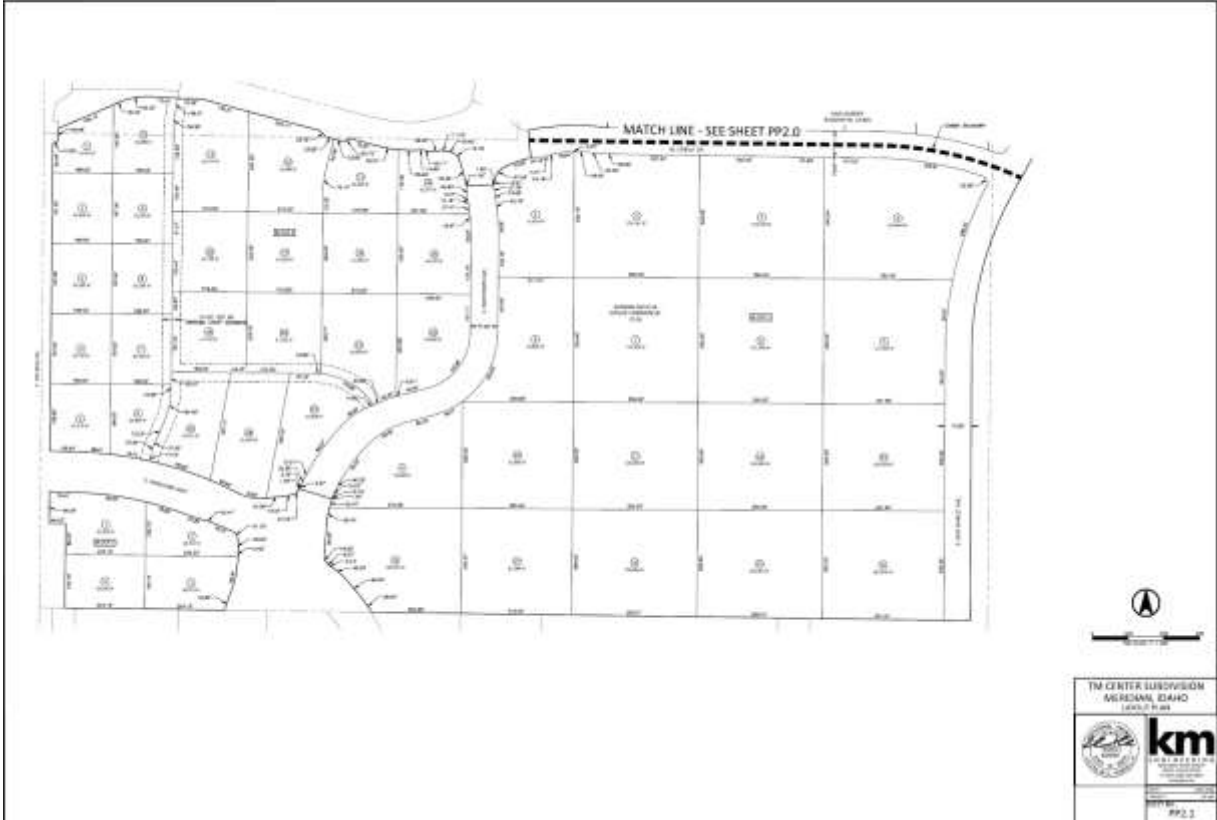
Staff recommends approval of the proposed Preliminary Plat per the conditions included in Section IX in accord with the Findings in Section X.

