



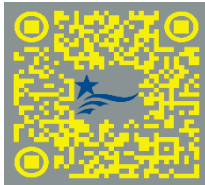
# PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho  
Thursday, November 05, 2020 at 6:00 PM

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## Agenda

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*Public Hearing process: Land use development applications begin with presentation of the project and analysis of the application by Planning Staff. The applicant is then allowed up to 15 minutes to present the project. Then, members of the public are allowed up to 3 minutes each to address Commissioners regarding the application. Any citizen acting as a representative of a Homeowner's Association may be allowed up to 10 minutes to speak on behalf of represented homeowners consenting to yield their time to speak. After all public testimony, the applicant is allowed up to 10 minutes to respond to questions and comments. Commissioners may ask questions throughout the public hearing process. The public hearing is then closed, and no further public comment is heard.*

### VIRTUAL MEETING INSTRUCTIONS

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

<https://us02web.zoom.us/j/89068341242>

Or join by phone: 1-669-900-6833

Webinar ID: 890 6834 1242

### ROLL-CALL ATTENDANCE

- Lisa Holland                       Steven Yearsley                       Andrew Seal
- Nick Grove                               Rhonda McCarvel                       Bill Cassinelli
- Ryan Fitzgerald, Chairperson

### ADOPTION OF AGENDA

#### CONSENT AGENDA [Action Item]

1. [Approval of the October 22, 2020 Planning and Zoning Commission Special Meeting Minutes](#)

#### ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

#### ACTION ITEMS

- 2. **Public Hearing for Oakwind Estates Subdivision (H-2020-0093) by Engineering Solutions, Located at 5685 N. Black Cat Rd.**
  - A. Request: Preliminary Plat for 94 single family lots, 92 townhome lots, 26 common lots and 3 common driveway lots on 24.54 acres.
  
- 3. **Public Hearing for Goddard Creek Subdivision (H-2020-0092) by Conger Group, Located in the Northwest Corner of W. McMillan Road and N. Goddard Creek Way**
  - A. Request: Development Agreement Modification (Inst. #102012598) to allow the development of an age restricted community consisting of thirty-four (34) attached SFR homes instead of offices.
  
  - B. Request: A Rezone of approximately 5 acres of land from the R-4 to the R-15 zoning district.
  
  - C. Request: A Preliminary Plat for 34 residential lots and 8 common lots in the proposed R-15 zoning district.

**ADJOURNMENT**



## AGENDA ITEM

**ITEM TOPIC:** Approval of the October 22, 2020 Planning and Zoning Commission Special Meeting Minutes

**Meridian Planning and Zoning Meeting**

**October 22, 2020.**

Meeting of the Meridian Planning and Zoning Commission of October 22, 2020, was called to order at 6:00 p.m. by Chairman Ryan Fitzgerald.

Members Present: Chairman Ryan Fitzgerald, Commissioner Bill Cassinelli, Commissioner Andrew Seal, Commissioner Nick Grove and Commissioner Steven Yearsley.

Members Absent: Commissioner Lisa Holland and Commissioner McCarvel.

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

**ROLL-CALL ATTENDANCE**

_____ Lisa Holland	_____ Rhonda McCarvel
__X__ Andrew Seal	__X__ Nick Grove
__X__ Steven Yearsley	__X__ Bill Cassinelli
__X__ Ryan Fitzgerald - Chairman	

Fitzgerald: So, at this time I would like to call to order the specially scheduled meeting of the Meridian Planning and Zoning meeting for the date of October 22nd and let's start with roll call.

**ADOPTION OF AGENDA**

Fitzgerald: Perfect. Thank you, Madam Clerk. The first item on the agenda is the adoption of the agenda. I do not have any changes. Can I get a motion to adopt the agenda as presented?

Cassinelli: So moved.

Seal: So moved.

Cassinelli: Second.

Seal: Second.

Fitzgerald: I have a motion and a second to adopt the agenda. All those in favor say aye. Any opposed? Okay. Motion passes.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**



## **CONSENT AGENDA [Action Item]**

### **1. Approve the Minutes of the October 15, 2020 Planning and Zoning Commission Meeting**

Fitzgerald: Next on the agenda is the Consent Agenda. We have one item on the agenda, which is the minutes for the Meridian Planning and Zoning Commission meeting on October 15th. Is there any reason to pull that Consent Agenda apart for further consideration or are we good to move forward with a motion on approval? Hearing none, I would entertain a motion to approve the Consent Agenda.

Seal: So moved.

Cassinelli: So moved.

Yearsley: Second.

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

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

Fitzgerald: So, at this time I will explain the public hearing process for this evening. We will open each item individually and, then, start with the staff report. The staff will report their findings regarding how the item adheres to our Comprehensive Plan and Uniform Development Code with the staff recommendations. After staff has made their presentation the applicant will come forward to present their case for the approval of their application and respond to any staff comments. The applicant will have 15 minutes to make their presentation. After the applicant has finished with their opening testimony -- or we will open the floor to public testimony. There is an opportunity to sign up if you are in person. There is an iPad in the back of the room. If you are on Zoom hopefully you have signed up via electronic means on the -- on the website. If there is any individual here that is speaking on behalf of a larger group or an HOA, we will ask you to represent -- or to let us know who you are representing and we will give you additional time. We will give you ten minutes to speak on behalf of that HOA. If there is anyone that has that position let us know when you step up to the mic or online. We do have that virtual and in-person situation while we are managing through that pandemic, so we appreciate your patience as we work with any technical difficulties that come up. So, we will both take our information or our public testimony both via Zoom or in person and, Commissioner Seal, thanks for being there again this evening to give us guidance on who might be testifying in the room. After all testimony has been heard we will give the applicant an opportunity to come back and close and answer any questions that may have come up from the public. I will say if there is public testimony that is given you have one opportunity to give your testimony, you have got three minutes to do, so unless you are speaking on behalf of an HOA. Please use that time wisely. Give -- try not to reiterate things that have already been heard from -- or you have already heard from your -- maybe your

neighbors. Please take that -- that three minutes time, because we will not have an opportunity to hear a second round of testimony from a single person. So, please, use that wisely and, again, after all testimony is heard we will let the applicant close and, then, we will close the public hearing and the Commissioners will have a chance to deliberate.

## **ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

### **ACTION ITEMS**

- 2. Public Hearing Continued from September 17, 2020 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 26 single-family residential lots and 5 common lots on 4.71 acres of land in the proposed R-8 zoning district.

Fitzgerald: So, with that we move to the first item on our agenda, which is the continued hearing for Horse Meadows, which is H-2020-0060, continued from September 17th, and I will turn it over to Joe and we will start with the staff report.

Dodson: Thank you, Mr. Chair, Members of the Commission. Good evening. All right. Here we go. So, as stated, this application was continued from the September 17th Planning and Zoning Commission hearing. The site consists of 4.71 acres of land, currently zoned R-4 and is located at the southeast corner of Black Cat and Pine. There is existing City of Meridian zoning directly to the west and north, with lower density residential to the west and, then, there is RUT county residential to the east and south as seen in the center picture. There is -- or there was, I should say, an annexation, a preliminary plat, final plat and a variance in 2006 regarding this parcel. The plat has since expired and, therefore, this applicant is proposing a preliminary plat with this rezone. So, the applications before you are a rezone to rezone the existing R-4 to R-8 and a preliminary plat consisting of 26 single family residential lots and four common lots on 4.71 acres. The gross density of the project is 5.52 acres -- or dwelling units per acre, which is in the middle of the allowed density for the future land use designation of medium density residential, which is three to eight dwelling units per acre. The average lot size within the development is around 4,100 square feet and the minimum lot size in the R-8 zone -- the requested R-8 zone is 4,000 square feet. Because the lots are so close to the minimum lot size and the look -- and with the look of this submitted elevations, staff was concerned with the proposed homes being able to fit on the lots. So, staff requested that the applicant provide an exhibit showing how these will fit on the lots. The applicant has provided that exhibit and it should be incorporated into the staff report following this meeting, meaning that I received this after I did my staff report and, therefore, they are

not in the staff report currently. As noted, the submitted elevations, combined with the proposed lot sizes, gave staff some pause. The sample elevations of the detached single family homes for this project show a combination of single and two story single family homes. The elevations also show different architectural elements and finish materials. Because the lot sizes and the submitted elevations, staff understands that these are conceptual, but the applicant will be tied to the overall design and look at these elevations, even if they are eventually smaller sizes. Because the subject site is less than five acres in size, the UDC minimum requirement of ten percent qualified open space and at least one site amenity is not required to be met. However, the applicant is requesting to rezone to a zoning district that allows higher density than the existing R-4. Therefore, staff finds it appropriate that usable open space and an amenity be provided. In response the applicant has proposed approximately 35,000 square feet of open space, which amounts to approximately 17 percent of the site. This open space consists mostly of the street buffers along the west and north boundaries of the site and also includes the common lot that holds the micro path and tot lot, which is the proposed amenity in the northeast corner of the site. However, it is staff's opinion that more usable open space should be made available within the site to accommodate those who cannot so easily walk to Fuller Park -- walk or bike to Fuller Park, which is almost a mile away by foot. In order to meet the purpose statement in the UDC 11-3-G and the subdivision regulations, the applicant should lose a buildable lot and convert it to open space. That is staff's recommendation to lose the center lot here and instead be a common open space lot, instead of a buildable lot. Access into this development is proposed via a new local street connection to Pine Avenue. All internal local streets within the proposed development are shown as 33 foot wide street sections with five foot attached sidewalks. The street section accommodates on-street parking where no driveways exist. Originally access was proposed to Black Cat by way of converting West Quarter Horse Lane, which is the ingress-egress -- existing ingress-egress easement along the southern boundary. However, ACHD denied that access, because the adjacent Pine Avenue is a lesser classified street and, therefore, access must be taken from Pine. The UDC also supports this requirement. West Quarter Horse Lane is currently an ingress-egress private access easement with four servient sites, including this site. Without the consent of all easement holders, the access must remain until the remainder of the property is annexed or redeveloped. Therefore, the easement will remain as a nonbuildable lot until such time that it can be included as part of a future development. As noted, staff has received an exhibit from the applicant for the Commission that demonstrates how this area of the property could redevelop with the required street frontage improvements and be incorporated into a future plat when the properties to the southeast redeveloped in the future. The applicant should relinquish their right of the use of said easement as part of the rezone request. Likely the remaining easement area is best suited for future right of way once properties to the southeast redevelop and direct vehicular access to Black Cat can be -- and direct vehicular access to Black Cat can be removed. In this exhibit it is showing the existing gravel road that will have to be maintained because of the easement and, then, the remaining area is slated to be natural vegetation and grass in order to accommodate green space and make this lot nonbuildable. The applicant is proposing to continue the frontage improvements to the edge of the gravel road, as they cannot cross the easement at this time. The two stub streets to the easement area are less than 150 feet, so no temporary turnarounds are

required and there will be signage at the east end noting that these roads will be extended in the future. After submittal of this application the city did receive 20 pieces of testimony all in opposition of the application. The three main points -- or I guess three main points of opposition are regarding the increase of traffic on Black Cat and stating that at the time 27 lots were proposed, so 26 lots would add more traffic and only make it worse. Their issues with the proposed density in comparison to the R-4 lots nearby and I guess the county lots and, then, for some reason there is a number of them that had discussed that this was -- that they were against apartments and townhomes, which, frankly, I don't -- I don't know where that came up, because this was never proposed of that, so I just for the record want to say that these are all detached single family and there are no apartments or, quote, unquote, high density being proposed here. Staff does recommend approval of the rezoning and preliminary plat request, with the conditions noted in the staff report and I will stand for questions after that. Thank you.