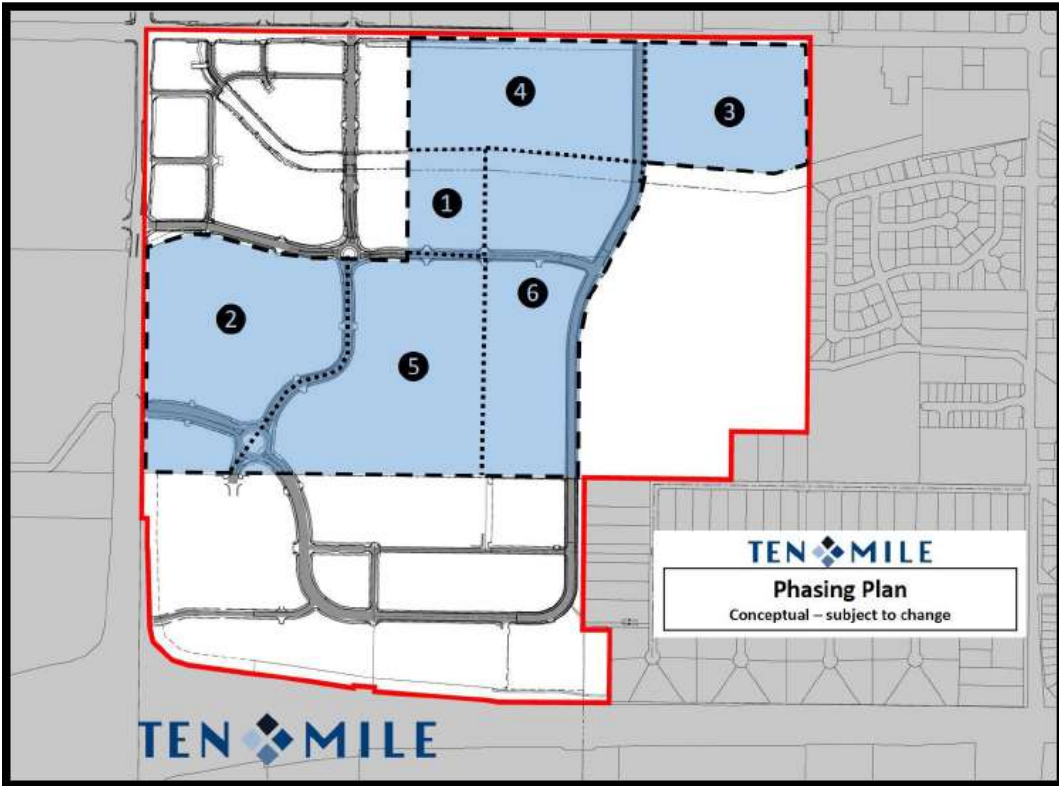
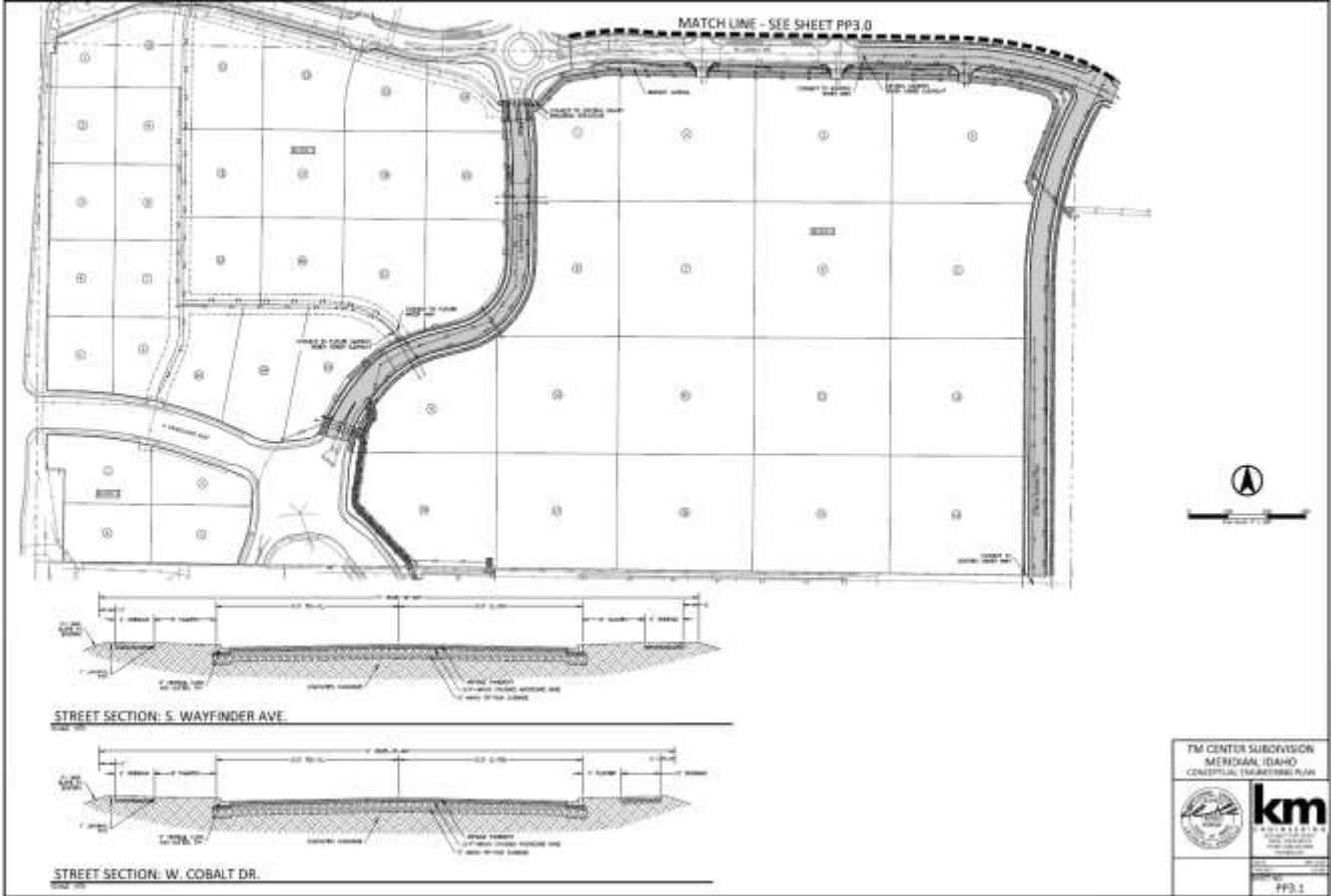
VIII. EXHIBITS