Fitzgerald: Thanks, Joe. Appreciate that. Are there questions for staff?

Seal: Mr. Chair?

Fitzgerald: Go right ahead.

Seal: Quick question on the gravel road there as far as the maintenance and care of that. Is that something that will land on the HOA to help maintain? Do they have to maintain their part of it or is that something that the -- the other residents that use that road will have to maintain in the future?

Dodson: Commissioner Seal, Members of the Commission, because it's an existing private easement it will be on the -- all the servient sites will be taking care of that, not this site.

Seal: Thank you.

Fitzgerald: Any additional questions for Joe at this time?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Joe, how -- in the -- in the previous approval on this how many lots were -- do you know?

Dodson: Commissioner Cassinelli, I meant to look at that today and I did not. It was R-4, which is minimum lot sizes of 8,000 square feet, so it's going to be approximately half. So, I would assume ten to 12 lots. I apologize for not knowing that directly.

Cassinelli: Okay. And maybe when the applicant gets up if they are aware of that they could share that.

Fitzgerald: Any follow-up, Commissioner Cassinelli?

Cassinelli: Pardon? No.

Fitzgerald: Do you have follow up? Okay. Anyone else at this point? Okay. Is the applicant in the chambers -- Penelope with us online or in chambers?

Dodson: The applicant is here, Mr. Chair.

Fitzgerald: Perfect. Penelope, please, state your name and your address for the record and the floor is yours, ma'am. We can't hear you.

Constantikes: Thank you, Mr. Chairman. For the record Penelope Constantikes representing the applicant. Post Office Box 405, Boise, Idaho. 83701. I would like to start by thanking the Planning and Zoning Commission for continuing our application. We did go through five different iterations of the plat and I think we are ready for you now. So, thank you for helping us with that. So, just a little bit of backstory and discussion about the easement history. We have read the staff report and we are generally in concurrence with it. There are a couple items that we differ with staff and I will get to those. So, it is an unusual site with lots of constraints. We had the historic easement area that we had to deal with. ACHD requirements for connectivity for future development in the vicinity and the fire department all were items that we had to work through. As I said, this is the fifth iteration of the plat. If you would put that up that would be great. Thanks, Joe. So, the easement was established for this -- for the parcel to the east and the two parcels to the southeast in 1999. One of those parcels has no option for connectivity to the public road, other than the easement that they use to get out to Black Cat. The easternmost parcel does have a stub street that touches shared property line with Chesterfield, but until their parcel redevelops they can't use that. The site was, as Joe mentioned, approved in -- around 2006. They were within shouting distance of recording their plat when the economy turned down and so that was not completed. So, we started originally with showing our access to Black Cat with -- with Quarter Horse Lane, which was originally approved as a public street, but staff -- both Meridian and ACHD directed us over to Pine Avenue, which is fine. A little bit of history. I worked on Creekstone, which is at the northwest corner of the Ten Mile Creek and at this time there are two developments that have trusted bridge money for crossing across the Ten Mile and so when those other two pieces on the other side develop a bridge will go in and I don't imagine that it will be a long time, but that's up ahead of us not too far in the distance. So, we are surrounded on three sides with well developed subdivisions, both on the north, east, and the west side of the site. All these homes are generally in the 20 year old range, so they have been around for a while. The land use designation for the site is medium density residential, which is three to eight units per acre. Horse Meadows, of course, their density falls right exactly in the middle of that at 5.5 units per acre. The subdivision does meet the UDC code for lot area and frontage. We have 4,000 minimum square foot lots and the frontage standard is 40 feet. If you would show it, there is a file called vicinity map and lot sizes. Thanks. You are fine. So, what Joe is bringing up is an exhibit that I put together and if you can size that down a little bit. There we go. And just the top page

there is great. Thank you. So, I just wanted to provide some context. I looked at the original plats and the original approvals for both Chesterfield and Castlebrook. Castlebrook was approved with a minimum lot size of 6,500 square feet. Chesterfield has two lot sizes. They have got lots that are in the 5,500 square foot and greater size and they also have some patio homes that have lots in -- at about 3,100 square feet. So, what we have got with Horse Meadows is something that falls right in between that range. Our largest lot is 5,700 and our smallest lot is 4,000. So, it provides some diversity in lot size for the -- for the vicinity, which the comp plan does call for and so I just -- the site's fronted with an arterial and a collector roadway, which keeps new traffic off -- off local streets and out of established neighborhoods. As a former transportation planner I think that's a good thing. So, the next exhibit is just that final -- the -- our preliminary plat again. Joe covered this to some extent. The green area that's shown on the preliminary plat is literally green area, but I did some tinkering today and I will be able to show you some exhibits. We actually can meet the UDC code for ten -- a minimum ten percent square footage of open space without losing our Lot 6. So, the first thing is this -- is the one that says interim and permanent open space. So, what we would like to do is we would like to convert the area of the easement that's not being used for driving into an interim open space area. We will sod it and we will plumb it with pressurized irrigation, so that it's usable as open space. After the parcel to the south and east of us develops -- and I know there has been a lot of activity over there. The bottom exhibit shows you what kind of open space we will be able to provide as permanent open space once the road goes in and that's the lower one. Thank you, Joe. So, what we have is a slight change to common Lot 10, which the name of that file is common lot expansion. Very good. So, this afternoon I started looking at our common lot up in the northeast corner and realized that we could add some more square footage. So, I found another 900 square feet by squaring off those -- those corner lots a little bit and so according to UDC we can take this area, which ends up being a little larger than the 10,590 square feet, we can claim one hundred percent of the Pine Avenue buffer. We can claim one half of the Black Cat buffer. And the permanent open space that's southwest corner after Quarter Horse Lane is closed will give us 21,030 square feet of -- of qualified open space per UDC code and that doesn't -- that doesn't include discounting the easement area, that's the full 4.71 acres. So, I was really pleased that we could -- we could meet that ten percent without losing a lot and so that's what we are asking for is for that lot to remain a buildable lot, instead of becoming open space. The site is less than five acres and so we are excited about that. I did want to mention the neighborhood complaints about traffic and density. Black Cat Road is nowhere near capacity for an arterial roadway and -- and Pine Avenue is also under capacity. So, while I appreciate traffic -- and if you are a farmer and you live out in the middle of nowhere, 150 vehicle trips in a 24 hour period seems like a crowded road, but it's really not. So, I understand, but those -- both of those classified roadways are under capacity at this time and Black Cat is substantially under capacity. So, I would like to talk to you about why Horse Meadows is a great idea for Meridian. First of all, we are in close proximity to schools and parks. If you would show the park and pathway exhibit. I did some -- a little bit of mapping and discovered that it's actually half a mile to the Fuller Park when you travel through Creek -- Creek Brook -- Brook -- whatever it is. The -- the top illustration shows you the path to the park and it's 2,667 feet, which is .51 percent of a mile. I also want -- I was interested to know what the distance

was to the Ten Mile pathway and it's just a pinch under six tenths of a mile. So, we are within close proximity and not too far away from both of those amenities in the City of Meridian. So, the site has two schools. There is a traditional school and a charter school to the south of us. There is great proximity to shopping and services, such as groceries, gas, pharmacy, banks and dining. A short trip on classified roads is always good. Because there is an Albertsons and a pharmacy and a bank not too far away, just at the corner of Ten Mile and Cherry. There is a lot of jobs in the south end of the -- or the west end of the valley. Amazon, as most people know, is looking for 2,000 new employees. So, this is a great location. It's easy access to the interstate. Employees can go down to Franklin and hang a right and be in Nampa in no time. There is jobs at Ten Mile at the office and commercial area. Excuse me. And that area is not even close to being filled out in terms of office and commercial development. So, the site is also great, because sewer and water and pressurized -- pressurized irrigation pump station are all in place. We are not dragging any utilities to the site. Everything is -- is there now. It provides public road access and utilities to the two larger parcels that are undeveloped to our southeast. It provides housing diversity in the neighborhood and you saw the exhibit that I did with the lot sizes, so we can bring that back up if you need it. Finally, it sets the stage for connectivity between subdivisions on the south side of Pine and east of Black Cat Road, as well as providing local network -- road network between this subdivision and Chesterfield to the east and probably the most important thing is that it provides a workforce housing. It's not affordable housing, but it's for modest income working families and -- and the other side of that is there is a lot of empty nesters now and retired people who don't want a big yard, so this subdivision fills the bill for an up growing -- or an upcoming demographic that is happening now all over the country, but in Meridian as well. So, in conclusion, just real quickly I want to go through the conditions. The developer is fine with doing a development agreement. We will be consistent with the submitted plans. Direct lot access, of course, to Black Cat is prohibited. The Lot 10, which is the easement area, will be a nonbuildable lot and it will be owned and maintained by the HOA until something occurs as to the southeast. We will show the plat with a detached sidewalk. We will revise the plat note as requested. We would ask that the Planning and Zoning Commission delete condition of approval 2-D, which indicates eliminating Lot 6 as a buildable lot, primarily because we have provided a ten percent open space with our development, even though we are not required to do so. The landscape plan will be updated. I did submit the setback compliance illustration that you have seen. There is not a lot of other things. We will construct all the proposed fencing as required. There aren't any trees on the site, so there is no mitigation, but I will talk to the tree arborist for the city and make sure that that happens. The abandonment of the existing water vein is shown on the plat up in the top right -- or left-hand corner. It's just a little hard to see. The MTI report was submitted and we provided updated water monitoring information in the last couple of weeks. So, with that I would also like to mention that Joe has -- has been really persistent and consistent and -- and stayed with us and helped us work through all this and we really appreciate it. With that I would be happy to answer questions.

Fitzgerald: Thanks, ma'am. We appreciate it. Are there any questions for Penelope?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go right ahead.

Seal: Just on the open space, if you take away the -- that nonbuildable lot, the southwest corner, you take that out of the open space calculations you did, what does that leave you with?

Constantikes: We would probably be slightly under ten percent. That -- the piece in the southwest corner -- so, sewer and water are coming in through there and so it can't be developed. It's going to have a sewer main and a water main in it. So, it's a great location for open space and it meets the 50 by 100 grassy space UDC requirement -- or one of the open space amenities that can be offered. So, it's going to drop us -- I don't know. Without the -- of course you would ask me a question about it. Without that we would lose 3,120 square feet I think, which probably puts us slightly below ten percent.

Seal: A follow-up question?

Fitzgerald: Yeah. Go right ahead.

Seal: Just -- how would access be provided to that? I mean since the streets are going to be marked at the very end, how -- how are people going to get in and out of this?

Constantikes: How would they access that corner open space?

Seal: Correct.

Constantikes: Well, the sidewalk that will run along Black Cat will be -- will run along the western side of that open space. That sidewalk will be extended all the way down to the -- to the southern property line once the easement area ceases to provide access.

Seal: There is no way for them to access it from within the subdivision?

Constantikes: And then -- well, there will be sidewalk along -- the -- the section of the easement that runs from our east property line all the way to the west side of our western stub street is going to be public road and so there will be sidewalk along it. So, anyone can walk south to the new right of way area and be able to use a sidewalk to get to that open space. And maybe I haven't been clear enough. With the exception of the area that's west of our western stub street, that will be converted to public road when either of the parcels to the southwest -- or southeast of us develop, because they will need to be able to get public road access to the network of public roads that we are constructing with our subdivision. So, there will be sidewalk that leads to the open space.

Seal: But only when the others develop; correct?

Constantikes: I beg your pardon?



Seal: Only when the other is developed. I guess what I'm getting at is it seems -- that chunk of land down there for open space -- I mean there is going to be a sign at the end of the road and the -- the sidewalk will end where that road ends, so there won't be a sidewalk that actually goes out into that lot; correct?

Constantikes: That is correct.

Seal: Okay.

Constantikes: Mr. Chairman -- I apologize, Commissioner. But that area, as I explained in my presentation, we are actually going to upgrade that -- that strip that says plant fescue. That's all going to get sodded and irrigated. So, anyone who lives in Horse Meadows will be able to walk down south -- all the way south to the end of the public street and be in open space and, then, when the road goes in there will be sidewalk along both sides of that road and they will be able to use a sidewalk to get to the open space that's in between our western stub street and Black Cat Road. So, in both instances there will be access that's available.

Seal: Okay. Thank you.

Constantikes: Thank you.

Fitzgerald: Follow-up questions or additional questions? Commissioner Cassinelli, I saw you come off mute. Did you have something?

Cassinelli: Yeah. The -- Penelope, the -- the lots along Black Cat, are all those going to be single story? I notice they are single story depictions in the elevations. Can you address that for me, please?

Constantikes: I can. So, I don't know specifically -- I did ask the architect for elevations of the models that are referenced in the -- on this exhibit, but I did not receive them. Some of them appear to be based on their square footage that they will be two story and the City of Meridian likes to have some wall plain modulation whenever there are houses that back up to public streets. So, we will incorporate that modulation into the rear elevations. There is probably going to be a mixture of single and two story houses along Black Cat.

Cassinelli: Okay. And a follow up and Joe may have mentioned this, but is there -- is there a requirement for a berm at all along Black Cat?

Constantikes: Not that I'm aware of.

Cassinelli: Okay. Thank you.

Fitzgerald: Commissioner Yearsley, go right ahead, sir.

Yearsley: So, I'm really concerned. You know, the pictures that they give you for the houses don't even reflect what they are going to be able to build there, which really kind of makes me a little upset that they are trying to show that bait and switch, because if you look at those lots they are 45 feet wide. By the time you get your offsets and a garage you have got just barely enough room for a door and that's what your photos aren't showing. I -- I would actually like to see what these actually look like before City Council for their -- their -- their homes, so they can get a better feel of what the style of home will be -- actually be on the site, just -- I don't know if it was a question, but just that's my concern.

Constantikes: Mr. Chairman?

Fitzgerald: Yeah, Penelope, go right ahead.

Constantikes: Thank you. Commissioner, these -- let's take, for example, the house that's on the right-hand side, the illustration top right-hand corner. A garage is going to be 20 feet wide, which means that the other side of it is hypothetically going to be 25 -- 20 feet wide. I understand that the visuals that we provided initially with our application are -- are not specifically dialed in directly to meet the width of the lots. With the exhibit that we provided that shows the footprints, which came from the architect, it wasn't something that I generated, there -- they will be able to meet those setbacks and five yards setbacks -- side yard setbacks are required. So, I don't -- there was no intent to bait and switch, we just needed some conceptual elevations that showed what kind of roof lines and wall plains were expected with -- with these houses. So, that's what we have provided. I can certainly try to get some specific model images between now and City Council. I would be happy to take a good run at that.

Yearsley: Thank you.

Fitzgerald: Penelope, question on the open space. I had a similar concern that Commissioner Seal does. I know that staff is talking about an interior lot, turning that into open space. Was there a consideration of the orange lots that are kind of showing up right now, like moving your open space, combining it? I have a tough time thinking kids are going to be playing along the frontage of -- of Black Cat Road or using that, as Commissioner Seal said, accessing that -- that additional open space down at the southwest corner. So, will there be a desire to -- I know you said to carve off the corners of those two bigger lots, but I almost feel like we need to carve one of those lots up and make it all -- make it open space. We are talking about 25 homes without any open space and -- I mean in all actuality Fuller Park is a long ways away. It's a mile walking. I know you could cut through the neighborhood, but that's not an easy access. So, I'm -- we went from an R-4 to an R-8 and now we are -- we are really not wanting to give open space or a usable functioning amenity that in my mind -- I know the tot lot is there, which is great. But somebody's got to have somewhere to go to have some open space to play on. Do you have a thought around that?

Constantikes: Mr. Chairman, could I share -- the route that I show for access to Fuller Park through the neighboring subdivision to the north, there is a bridge that's right at the north boundary of that open space, so that is a legitimate pathway to the park. I mean most people don't enter a park at the main building, they enter the park at the closest access point. So, that's what I -- what I mapped out. We are trying to -- to develop a subdivision that is intended for people of modest income, because right now it's 200 dollars a square foot for a house in Meridian and there are a lot of families that would like to have homes, but they can't afford giant lots, big lots, and access to the -- the common space that we are proposing at -- where Quarter Horse Lane currently is adjacent to Black Cat Road, that will be fenced and so children won't be running out into the street I don't believe and there will be access. There will be sidewalk access now down to a common area that's going to be on the north side of that easement area. That will all be sodded, just -- it will be grassy open space, plumbed for irrigation, so it will be irrigated, kept green, and when the public road goes in there is going to be sidewalk along the north boundary of that new public road, which will lead directly to the new open space adjacent to Black Cat Road. So, I guess I don't understand the concern about access to that. A lot of stub --

Fitzgerald: For me it's -- literally it's on a -- it's on a major arterial road, that -- and we need to design open space so it's functional for the families in there and I'm all about workforce housing. I totally agree that we need more of it and -- and so I'm not -- I'm with you on that, but it feels like we are shoehorning more lots into -- and somewhat it is not designed around having the space for this to be a functional neighborhood for the people living in it, not having to leave to go to Fuller Park. That's not -- in my mind you cannot use that as your open space. It has to be inside the neighborhood and it has to be functional and open space along arterials is not my favorite thing. So, I just -- I think we are going to have -- and I don't want to speak for my fellow Commissioners, but there is going to be some -- some concerns here where we are packing too many lots in there without giving people a space to move around. Additional questions for --

Yearsley: Mr. Chair?

Fitzgerald: Yeah. Go right ahead.

Yearsley: So, on the -- that -- that open space where the tot lot is, is there going to be a fence along there for access, so you can limit access to Pine? Or is that just going to be open up to Pine?

Constantikes: Mr. Chairman, Commissioner, with that path there the whole point was to -- to provide a pedestrian route up to Pine Avenue from the center of the subdivision. So, we would be happy to fence it in any way you would like. Obviously, the path shouldn't be fenced off, but --

Yearsley: Right.

Constantikes: -- like an open vision four foot fence is usually what is along parcels that are next to open space and that seems to be an appropriate kind of fence that keeps crowd control down or it keeps people in the open space, if that's where you want them to stay. But it's -- it's still -- you can see through it and it's not an impediment division.

Yearsley: And I think that's good, because if I had a -- you know, if I had a young child playing on the tot lot I would always be concerned that they would run out into the street, you know, being that close to Pine. So, I -- I like the idea of the fence.

Constantikes: Mr. Chairman.

Fitzgerald: Go right ahead, ma'am.

Constantikes: I think that there was a plan to put a couple of benches in there, too. My daughter is 36 now, but I -- I didn't let her wander off and go play someplace that I couldn't see her, especially when she was younger. So, some benches for parents to come and sit on while their children are playing is always a good idea.

Yearsley: Okay.

Fitzgerald: Commissioner Cassinelli, go right ahead, sir.

Cassinelli: Yes. Penelope, you mentioned -- you used the word interim for the open space to the south. That's until that road goes through to the south, Quarter Horse Lane.

Constantikes: That is correct.

Cassinelli: Okay. So, I mean your -- your competition for open space that you have right now, you're using that lot number ten I think is -- well, you are going to lose part of that eventually permanently, so you are -- what is that future number is my question?

Constantikes: Mr. Chairman, Commissioner, that open space number that I gave you in terms of the square footage does not include the entire interim. It doesn't include the interim open space. It's just -- it's weeds right now and puncture vines. Originally -- we -- we have been trying to navigate everyone's concerns from staff and the district, making sure that we are getting everyone's requirements met and so, obviously, we can't block access. The interim open space is just a way to put that area to work and provide an amenity that's temporary. We understand that until a public road is constructed in at least two-thirds of that area that number -- that total area is not included in my open space calculation, just the 3,290 square feet that would be that final piece of open space that would be between Black Cat Road and our western stub street. I didn't include the entire area.

Cassinelli: Okay. Thank you.

Fitzgerald: Any additional questions for Penelope at this time? Okay. Thank you, ma'am.

Constantikes: Thank you.

Fitzgerald: We will have -- let you come back and close once we have public testimony.

Constantikes: Thank you.

Fitzgerald: Madam Clerk, do we have public testimony on this?

Weatherly: Mr. Chair, we have no one signed up.

Fitzgerald: Okay. Is there anyone on Zoom or in the audience in chambers that would like to testify? Please raise your hand and Commissioner Seal will look for me in the chambers and you raise your hand via Zoom by clicking in your name and the raise your hand button at the bottom of the screen.

Seal: There is no one in chambers.

Fitzgerald: Okay. Commissioner Seal, you said there were none in chambers?