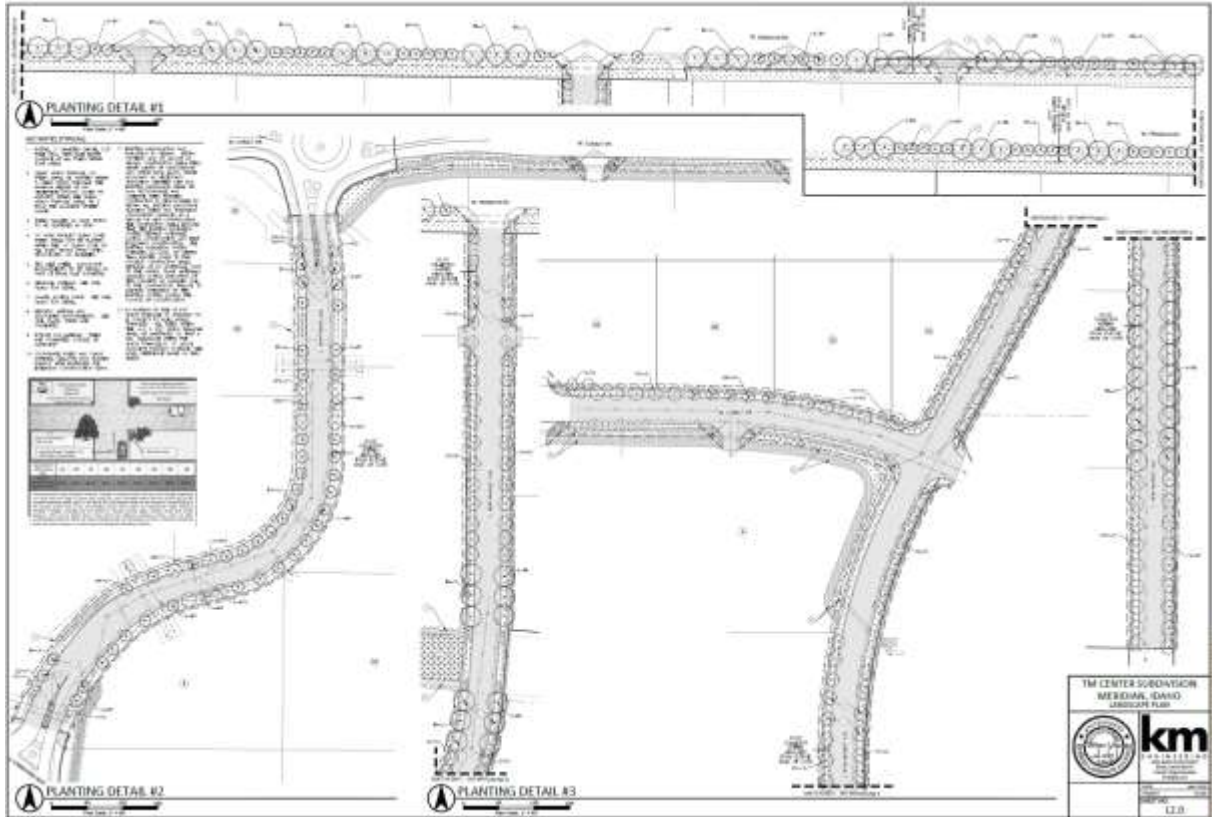
A. Preliminary Plat (date: 5/29/2020), Conceptual Phasing Plan & Street Section