Seal: They are none in chambers. Is there anybody online?

Fitzgerald: Not that I see.

Seal: You can come on up. If you would, please. Thank you.

Fitzgerald: Please state your name and address for there record and the floor is yours.

Morgan: Okay. My name is Drew Morgan. My address is 4600 West Quarter Horse Lane and I own the piece of property just east of this. I don't really have necessarily objections. I was a little confused with the description along Quarter Horse. That is our access to our property and I heard it -- I thought I heard her say when Quarter Horse is closed once. Okay. Is this -- does this work? Okay. I thought I heard her say when Quarter Horse is closed. What -- what was that a reference to?

Fitzgerald: And, sir, I think we will have her answer that question when she comes back up.

Morgan: I would just -- I would like a description of what the plan for Quarter Horse is to the future. That's our only access to our property and, you know, I'm not against -- I mean I have seven and a half acres immediately east of this lot. It's a weed patch. It's been that way ever since I have lived there and I'm not against the development. I actually think that it's a good idea. I think it's a little bit too dense, but that's my personal preference and I have a lot of faith in all of you that you will get it right. So, I'm just going to leave that there. I was just a little concerned about my access. Thank you.

Fitzgerald: And we will make sure she answers that. I don't think it's -- we would be changing it just -- if you decide to develop in the future. But I will have her answer that before she closes.

Morgan: Thank you.

Fitzgerald: Is there anyone -- anyone else in chambers? Please raise your hand if you would like to testify on this application or online. Please raise your hand, either virtually or in person.

Seal: Nobody else in chambers.

Fitzgerald: Okay. Going once. Going twice. Penelope, would you like to come back and join us and close and hopefully answer a couple questions?

Constantikes: Would you like me to state my name again?

Fitzgerald: I think we are good, ma'am. Go right ahead.

Constantikes: Okay. Very good. So, we had a -- I sent out a postcard, it was hot pink, and invited all the easement holders to come. Mr. Morgan's son came to that meeting and -- and we understand very clearly that we can't just close off Quarter Horse Lane. The Morgan property does have access to Pine Avenue also. There is an access point on Pine for the Morgan parcel. But having said that, I don't -- I'm not an attorney and I haven't worked at the highway district for 20 years, but -- but I know that they are -- they are pretty set on getting Quarter Horse closed. So, it will happen and it won't be something that we decide, it will be something that the district decides. It's -- we don't have a lot of control over that, so -- and the key is when the parcels -- when all three parcels have access to a public roadway, then, the -- my understanding -- and I'm just -- this is based on conversations I have had with Stacey Yarrington that at some point in time in the not too distant future, whenever that might be, Quarter Horse Lane will cease to connect to Black Cat Road. But while we are developing our parcel nothing is going to change with regard to access for the Casey parcel, the Alexander parcel, or the Morgan parcel. We are not -- we are not going to do anything to impede that and we -- of course, the developer in this instance will have to relinquish their corresponding right to use the easement and they will. So, who knows when development will occur. For the time being nothing is going to change with regard to Quarter Horse Lane and its access to Black Cat Road. So, I don't know how else to answer that, other than it's there and it doesn't have a sunset. It's a very clean document. It just says these people have access via this easement to Black Cat Road. So, until the district mandates otherwise, we won't be changing that.

Fitzgerald: And, then, Penelope, did you have any other closing comments? I think we understand that your application is not impacting that lane, so that's good. Do you have any other closing comments for us?

Constantikes: Just one if I might. I will visit with Mr. Morgan on the way out and --

Fitzgerald: Okay.

Constantikes: -- and the reason we had that meeting was specifically for the three easement holders is so that we could have a one-on-one conversation with them separate from a neighborhood meeting and -- and just chat with them about it and Mr. Casey came and Mr. Morgan's son came. No one came from the Alexander household, so -- but we did make an effort to have a one-on-one conversation with them about that and thank you.

Fitzgerald: Thank you, ma'am. Are there any further questions for Penelope at this time?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go right ahead.

Seal: Just trying to understand a little what -- what's on the screen right is plant fescue and how that becomes common area and some things like that. Is that -- and access to it. I mean I'm in the same boat here. I don't -- don't really like that being, you know, butted right up to Black Cat Road, but there is -- it seems like there is a significant area there that can be made into a common space that's usable. Is that something that the applicant would be willing to fence, maybe put in a gravel path, something along those lines to make it more accessible from the subdivision, but also safe from the -- you know, from kids coming out onto the gravel road or out onto Black Cat or anything like that?

Constantikes: Mr. Chairman, Commissioner, I think that would be fine. I have asked Joe to put up that replacement exhibit. The one with the plant fescue was -- was part of an earlier iteration while we were trying to figure out what can we do with that area that didn't violate easement rights, but cleaned it up and made it more attractive and fescue, of course, is -- is a native grass and it's drought resistant. So, if I understand correctly what you are asking is if this area that's shown in the top illustration -- you are asking if it would be fenced as an interim and there is a fence along the south boundary now. There is a fence that runs along the north side of the gravel road and -- and so it's partially fenced now and if you would like to have a fence -- we were going to extend the sidewalk down to the north side of the gravel road, so that that pedestrian access is continued down as far as we can run it. There is no sense in putting a sidewalk across that gravel road, because the gravel will just beat it to death and it will have to be pulled out. So, if I understand what you are asking for is if the applicant would be willing to fence the -- this section that's at the end closest to Black Cat Road to keep the children from being able to get out onto the roadway; is that correct?

Seal: It -- it would be -- fence it along Black Cat, but also fence that entire southern boundary there. The graphic here where it says 10,140 square feet --

Constantikes: Yes. That's already fenced.

Seal: Is that privacy fence?

Constantikes: No. It's a -- it's a clear -- it's like a farm fence. It's -- it's a -- it's got -- it's a three wire fence, I believe.

Dodson: Mr. Chair?

Fitzgerald: Go ahead, Joe.

Dodson: Yeah. I just want to clarify. So, Mr. Seal, you are -- you are talking about along the green line in this instance?

Seal: Right.

Dodson: And separate it from the gravel roadway.

Seal: Correct.

Dodson: My understanding with this easement there really isn't a way to do that because of the way the easement is written, that they -- all the easement -- the serving sites have access and use of this whole area. The applicant is trying to have a compromise with us and with the use of that easement to allow the existing gravel roadway, which, again, anybody can drive on grass, too, obviously. But try and keep the gravel driveway and, then, have the other area be vegetated somewhat to where it could be usable. That's -- I don't see how we could -- unless they can clarify for me if we could fence that separate of the gravel.

Seal: Okay. Understood. Thank you.

Constantikes: Mr. Chairman, Commissioners, there actually is a fence there now that runs basically along the -- the southern line of that top exhibit.

Seal: Right. But it would mean for -- I mean to enclose a public area or a public use area it would have to be a privacy fence and meet UDC standards and all that, so -- I mean a barbed wire fence isn't going to do that.

Constantikes: Right. Well, unfortunately, it's barbed wire, it's just a wire fence. What we are trying to do is just make this look better and -- and it's -- it's big enough that kids could play soccer out there -- informal soccer, something like that. We are happy to do whatever you want with that. We can't do anything -- we can't put any permanent structures in. In the meeting I did have with the easement holders we asked about whether or not there was any issue with making that a little bit more attractive. Mr. Casey asked me specifically if I would get rid of the puncture vines. So -- or just -- and like Joe said, we are just trying to find some middle ground that makes it attractive and potentially usable until something happens in the neighborhood, in which case it will become public roadway.



Seal: Understood. Thank you.

Fitzgerald: Any follow up? Any additional questions for Penelope at this time before we close the public hearing? Penelope, thank you very much. With that can I get a motion to close the public hearing?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: Move that we close the public hearing for file number H-2020-0060.

Cassinelli: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-0060. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Fitzgerald: Thanks, crew. Anybody want to lead off?

Grove: Mr. Chair, I will jump in real quick.

Fitzgerald: Go ahead, Commissioner Grove.

Grove: I like this better. I don't -- I don't have strong opinions yet on this I guess. In-fill of this size is difficult I think. My general opinion of it is that it looks -- it looks to be okay and I would be mostly favorable, but kind of like to hear what -- some of the concerns of the Commissioners are on this one.

Yearsley: Mr. Chair?

Fitzgerald: Commissioner Yearsley.

Yearsley: So, personally I like the total 12 better, but understanding that that's not on the table. I am concerned even -- even with the fence on that -- that tot lot, you know, kids can run really quickly and -- and I'm not a big fan of that park being on the street. So, I would be very in favor of losing one lot, if not two, to open space for a tot lot in that area. I'm just -- personally I'm not a big fan of the R-8 zoning. I think it's really really dense and I think we need to make more of an effort to provide open space for those areas, because you don't have a lot of lots for the kids to play on. So, for that I think I would be fine. I think that that fence to the south -- or to the -- that she's talking about that's wire, I think that should be a privacy fence as well to -- to make it a little bit better for their residents within that. I think the people that already have homes there I think would appreciate privacy fence around the site as well, so -- but those are my -- my concerns and my recommendations.

Fitzgerald: Commissioner Cassinelli, you came off mute. Do you want to weigh in?

Cassinelli: The -- I guess I will throw it out -- all out good and bad. It is difficult. These in-fills are not easy. Every time we go through one of them I would prefer -- I mean it fits within the -- the medium density definition on the comp plan, but at the same time, you know, we don't deal with it anymore, but in the old days, you know, we used to deal with a step-up issue and this is -- you know, this has that step up feeling going from a -- the four to the eight. Again, Commissioner Yearsley said that -- and I like the idea of four better. It fits with what's around there. But all that said, it is difficult to do something with -- with these in-fills. I would prefer to see -- at minimum I'm going with staff's recommendation on -- on carving out that one lot, but I would even like to see maybe a couple lots -- maybe a lot along Black Cat, increase the width of those lots a little bit. I -- I still think that the developer will do well if they come in at 24 lots in this thing. I think they will be -- I think they can still do this project and I echo your -- your earlier comments on the open space along the arterials and, frankly, even along Pine, I don't -- even though it qualifies -- it's qualified, I don't see it as qualified. So, those are my -- I want to see more internal open space is the long and the short of it.

Fitzgerald: Yeah. I -- I agree with you. I -- and I -- if you have -- if you are including the qualified open space where your -- the pieces of the -- along the arterials as a component of your open space, but the only piece of it being the open space, it doesn't work for me. So, I -- I am in agreement with staff. You can do a -- kind of a modest workforce housing type level project that still gives the folks that are living there places where they can recreate and not have to walk a mile to get there and I still -- you -- we have, you know, zoning and requirements within our comp plan for a reason and that's why we want to have minimum open space and I just don't think it meets it. So, I'm -- in the base I agree that -- with what Joe has layed out, that there needs to be open space in the center and I don't think the -- utilize that easement down to the south gets it done. I mean I think -- like Commissioner Yearsley said, I think having a -- if it cleans that -- that area up it would be great, but I don't think they are -- putting the open space down southwest does anything to help this community have a -- somewhere to play soccer or baseball or something -- throw a football around. And I think the -- you know, whether it's workforce housing or not, they need space to -- to roam and stretch out and I don't want to deviate from what our code says in that requirement, so -- so, I'm with you on -- on several of those comments.

Seal: Mr. Chair?

Cassinelli: Can I make a comment on that, not to -- not to go the other way, but I -- and correct me if I'm wrong, but from a code standpoint, this being under five acres, they don't -- they are not required to have that, but we are --

Fitzgerald: You are correct, sir. I think that's the hard part with the in-fill is when you -- in my mind this all goes both sides right here, because I -- you are correct, on the in-fill side they don't have to have something, but if you are going to pack the -- you are going

to step up in density from R-4 and that's where I -- my mind changes. We went from 12 lots to 26 lots or 24 lots and I think there has got to be a balance there somewhere.

Cassinelli Yeah.

Fitzgerald: I'm with -- you are totally correct.

Cassinelli: No. And I -- and not to -- not to get -- not to argue with you on that, I just want to bring that up, but I -- but I agree wholeheartedly. They are asking for a -- for a big favor here going from the four to the eight, taking these lots down, cutting them in half and going to the absolute -- almost the bare minimum. You look at lots, there is -- there is three -- there is a couple of lots in there that are -- that are at the 5,000. There is one at 5,700, but everything else is right at four -- 4,100. So, they are -- you know, for all intents and purposes they are all at that minimum lot size, so, yeah, I think if they are going to -- if they are asking for that, we have -- you know, I think we can ask for some space and nice, usable open space that kids can play.

Fitzgerald: Having the houses -- what we are putting in those lots, what they are getting, we need to give them something that isn't -- that's sized properly, so they are not being, you know, led astray and there is a -- that we understand what -- what housing is going on there -- the product they are going to put up. But we have a DA and there are design requirements. Council needs to know what's going to go on there, so we need to see those before Council, if that's the direction we go.

Dodson: Mr. Chair?

Yearsley: Mr. Chair?

Fitzgerald: Commissioner Yearsley.

Yearsley: Following up with that, you know, he's got those -- those squares named as a home that he's got signed, so, you know, it wouldn't have been that hard for him to show those homes, so it has me a concern, why didn't he want to show those homes on that -- that figure. So, not -- not to say they are trying to pull anything, but, you know, let's be full disclosure and show what -- what they are proposing on those style of homes.

Cassinelli: Agreed.

Dodson: Mr. Chair?

Fitzgerald: Commissioner Seal.

Dodson: Joe, actually. Yeah. We keep getting --

Fitzgerald: No, Joe, you can't talk. Sorry. We are talking. You can't talk. No. Go right ahead, Joe.

Dodson: Just for the record I wanted to clarify the previous plat from 2006 had 14 lots on it, courtesy of Mr. Bill Parsons.

Fitzgerald: Thank you.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go ahead.

Seal: A couple things on the -- the traffic portion of it. I mean I can attest that Black Cat is -- I will just say not healthy as far as traffic is concerned at peak hours of the day for sure. So, that said, Black Cat is on from 2021 to 2025 for improvement. I'm hoping that the city is working diligently to get it moved up on that list, because it is definitely one of the -- the pinch points that I feel in watching the meeting last night with the Mayor -- I mean they identified some other pinpoints within the city that I actually live close to and to -- I don't -- I live further away from this and, honestly, I would like to see this moved up on the list, because I think the traffic that's -- that's coming and going there, the number of kids that we have, the number of parks that are nearby, the schools that are there, it's -- it's just going to -- in my mind that's just going to end up being a really bad scenario at some point in time until that's all improved, because the -- the more congested the traffic gets, the more you are going to see people take wild chances to dart out into -- into traffic. So, I do have concerns about that. That said, it is on the -- it is on the plan to go somewhere between 2021 and 2026, so hopefully that's sooner other than later. As far as the -- I do agree with the elevations I mean they got to show something that's going to actually -- what it's going to look like when it sits on that lot. I am a little torn between the R-4 and R-8 designation. I understand, you know, the ask -- the ask that they have, I understand it. I understand the need for workforce housing. So, I understand it helps balance the area. That said, the -- the amount of usable space in here -- usable open space doesn't seem to warrant, you know, the annexation that -- that needs to happen here in order to make sure that this property comes into the city. So, you know, I mean there has got to be a little bit more give and take on that.

Fitzgerald: Just to clarify, we are not annexing. This is already annexed property. It was annexed and zoned R-4.

Seal: Got you. Okay. So, still it's -- I mean it's -- the density is stepping up and, you know, the -- the lot sizes are at the minimum and there is some contention over the open space pieces in there. I tend to agree with staff that more is needed. I think that a different approach could be taken overall in order to consolidate that open space into more of the center of the -- the subdivision. I don't know -- I mean I'm not in favor necessarily of eliminating that pathway that goes out, that actually does provide, you know, easier access to Pine for, you know, activity like biking, for instance. So, I am torn on that. I can see that -- you know, I mean it does provide value, but at the same time it seems like there is a -- there is a little bit of shoehorning going on here in order to make that fit. So, I'm -- I'm a little bit torn on where to go with this at this point.

Fitzgerald: I don't want to start redesigning the project, but I -- and I do agree that the path going to the northeast is a good thing. So, there is another access out for, you know, kids walking to school or -- or the park or whatever they are going to do. But I -- I do agree with Joe that there has got to be at least a pocket park internal to this. So, I'm not sure if the applicant wants a chance to revise it with the inclusion of the -- of something to the north or give them flexibility to work with staff before Council. I think that's feasible. I don't think we need to see this thing again. We can outline what we -- what we are desiring and having them work with staff before Council to come up with a -- a plan that -- fits where Joe was going I think, whether that's take out two internal lots, take the tot lot and put it in the middle and make that just a micro path over and maybe maneuver the lots a little bit. But I don't want to redesign their thoughts, but I do agree with Joe's assessment that there needs to be something internal, but I'm not sure if we need to see it again.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I don't want to redesign this, but I do want to kind of comment that I -- I like the path and you said that if it meant that there was a more usable open space elsewhere I wouldn't be opposed to losing it, just based on how big this development is. I mean it wouldn't be the end of the world on a project this size to lose that pathway if a much more usable open space was achieved. I'm not a huge fan of losing that Lot 6 necessarily. If -- if that were the case it would preferably be, you know, one of the -- in that section to the south of that a little bit, but I'm not sure exactly what's doable and what's not, but consolidating it into one location would definitely be preferred.

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli, go right ahead, sir.

Cassinelli: I didn't see this until just now. I was able to enlarge the plat. We know that we discussed this at all -- at all. We have got this public alley coming off of the cul-de-sac over to the -- over to that -- the main road through there. Are those -- and maybe Joe can answer this, so we don't have to open it back up and the applicant back up here. Are those homes along Pine with that public alley, are those -- are those rear load? Do those homes take their front entrance off of Pine? Joe, do you know? It's lots -- looks like lots one, two and three or perhaps just one and two, depending on how you do it.

Dodson: Commissioner Cassinelli, Members of the Commission, so just to clarify -- I'm trying to show -- okay. We are just going to go back here. This is the latest plat.

Cassinelli: Okay. So, am I looking -- am I looking at the -- at the preliminary -- excuse me.

Dodson: So, the -- the plat that you are looking at was the one that we had for the previous Commission meeting and, then, it had to get changed, which is why we were continued to tonight.

Cassinelli: Okay.

Dodson: So, the plat that's on the screen now is the one that is trying to go forward. That does not have an alley.

Cassinelli: All right. No wonder why I didn't see that on that -- on the end.

Dodson: Yes, sir.

Fitzgerald: I think I was losing my mind, because I didn't see that at all.

Cassinelli: I was opening up at a different place on that -- what said revised, because I want a bigger picture of it, so -- okay.

Dodson: Yes, sir. I can't -- I can't count how many revisions we have gone through and worked together on, but this is probably five or six.

Cassinelli: Okay. But that was -- the one I was referring to there was a -- was a preliminary one. Thank you. Sorry.

Fitzgerald: Commissioner Yearsley or Commissioner Cassinelli, do you guys have thoughts about additional comments? Or Commissioner Seal? Commissioner Grove? Anyone want to -- where do we go from here? Do you want to step through it?

Yearsley: So, Commissioner Cassinelli talked about losing a lot along Black Cat to make those a little bit bigger. I didn't know what other individuals thought about that. I actually personally think it's a great idea to make those a little bit bigger.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I don't disagree making the lots larger, but if we are going to suggest losing any, I would prefer that they be internal to -- to go towards the open -- I guess consolidated open space personally.

Yearsley: Commissioner, Chair, I think he was actually talking about losing two lots, one for open space and one for making the lot bigger.

Cassinelli: That's what I had and that was a compromise to -- to this -- to this -- you know, going from the four to the eight and taking lots to the -- almost the bare minimum.

Fitzgerald: And Joe already has a stipulation that -- that Lot 6 becomes an open space. So, that's in the -- in the staff report now. So, that's internal. If there was additional thoughts -- you know, I -- I think there is a balance to be struck. I'm kind of -- with lots along the road I would want those to be more dense and maybe give them an opportunity to use a product that might be better for that roadside and less expensive maybe and, then, have an internal -- I kind of agree with Commissioner Grove as well. The open space in the middle and that's -- I'm not sure that's one or two lots, but I'm up for a discussion around that. Again, I don't know if we need to be redesigning, folks. I think we need to kind of give them a direction and either let them work it out before Council or we need to continue this thing to have them bring it back, but I know Joe's done a yeoman's work trying to get them where we are. So, I know -- I mean I think we have got consensus on the fact that we would like to see elevations that meet the lot sizes. We would like to see some additional open space internally. Do we have a thought on the fence to the south? Is everybody in agreement we need to redo that wire fence and give them a privacy fence?

Seal: Mr. Chair, I think that it -- it's established that that really can't happen, because of the easements that are on it.

Fitzgerald: There is a fence there now. There is a fence there now. It's just a three wire fence for cattle or for livestock. So, I think you could have it come up and put something else in there. But we -- Joe, just comment on that?

Dodson: Mr. Chair, Members of the Commission, so, again, just to clarify. This fence right here, that can be easily replaced. That -- yes, that's this -- what we would say is the subdivision boundary fence, but what I think Commissioner Seal is referencing is having another fence along this center line, so to speak, and, you know, walling off -- you know, fencing off is actually more correct. Fencing off is actually more correct. Fencing off the gravel road this plant fescue. I -- if you guys want to make that recommendation I recommend you have verbiage in there that -- that the applicant work with staff on that just to ensure that with the way the easement is written that we can do that. But there is no -- at this point I can't guarantee that that's allowed or not allowed.