C. Pathways Plan



D. Conceptual Building Elevations/Perspectives



BRIGHTON BUILDING (complete)

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS



PAYLOCITY BUILDING (complete)

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS



AMERIBEN PHASE II (under constr)

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS



SALTZER MEDICAL (under constr)

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS



LASALLE BUILDING (under constr)

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS



EXISTING SINGLE-STORY SHOPS

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS



EXISTING SINGLE-STORY MEDICAL

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS



EXISTING CARWASH

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS



EXISTING RESTAURANT/SHOPS (front)

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS



EXISTING RESTAURANT/SHOPS (rear)

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS



EXISTING AUTO SERVICE



THE LOFTS at TEN MILE (complete)

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS



THE LOFTS at TEN MILE (garages)



THE FLATS at TEN MILE (under constr)

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS

TM CENTER SUBDIVISION
BUILDING ELEVATION TYPICALS

IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. Development of this site shall comply with the terms of the existing Development Agreement's [i.e. TM Center (Inst. #2014-065514), Bainbridge Franklin (Inst. #2019-077071), Calnon (Inst. #2016-030845) and TM Creek East (Inst. #2016-037777)], all conditions of previous applications approved for the subject property, and the conditions contained herein unless subsequently modified.
2. The final plat(s) shall include the following revisions:
 - a. South Wayfinder Ave. shall be constructed consistent with the street section in Section VIII.A in accord with Street Section E in the TMISAP and shall include pedestrian-scale lighting. A 5-foot dry-utilities corridor should be provided along both sides of the street curb. Both wet utilities may be located in the street. Streetlights should be placed in the dry utilities corridor on either side of the street.
 - b. South New Market Ave. shall be constructed consistent with the street section in Section VIII.A except that a 10-foot wide multi-use pathway shall be provided along the east side of the street

consistent with the Pathways Master Plan and landscaped buffers shall be provided at the back edge of the sidewalk/pathway in accord with Street Section D in the TMISAP where residential uses are developed along the street. If non-residential uses are developed along the street, a 12-foot wide sidewalk/pathway with tree grates and pedestrian-scale lighting shall be constructed instead. A 5-foot dry-utilities corridor should be provided along both sides of the street curb. Both wet utilities may be located in the street. Streetlights should be placed in the dry utilities corridor on either side of the street.

- c. West Cobalt Dr. shall be constructed consistent with the street section in Section VIII.A except that landscaped buffers shall be provided at the back edge of the sidewalk/pathway in accord with Street Section D in the TMISAP where residential uses are developed along the street. If non-residential uses are developed along the street, a 12-foot wide sidewalk/pathway with tree grates and pedestrian-scale lighting shall be constructed instead. A 5-foot dry-utilities corridor should be provided along both sides of the street curb. Both wet utilities may be located in the street. Streetlights should be placed in the dry utilities corridor on either side of the street.
- d. Streetlights at a pedestrian scale shall be located in the tree lawn area (i.e. in right-of-way between curb and sidewalk) along S. Ten Mile Rd. in accord with the TMISAP for Street Section A (see pg. 3-22). Dry utilities should be located back of the curb in the dry utilities corridor.
- e. Streetlights at a pedestrian scale shall be located in the tree lawn area (i.e. in right-of-way between curb and sidewalk) along W. Franklin Rd. in accord with the TMISAP for Street Section B (see pg. 3-22). Dry utilities should be located back of the curb in the dry utilities corridor.
- f. Depict a minimum 35-foot wide street buffer along S. Ten Mile Rd., an entryway corridor, measured from the back of curb, in a common lot or on a permanent dedicated buffer, maintained by the property owner or business owners' association in accord with UDC 11-3B-7C.
- g. Depict a minimum 25-foot wide street buffer along W. Franklin Rd., an arterial street, measured from the back of curb, in a common lot in the R-40 zone and in a common lot or on a permanent dedicated buffer in the C-C and C-G zones, maintained by the property owner or business owners' association in accord with UDC 11-3B-7C.
- h. Depict a minimum 20-foot wide street buffer along W. Cobalt Dr., S. Wayfinder Ave., S. New Market Ave., and S. Vanguard Way, collector streets, measured from the back of curb, in a common lot in the R-40 zone and in a common lot or on a permanent dedicated buffer in the C-C and C-G zones, maintained by the property owner or business owners' association in accord with UDC 11-3B-7C.
- i. Include a note that prohibits direct lot access via S. Ten Mile Rd. and W. Franklin Rd. unless otherwise approved by the City of Meridian and ACHD in accord with UDC 11-3A-3 and access control provisions in the TMISAP.
- j. A cross-access/ingress-egress easement shall be granted via a note on the plat or a separate recorded agreement between all non-residential lots in accord with UDC 11-3A-3A.2.
- k. A cross-access/ingress-egress easement shall be granted via a note on the plat or a separate recorded agreement to the parcel to the east (#R8580480020, Villas at Twelve Oaks) per requirement of the existing Development Agreement (Inst. #2019-077071) for Bainbridge Franklin in accord with UDC 11-3A-3A.2.