Fitzgerald: Okay. Thank you. So, I think we -- we can talk about the piece. But I think the last piece is whether we are talking about one or two lots. If we are going to move this thing forward or -- and -- or if we need to come back -- have it come back and we need to look at it again. Do you guys have a preference?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: My preference would be to recommend losing two lots and moving it forward.

Fitzgerald: Let the staff work with the applicant to figure it out? Commissioner Cassinelli, go right ahead.

Cassinelli: I was -- I was saying that -- I think that sounds like a motion that Commissioner Grove was making.

Yearsley: I agree with that motion.

Seal: Mr. Chair, I --

Fitzgerald: Commissioner Seal, do you have a thought?

Seal: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Seal: I will -- I can take a stab at the motion here, so I have been taking a lot of notes.

Fitzgerald: Okay.

Seal: After considering all staff and public testimony, I move to recommend approval to the City Council a file number H-2020-0060 as presented in the staff report for the hearing date of October 22nd, 2020, with the following modifications: First that the applicant submit elevations that show how houses will look on the actual lot sizes. That they provide fencing along the north and east sides of the common area with the tot lot in the northeast corner. That they consider losing a lot along Black Cat to provide for larger lots along Black Cat. That they trim Lots 9 and 11, as the applicant proposed, to increase the open space in the northeast corner. And they work with staff to provide fencing along the southern grassed boundary.

Yearsley: I will second that.

Fitzgerald: I have a motion and a second to recommend approval with modifications of H-2020-0060. Are there additional comments or thoughts before we -- before we vote?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Can I get clarification on that motion? Was it -- were we -- we were also losing that -- I mean were we losing that lot that staff recommended as well? Is that what that motion was?

Seal: Correct.

Fitzgerald: That's already in the staff report.

Cassinelli: Okay.



Fitzgerald: I don't think we had to state that in the motion.

Cassinelli: Okay.

Fitzgerald: Everybody clear on where we are headed? Sounds like it. So, with that I have a motion and a second. All those in favor say aye. Any opposed? Motion passes. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**3. Public Hearing Continued from September 17, 2020 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 395 buildable lots [316 single family residential (94 attached & 222 detached), 63 townhomes, 14 multifamily residential, 1 commercial and 1 school], 32 common lots and 6 other (shared driveway) lots on 123.26 acres of land in the R-8, R-15 and C-G zoning districts.

Fitzgerald: Appreciate all the work. Joe, thank you very much for your efforts. Penelope, good luck moving forward and we will move on to our next item on our agenda, which is File No. H-2020-0047, Prescott Ridge, and I will turn it over to Sonya for the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. This project was continued from the Commission hearing on September 17th in order for the applicant to revise the concept development plan for the medical campus and commercial portion of the site and the townhome portion of the site. I am -- clerk, do I have rights to forward the presentation?

Weatherly: Sorry, Sonya, what was that?

Allen: I'm sorry, I'm not able to advance the slides.

Weatherly: Oh. One moment.

Allen: Thank you. Might be user error.

Weatherly: Do you want to have control or do you want Bill to help you?

Allen: Either way.

Weatherly: Okay.

Allen: So, if you will go to the concept plan, Bill, if you are driving, for the commercial portion. Thank you. A revised concept plan was submitted for the commercial portion of the development as shown on the right that includes the following changes: Reconfigured frontage road between Levi Lane and Serenity Lane and Chinden Boulevard. Relocation of medical office building from the southeast corner to the northwest corner of the site. Addition of restaurant and retail uses at the northeast corner of the site on the outparcel to contribute to the mix of uses desired in a mixed use regional designated area. Just a note that the applicant states the hospital and landowner of this property -- property have signed a letter of intent and a final purchase and sale agreement is being drafted. However, this parcel is not part of the subject development application, so future development cannot be held to this plan. That that is what the applicant plans to develop the property with once they -- if they -- and once they do obtain the property. Reduction in the number of stories for the hospital and the medical office buildings from four to three stories. Addition of many more trees within the 30 foot wide landscape buffers along the west and south boundaries as an added buffer to adjacent residential properties. Addition of pathway connections to the main building entrances from perimeter sidewalks and from the single family residential to the commercial portion of the development for pedestrian interconnectivity and addition of a shaded seating area in front of the medical office building and a large plaza greenspace in front of the hospital. And, then, Bill, if you will go to the revised site plan for the townhome portion, please. There we go. Thank you. The revised site plan submitted for the townhome portion depicts the following changes. The reconfiguration of the site layout with homes fronting on private streets and a MEW. Reduction in the number of dwelling units from 54 to 46. And inclusion of attached units, in addition to the townhome units. The attached units will front on the MEW and be accessed from the public street. And increase in the amount of common open space area. And, finally, addition of amenities consisting of a pavilion, barbecues, seating area and a fire pit. And there is an amenities exhibit in there, too, I believe, Bill, if you want to go to it. A revised preliminary plat and landscape plan were also submitted that depict the revised layout of the townhome portion of the development and replacement of a buildable lot with a common lot adjacent to the east boundary of Peregrine Heights. And, yeah, if you see that little green area there, that's the common area that replaced the buildable lot. And staff will stand for any questions.

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

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Sonya, with the exception of that lot that's still not part of the -- of this plat here, did they pretty much do everything that we had requested?

Allen: Chairman, Commissioner Cassinelli, Commissioners, I believe so, yes.

Cassinelli: Okay. And, then, follow up question. On that buildable lot -- so, everything -- I mean what -- can you explain to me exactly where we are at? I mean what the -- what

this plan depicts is using that lot. What happens if -- you know, it's -- it's still not a -- it's a letter of intent drafting a purchase and sale agreement. That -- you know, it's not a done deal yet. So, what happens if that does fall through? What's the -- what's Plan B?

Allen: Well, you can't -- Commissioners, you cannot -- that property is not part of this development application, like I said, so it won't be part of the development agreement. So, if it falls through it -- there simply will not be a commercial, retail, restaurant component to this project at this time.

Cassinelli: Will they be able to do everything else on the revised plat if that -- if that parcel doesn't come through? I mean are we just -- I mean will they be able to still enter the ambulatory -- come off of Levi Lane like -- like it's depicting the -- the hospital medical facility will all remain as the -- as they are in the revised plat if that parcel does not come through?

Allen: I believe it's in the same location. The applicant can respond to that, though, and he will have a -- a much more detailed presentation than mine on the changes. It almost looks like there is a little bit -- looking back and forth between the two plans it almost looks like there is a little bit of an offset, but I think it's still on this property. So, I think they should be fine. But they can confirm that.

Cassinelli: Okay. Thank you.

Fitzgerald: Additional questions for Sonya? At least at this time? Okay. Seeing none, would the applicant like to come forward or join us on Zoom.

Seal: Go ahead and state your name and address for the record.

Fitzgerald: Thanks, Commissioner Seal.

Connor: Thank you. Good evening, Mr. Chairman, Commissioners. My name is Patrick Connor. My address is 701 South Allen Street, Meridian, Idaho. Pulling up the presentation now. Great. I will go ahead and start. Like I said, my name is Patrick Connor. I'm with Providence Properties and we build communities. I'm happy to be here again. I am presenting solo tonight. Stephanie Leonard, who presented with me last month, recently got married and she's on her honeymoon, so we are very happy for her. Prescott Ridge is a masterplanned community located in northwest Meridian. Tonight representing the annexation, zoning, preliminary plat application. Like Sonya had said, we made some important changes to the townhome and medical campus layouts. Most of what I'm presenting tonight is the same as from before, but as I present I will call attention to any changes that have occurred since last hearing. So, the total project size is 123 and a half acres. Twenty-three of these acres is the school parcel on the far east side. Fifteen acres is proposed commercial, medical campus, and about 80 acres is part of the residential and open space. The location is south of Chinden, east of McDermott. Everything you see on this map that is colored is either platted, built, or under construction. So, I can -- as you can see Prescott Ridge is one of the final large parcels

left in this area of town to develop. This zoning map shows majority yellow, which is medium density residential. Or sorry. Future land use map of medium density residential and mixed use residential adjacent to Chinden. This zoning map here shows north of the property across Chinden as commercial general and R-4 and R-8 to the south and R-4 to the east. We are submitting our application for three different zoning categories, C-G zoning for the north portion, R-15 for the multi-family and the townhome area and R-8 for the balance of the property. Here is the preliminary plat. So, one thing that's changed is the count of single family detached lots went down one to 315 units. We have 38 townhome lots, eight single family attached lots, which are part of that townhome parcel, 14 multi-family lots with proposed four plexes on each of those lots, 39 common and the proposed medical campus of about 14 acres and, then, 12 acres of qualified open space. Here is a qualified open space exhibit. Everything in green. As Sonya pointed out, we did modify in the southeast corner of the Peregrine Heights community have an open space lot in that corner. So, talk more about open space and site amenities. We will have a central park in the middle of the project with a pool and a clubhouse, which is private to members of the HOA with a large tot lot. We will have two areas of smaller tot lots and, then, one area of a dog park. Also -- and I will get into more detail. There is another pocket park in the townhome project, which will have some amenities there as well. Here is some renderings of these amenities within the project. This is of the clubhouse and the pool. The tot lots within the community scattered around. This exhibit shows the pedestrian connectivity throughout the project of all the pathways through the common area and this line shows where the ten foot parks pathway goes through the property through the north end by the hospital down through the cul-de-sac, estate lots, through the large central park and, then, to the future school site on the far east side of the property. This is an image of the phasing plan. I will get into how we will phase the project, but we will start from the south phase one and in phase one we will build all of the Rustic Oak or Levi Lane, all the way to Chinden to the south boundary. So, this map shows the extent of phase one. Part of the discussions with the Fire Department was to ensure that we always have two points of access for their accessibility and so we are showing that there with an access point onto Chinden and an access -- access point onto McDermott. This is very important for them to have the reliability of serving the property. On a regional level on this full build out of Levi will also eventually connect to Rustic Oak in The Oaks North project, which will extend all the way to McMillan. In talking with the Fire Department and the Police Department this will improve their response times to not just our projects, but also to all of the properties shown in this entire area. In addition, it was important to us to build the full extent of Levi Lane, because it offers utilities and -- and road infrastructure to the parcels along Chinden and extending them utilities. As discussed before Serenity Lane -- once the stoplight at Levi Lane and Chinden is installed, which is expected to be in 2021, the access for Serenity Lane onto Chinden will change from full access to a right-in, right-out only. At that point their primary access or emergency access will be constrained and so we are providing them a full access point through -- through Prescott Ridge. In discussions with the Fire Department this access will remain completely open without any sort of hindrance, so -- as discussed previously we were considering bollards or a gate. That is no longer an option as we want to ensure that the Fire Department can serve the 15 homes within Peregrine Heights. Talking now about the housing types within Prescott Ridge. As you can see we have an assortment

and a diverse types of housing that was encouraged both by the comp plan and by staff. The majority of the property of the -- of the homes will be a mix between 45, 50 and 60 feet wide as shown in yellow. We will have segments of the -- what we call cluster housing, which are smaller lots. These also in code have the option to become single family detached homes. This will help kind of break up the monotonous of -- monotony of the streetscape a little bit and providing these attached units. Those will be decided at final plat and during each -- each plat as we move through the project. In green you will see we have the townhome or the single family attached area. The large purple lots that border the Peregrine Heights community. And, finally, the multi-family four-plex portion in the northeast corner. Here is some typical home elevations for our smaller lots that we build throughout the valley. Attached single family lots and typical home elevations for our -- for our mixed properties and we are currently developing our estate product for the larger lots that will be adjacent to Peregrine Heights. So, talking more specifically about something that's changed since we last presented is the townhome area with the attached single family. So, the revised layout, as previously said, changed from 54 units to 46 units. We have three different prototypes within this first -- the majority of the project in the middle and in the north are 29 rear load townhomes. Looking at this plan, the front doors and the front yards face the common MEW area in the central part and, then, the four unit -- four buildings on the north the front doors face the north side and their common area behind them. They are rear load in that they have two car garages facing the private street. On the far west side of the property we have front load attached townhomes. So, the front door and the garages front the private street and, then, they have their backyards there and on the south side we have the attached single family units, which will front the public street of Wildfire Drive and, then, their backyards will face the common MEW area. Each unit here, which is very important to us, have the opportunity to have private front yards or private backyards, depending on how they are oriented. This is an opportunity for people to have their own green space within a community that a lot of the property -- a lot of the homes are already adjacent to common areas, but they have their own space to have a small garden or let their dog out in the middle of the night. One big modification and improvement here was the private street now accesses two different public streets, both Levi Lane or Rustic Oak and Wildfire Drive on two points. This was well received by the Fire Department. Also the MEW in the central part of the property will not have any sort of installations or amenities. We intend for this to be open, enable for the people who live adjacent to the MEW to use this as they please. The top northwest corner we do have a small pocket park. We are suggesting a pergola, barbecue, opportunity seating and a fire pit. This is more of an area for the people to gather and entertain in that space. For -- for -- which is part of the overall Prescott Ridge project, but specifically it's located here for the townhome portion of it. The MEW is a little over half of an acre and the northwest pocket park is also a little over half an acre. Here is some renderings of the rear load townhomes. Here is some renderings of the front load townhomes and the attached single family that are on the south side of the townhome project. Here is just some examples of inspirations that we had for MEW examples that we shared with the city. These are from -- both in Idaho, Colorado, and in Texas where they are very popular and allowing people to have their private small front yard, but also a large shared open space. Here is some example of that pocket park within the northwest corner of the townhome area. Next the four -- multi-family four-plex flats. Given the -- the use here we

will be submitting a conditional use permit for this project, but there are 14 lots with proposed four -- four unit buildings on each of these lots. This will be a rental product in this -- in this part of the community. Just real quick about our home quality. We are top in the valley, along with Brighton, in providing energy -- Energy Star efficient homes, surveyed by a third party. Last year we actually led the valley in the amount of Energy Star certified homes. We have a design center here in Meridian that every homebuyer can visit and gets to pick all the selections for all their home -- for each part of their home. We were recently featured in the front of the Parade of Homes Magazine and here is some select photos from that Parade of Home house. And, lastly, the medical campus. So, we did make a lot of improvements and modifications to the medical campus that we think will be well received by the existing neighbors and by the medical market overall. The biggest change was the adjustment from four story buildings to three story buildings for both the hospital and the medical office building. A big change also was the rotation of the building to orient north and have the loading zone and majority of the staff parking on the south side, rather than on the west side adjacent to the Peregrine Heights community. And, third, the outparcel is shown on this plan. Like was said before, the parcel is not part of this application, but we are showing this in the northeast corner at the city's request to not leave out any enclave parcels and show how it could be developed within that whole campus. As said before, the hospital corporation and the landowner have signed a letter of intent terms, so they do have agreed upon terms, which is the biggest hump to get over and currently the hospital's legal team is drafting the contract or the purchase and sale agreement for the parties to sign. So, all of the major issues as far as price and terms and earnest money have been decided, but they will not close on the property until they feel like they have suitable entitlements to be part of this project. As said before, the large medical plaza by the hospital building was significantly enlarged with some outdoor dining opportunities, as well as some green space with seating within that green space with the pathway going through. All this is interconnected to the 30 foot greenway buffer around the west and the south part of the property adjacent to the residential. We are showing more dense trees to show that there will be a green buffer alongside the adjacent properties, as well as the eight foot masonry wall, and there are three pathway connection points to the properties to the south. The ten foot parks pathway through the cul-de-sac, another smaller pathway through the townhomes and, then, one pathway along Rustic Oak Drive. As shown as well are the large plaza and, then, the smaller -- what we are calling areas of respite -- shaded areas of respite where -- the medical office building and the restaurant area -- or the retail area, park benches, cover park -- cover seating and areas for relaxation. Here is just some inspirational photos of what the area could look like once -- once built out to maturity. So, as I said before, the medical campus in Meridian adjacent -- across the street from Central Valley Plaza does create a regional medical destination that can offer a wide variety of medical services and offer a better product for the community of Meridian and driving more investment and more high paying jobs to the area. The intended user of the property is a private corporation, which pays a lot in taxes and has a long track record of successful hospitals across the country and is very excited to be part of Meridian.

Fitzgerald: Patrick, if you could wrap it up, sir.

Connor: Yeah. I just want to wrap up real quick. Thank you for the opportunity to present again. I mean it when I say thank you for your feedback at the last hearing. We have made a lot of changes that I think made this project better and thank you for feedback and -- and thank you, Sonya, for working with us through the past month and getting this project to where I think it needs to be. We believe that we have a really great project here that provides a diverse housing variety, the density that's needed, and we are complying with all standards in the UDC, as well as staff's recommendations. Stand for questions. Thank you.

Fitzgerald: Thank you, sir. Are there questions for the applicant? Commissioner Cassinelli.

Cassinelli: Saw that mute button come off. Patrick, I have a couple here. First of all, you mentioned that the traffic -- can you get into the traffic down Serenity Lane a little bit, because I think last time it was going to be bollard and -- and restricted; is that correct?

Connor: We -- we were completely open to what the Fire Department wants. It -- it's different throughout the valley what fire departments ask for. We suggested the bollards as a potential thing to put there, but in speaking to the fire chief recently he does not want to have any sort of hindrance for his ability to serve those residents. So, we are completely fine in having it open and free for them to come.

Cassinelli: So -- and I understand the Fire Department's concern. That's a -- that's always the top priority with me. But now that opens up a lot of -- a lot of traffic going -- it's not being forced to go Serenity Lane, but people are going to -- people are probably going to take Serenity Lane, those that want to take a right on Chinden instead of going up to Levi Lane. I can -- I can see that and that's -- that's a county road with no curb and gutter there -- are there. Is there any talk to do some sort of mitigation on that, some traffic calming, to maybe hopefully force everybody out Levi Lane?

Connor: So, I think we could -- one suggestion is maybe having signs. Whether people follow it or not I don't know. Eventually down the road Serenity Lane, to my knowledge, will actually -- their access to Chinden will be completely shut off. At that point there won't be any traffic going to Chinden, because they won't have that access. I don't know the timing of that. Again, we are trying to provide this -- this access for -- for fire safety. I'm open to any sort of traffic calming or -- or markings to prevent people from using Serenity Lane as a shortcut. With -- with Levi Lane opening and -- and the access to McDermott, I don't -- I couldn't say exactly how many homes -- how many people are going to be using Serenity Lane as an access point to Chinden, but I'm open to suggestions.

Cassinelli: Okay. I have more, but -- questions, but I would like to turn it over to my fellow Commissioners and come back around for my turn again.

Fitzgerald: Well, I think I have your -- I have one of your questions in my pocket as well. Patrick, are you going to -- the flow of traffic from Chinden to the cutover from Serenity, without that property you guys have under contract right now, are you guys having any

-- is it going to impact your current setup right now? Is the flow of traffic on the Levi Lane, your emergency access, anything that's being impacted without that property being a part of this project?

Connor: Mr. Chairman, thank you for bringing that up. I had in my notes to address that and I'm sorry I did not. It will -- having that outparcel not part of this project will not affect the access to Levi Lane. The way that it is shown the full access to Levi Lane is outside of that outparcel. There is a -- there is an additional access point with that outparcel, a right-in, right-out only access to Levi Lane, but it can still function as -- as needed without that outparcel.

Fitzgerald: Okay. Thank you. Commissioner Yearsley, go right ahead, sir.

Yearsley: Thank you. So, I really appreciate how you have made the larger lots to the subdivision to the north, but it doesn't look like you have made provisions to kind of match up lot sizes to the development to the south side. Are those lots -- it's hard to tell from what we can see what size those lots are. Are they similar to the R-4 lots through that area?

Connor: So, I'm glad you brought that up, because we have actually made those lots larger. I think they are -- I don't have it right in front of me -- or the -- or the dimensions. But I think they are 50 and 60 foot lots. So, there is no smaller 40 or 45 foot lots along that boundary line. So, we did enlarge them in some conversations that we have had with that development to accommodate some of their concerns. So, they are -- they are definitely not our smallest lot size, they are -- they are between 55 and 60 feet, to my knowledge.

Fitzgerald: Okay.

Cassinelli: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Cassinelli: Patrick, is the -- with the configuration of the hospital as it now -- it doesn't sound like we even have a representative from them here again tonight, but is the ambulance -- I think before it was coming off of Chinden, then, touching Serenity Lane and coming across the front. Is it for certain that the ambulance traffic will be coming off of Levi Lane at this point?

Connor: Yeah. So, that was another modification that -- in shifting the building that direction, the now -- the emergency service area is closest to Levi Lane and so that is where they want to drive the ambulance traffic and I do want to touch on the -- the way this hospital is going to be set up. It's -- it's not a trauma hospital. The ambulance aspect and the emergency room is really only required there by code, because of the level of potential surgeries or work that they can do within the hospital. So, that's -- so, truly the reason why they have to have an ambulance entry and emergency room. Also as stated



at the last meeting that they do have a policy of no lights and no sirens in residential areas or as you get close to residential areas in order to alleviate any sort of nuisance that they can provide. But it is an improvement having that ambulance entry come off Levi and not have to come through the frontage roads access to the far west side of the property.