3. The landscape plan submitted with the final plat shall include the following revisions:
 - a. Pathways, 8- to 10-feet wide, shall be depicted in accord with the pathways plan in Section VIII.C and with the Pathways Master Plan as required by the Park's Department in Section IX.E. *At a minimum, 10-foot wide pathways shall be provided along S. Ten Mile Rd., the east side of S. New Market Ave. and along the Ten Mile Creek in accord with the Pathways Master Plan; 8-foot wide pathways may be provided in other locations.*
 - b. Depict 12-foot wide sidewalks, street trees in wells and pedestrian-scale lighting along both sides of S. Wayfinder Ave.; and W. Cobalt Dr. and S. New Market Ave. where non-residential uses are proposed as set forth in the TMISAP for Street Section E (pg. 3-23).
 - c. Depict a 6-foot wide detached sidewalk along the west side of S. New Market Ave. and a 10-foot wide detached multi-use pathway along the east side of S. New Market Ave in accord with the Pathways Master Plan. Where residential uses are proposed along the street, an 8-foot wide tree lawn parkway is required in accord with the TMISAP for Street Section D (see pg. 3-21).
 - d. Depict a 6-foot wide detached sidewalk along the north side of W. Cobalt Dr. and a minimum 8-foot wide detached pathway along the south side of W. Cobalt Dr. in accord with the pedestrian plan in Section VIII.C. Where residential uses are proposed along the street, an 8-foot wide tree lawn parkways is required in accord with the TMISAP for Street Section D (see pg. 3-21).
 - e. Depict streetlights at a pedestrian scale in the tree lawn area along S. Ten Mile Rd. in accord with the TMISAP for Street Section A (see pg. 3-22).
 - f. Depict streetlights at a pedestrian scale in the tree lawn area along W. Franklin Rd. in accord with the TMISAP for Street Section B (see pg. 3-22).
 - g. Depict street buffers as follows: minimum 25-foot wide along W. Franklin Rd., 35-foot wide along S. Ten Mile Rd., and 20-foot wide along S. Wayfinder Ave., W. Cobalt Dr., S. New Market Ave., and S. Vanguard Way, measured from back of curb, landscaped per the standards listed in UDC 11-3B-7C.
 - h. Include mitigation information on the plan for all trees on the site that are proposed to be removed that require mitigation in accord with the standards listed in UDC 11-3B-10C.5. Contact Matt Perkins, City Arborist, to schedule an appointment for an inspection to determine mitigation requirements.
4. Future structures on lots fronting on S. Wayfinder Way, designated on the Street Section Map as Street Section E, shall be built to the sidewalk as set forth in the TMISAP (pg. 3-23).
5. Future residential structures on lots fronting on W. Cobalt Dr. and S. New Market Ave., designated on the Street Section Map as Street Section D, shall have limited setbacks behind the sidewalk and a tree lawn shall be provided as set forth in the TMISAP (pg. 3-23).
6. Future structures on lots fronting on S. Ten Mile Rd. shall address the street but be set back some distance from the roadway edge to provide wide tree lawn and detached trail to provide security to the pedestrians and bikes as set forth in the TMISAP for Street Section A (see pg. 3-22).
7. Future structures on lots fronting on W. Franklin Rd. shall address the street but be set back some distance from the roadway edge to provide for a tree lawn and detached sidewalk to provide security to the pedestrian as set forth in the TMISAP for Street Section B (see pg. 3-22).
8. The Ten Mile Creek is a natural waterway and as such, shall remain as a natural amenity and not be piped or otherwise covered and must be improved with the development and protected during construction in accord with UDC 11-3A-6.

9. In accord with the TMISAP for “complete streets,” the following are features that shall be considered as a starting point for each street: sidewalks, bike lanes, wide shoulders, crosswalks, refuge medians, bus pullouts, special bus lanes, raised crosswalks, audible pedestrian signals, sidewalk bulb-outs, street furnishings and on-street parking. **The Applicant shall address at the public hearing (or in writing prior to the hearing) what design features are planned for internal public streets within this development aside from the sidewalks/pathways, bike lanes and on-street parking proposed.**
10. The Applicant shall work with Valley Regional Transit (VRT) to determine the nature and timing of public transit services needed in this area. Shelters should be placed at transit stops for weather protection to patrons; the design of such should be coordinated between the City, VRT and ACHD ensuring architectural consistency with the general theme of the activity center. Transit locations should include pedestrian amenities such as landscaping, pedestrian and landscape lighting, benches and trash receptacles consistent with the design and location of the shelter.
11. All future development shall comply with the minimum dimensional standards listed in UDC Tables 11-2A-6 (R-8), 11-2A-8 (R-40), 11-2B-3 (C-C and C-G) and 11-2D-5 (TN-C), as applicable.
12. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the multi-use pathways within the site prior to signature on the final plat by the City Engineer.
13. Public art with a high quality of design is required to be incorporated into the design of streetscapes as set forth in the TMISAP (see pg. 3-47).
14. Final design of structures in this development is required to comply with the design standards listed in the Architectural Standards Manual and the design guidelines in the TMISAP.
15. Development of the plat shall occur generally consistent with the phasing plan.
- 16. If land uses in this area change with a future PUD (or other) application, changes shall be required to the street sections approved with this application. If improvements are needed that can't be accommodated in existing right-of-way, such improvements shall be required to be placed in an easement or additional right-of-way must be dedicated.**

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 The current sewer configuration submitted with this application, depicts at intersection of Colbalt and New Market Avenue, flow being enabled to go in either the north or the west direction. This needs to be corrected so flow only goes in one direction. Based on conversations with applicant 8" sewer line on Cobalt will not connect to manhole at intersection.
- 1.2 To alleviate the water quality issues, this development must extend the proposed 12" water main south to connect into the existing water main in S New Market Ave (TM Crossing No 4).
- 1.3 Tie into the existing 12" water stub in Vanguard (between lots 6 & 25, block 1)

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.

- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.

- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191391&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191282&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192685&dbid=0&repo=MeridianCity>

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192039&dbid=0&repo=MeridianCity>

G. CENTRAL DISTRICT HEALTH DEPARTMENT (CDHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191388&dbid=0&repo=MeridianCity>

H. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191393&dbid=0&repo=MeridianCity>

I. WEST ADA SCHOOL DISTRICT (WASD)

No comments were received from WASD.

J. ADA COUNTY HIGHWAY DISTRICT (ACHD) – DRAFT REPORT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190277&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192693&dbid=0&repo=MeridianCity>

X. FINDINGS**A. Preliminary Plat (UDC 11-6B-6)**

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision making body shall make the following findings: (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)

Staff finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the Development Agreement provisions, conditions of approval in Section IX and ACHD conditions.

2. Public services are available or can be made available and are adequate to accommodate the proposed development;

Staff finds public services can be made available to the subject property and will be adequate to accommodate the proposed development.

- 3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;**

Staff finds the proposed plat is in substantial conformance with scheduled public improvements in accord with the City's CIP.

- 4. There is public financial capability of supporting services for the proposed development;**

Staff finds there is public financial capability of supporting services for the proposed development.

- 5. The development will not be detrimental to the public health, safety or general welfare; and**

Staff finds the proposed development will not be detrimental to the public health, safety or general welfare.

- 6. The development preserves significant natural, scenic or historic features.**

Staff is unaware of any significant natural, scenic or historic features that need to be preserved with this development.