Fitzgerald: And, Patrick, along that line for the trash enclosure -- that was something that the neighbors had discussed last time -- for both the -- the property to the north and to the main hospital, where do we have trash enclosures, so we can ensure that -- that they are not up against the folks along Serenity Lane?

Connor: So, I don't know if you can see, but the -- on the bottom side of the major hospital building there is an arrow that comes in and points directly into it. That's the location of the loading zone and the trash enclosure area.

Fitzgerald: Okay. And to the north is there one -- is that phase two, three story --

Connor: On the medical office building?

Fitzgerald: Yes, sir.

Connor: It's not -- it's not shown on here. I can check with the architect on how they -- how they plan to do that. With that being a medical office building it's a pretty -- it's going to be a smaller kind of trash area. Be similar to having a small office complex trash enclosure. So, it's not as -- I guess invasive as maybe the larger hospital -- hospital's trash enclosure with a larger -- larger square footage there. I would imagine that it's probably on the south side of that building as well, just given that they have the drop off area, the entry point and ADA on that east side. The south side of that building seems like the most logical place for the trash enclosure.

Fitzgerald: Appreciate that. Thank you. Additional questions for Patrick?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Again, I still have more, but this one is a follow up on your question regarding that building. Patrick, did -- and I don't know if you can speak to this, because this is -- this is -- is really not your piece, but did they look at -- and, first of all, I do like the fact that they really made some changes, dropping the whole story off of there, and shifting that to -- to work with those neighbors to the -- to the west there. Did they look at that medical office building and try to get the -- notice it -- it looks like it's only a hundred feet from the -- from the property line there where -- the pathway maybe. Did they look at trying to get that even -- can they get that a little further to the -- to the east?

Connor: We did look at a number of iterations of how to move that medical office building around. The way that they have configured it is they said the best and the furthest way

that they can do, given their requirements for ADA access and how they have to have ample parking in -- on a certain side of it. This group has designed hospitals across the country and looked at this thing very hard for a couple of weeks and coming up with many different iterations. This is what I think the best most -- most friendly design that we could do here. In orienting in a different direction it changes the flow of traffic and changes their ability to -- to serve the community best. Again, this -- this particular portion of the project will have to go through a conditional use permit process and go through this same design review and concept review. So, in no way is this plan one hundred percent final, this just is a concept plan that shows how it could plan to develop and how they can use the existing code on the existing property to make it happen within the code of the city.

Fitzgerald: Additional questions or follow up?

Cassinelli: I got another one.

Fitzgerald: Go right ahead.

Cassinelli: Sorry. It's -- I mean this is a big project, so --

Fitzgerald: Yeah. Absolutely.

Cassinelli: If you can jump -- Patrick, if you can jump to the -- to the townhome slide. Not the rentals, but the -- like the -- I believe those are -- would be privately owned. The -- I really like the MEWs. I like that setup. I like what you have done. The lone exception are the -- the pieces to the north of that private lane. I don't see anybody accessing the front door or seeing front doors on those. In a MEW there is common areas and people are going to come out their front, they got the neighbors across the MEW that are fronting it, but those ones to the north -- and I don't know if anybody else -- if that strikes a chord with anybody else, but I just -- it just feels like -- the only thing that's ever going to be seen. They are -- the people -- everybody's going to enter from the back. I would like to see something maybe different there. That's a -- whether this is a question or a comment.

Connor: Mr. Cassinelli --

Fitzgerald: Something that -- that was something that I wanted to ask if -- if you had looked at other options on those.

Connor: So, with -- with that -- I don't know if you can tell on here -- the end of the pathway is the end of that -- that parcel and so there is probably about -- I want to say it's about eight feet between there and, then, the edge of the line. So, there is that pathway that kind of meanders through and, then, there is some green space on that far east side of that area. I agree that it doesn't have the same effect as -- as the MEW down here and we did look at every possible way that we could fit homes on here based on the constraints and for those eight or so units out of -- out of all these, you know, maybe potentially not everybody wants to have their front yard back into a common area, that's a MEW. Maybe they do want to have something that functions more like a small

backyard, which is how these kind of function. The same thing with the houses on the -- on the west side, their backyards are more private, whereas the homes that face the central MEW it's more of kind of a public-private kind of nebulous area and so I don't think it's necessarily a downside. I know many people, myself included, that may not want my -- my front yard or my backyard directly visible from everybody in the neighborhood. So, we are trying to offer a diverse kind of selection of options for people. Some people may want to be right on that MEW. Some people may want to have a little bit more privacy. I will say that the eight homes that you are calling out on the north part are closest to that larger amenity pocket park, so that is an advantage for them having access to that with some of those amenities. So, not -- not every house on here is equal and I think we are showing three different product types on here and we are trying to show a diversity of options for folks. So, not everything is going to be exactly the same. Hopefully that clarifies kind of our thought process there.

Cassinelli: Yeah. Still a little bit of a -- I just -- and I know it -- obviously it's difficult, because you got the -- you got the medical complex to the north there. But I wanted to -- I wanted to bring that up and -- and ask you about it and maybe just my fellow Commissioners be thinking about that.

Connor: I actually forgot one more thing, Commissioner Cassinelli, if I can. Along that north boundary is going to be -- required to have the masonry wall. It's not shown here, but our intent is to really landscape that wall to kind of soften it to provide another kind of planting area and more landscaping to create kind of more of a -- a garden effect back there. Again, it's not going to be like a big, large open space, it's going to be more kind of like a patio garden home, but it will be a space that is owned and maintained by the HOA outside of their private front yard.

Weatherly: Mr. Chair?

Fitzgerald: Yes, ma'am.

Weatherly: I was recently notified that there is a representative for the hospital that is on the Zoom call and I'm happy to bring them into the meeting if you would like to hear from them.

Fitzgerald: Sure if there is questions. Commissioner Cassinelli, will that help you?

Cassinelli: Given the fact that we still got to deal with the CUP on that, I mean we have got -- you know, there is -- there is -- we are going to have another opportunity to talk about the layout of this.

Fitzgerald: Yeah. They definitely have to come back in.

Cassinelli: Yeah. I still had a couple more questions. But, again, I want to pass over to my fellow Commissioners first if they -- if they have any.

Fitzgerald: Additional questions before Commissioner Cassinelli continues? Commissioner Seal or Commissioner Yearsley, Commissioner Grove, anything?

Grove: I do.

Fitzgerald: Commissioner Grove, go ahead, sir.

Grove: I just had one question. With -- in regards to those townhomes that we were just looking at, it's a private yard, is that just -- is that fenced, nonfenced? And, then, I'm assuming with it being private that it's -- it's not -- the landscaping is not done by the HOA; is that correct?

Connor: Commissioner Grove, thank you for asking that question. I want to clarify. So, the way that we are kind of planning it right now is we are thinking just a three foot wrought iron fencing. So, something that's more kind of neighborly friendly, but also gives that sense of privacy there. Everything within that front yard that's in the private property is part of the homeowner's responsibility to maintain, but everything outside of that within the common area is -- is owned and maintained by the HOA. So, it's a chance for folks to put, you know, some patio chairs, a couple tomato plants in that space, or just have grass or -- or rocks, it doesn't really matter, but it will be all owned and -- and maintained by the homeowner.

Grove: Thanks.

Fitzgerald: Commissioner Seal, did you have a question? Sorry, I didn't mean to cut you off.

Seal: Bill, go ahead and get it out.

Cassinelli: Patrick, did you have conversations with the folks in -- on Serenity Lane there after this revision? I don't know if we are going to hear from any of them here tonight, but the one -- I -- the one that I really had a concern with -- and you did address it a little bit. I would have liked to have seen more. There is that one property on the -- I guess it would be the southeast lot there on -- off Serenity Lane. You took out one lot and put in a common lot. I guess I was hoping to see a little bit more -- they still have four lots to -- it's still four to one there. They have got two on the south side, two on their east side. They are still impacted pretty heavily by -- by the layout.

Connor: Yes. So -- thank you for bringing that up, Commissioner Cassinelli. That particular homeowner and that property is one of the sellers of Prescott Ridge. He is in favor of the development plan. He is aware that we have made that accommodation to him. He didn't care one way or the other. But I think it works better and it creates kind of more green space in that area. So, we -- we acknowledged the suggestion and we put it in there. So, that particular homeowner is fine with the four units that back to his home -- or the two that back to the rear and, then, the two that are adjacent to the side of -- of his lot.

Cassinelli: Because while you took out one, it really didn't touch any of the -- I mean it would have been kind of -- I don't know if that's a reverse pie shape or what, but he really didn't have any -- that one lot that's now a common lot doesn't have any impact per se on that lot, it only touches it on a point and it's not a flat side, if you will. So, that's that one I would have liked to have seen more.

Connor: Commissioner Cassinelli -- Commissioner Cassinelli, just one clarification. When we did the reconfiguration we made some of those lots wider. So, there was actually -- that lot that's now green was -- was larger at one point. So, it did have more of an impact on that corner. Whenever we --

Cassinelli: Okay.

Connor: -- whenever we did make the adjustment we went ahead and cleaned up that corner to make them connect kind of like you said, a pie shape. So, as you see it now it is slightly different than what it previously was.

Cassinelli: Okay.

Fitzgerald: Is that all the questions?

Cassinelli: I think Commissioner Seal had one.

Fitzgerald: Commissioner Seal, go right ahead.

Seal: No, I'm good at this point.

Fitzgerald: You are good? Okay.

Cassinelli: I -- one more and, Patrick, maybe if you could just kind of give me an idea with your -- with your cursor how close at -- at this -- how close is Highway 16 to McDermott at -- where it touches -- you know, on the eastern portion of your -- of your development over there -- or western. Excuse me. On the west side of the development, how it -- where will 16 run?

Connor: So, I -- I don't have the ability to point, unfortunately. Maybe I can. Okay. Okay, So, I don't know if you can see right here, but McDermott will go here and, then, it will actually terminate into a cul-de-sac and, then, you continue on. Sixteen will follow this line here and we weren't --

Cassinelli: I'm not seeing anything.

Connor: You're not seeing any -- okay.

Cassinelli: I'm not seeing your -- I'm not seeing what you are doing there, if you are -- if you are moving the cursor or not.

Connor: Okay. I'm drawing -- I'm trying to -- I'm drawing on the screen. I don't know if it's showing or not.

Cassinelli: Yeah. Maybe if staff has an idea to -- if they can kind of draw that out. Where does -- where will McDermott terminate?

Connor: McDermott terminates just north of our parcel -- north of us. So, you can see half of the road section in that -- in that far west corner and it will terminate in the cul-de-sac in a turnaround point. It will stub out to that large parcel west of Serenity Lane and then -- I don't know the exact measurement, but, then, Highway 16 is just west of that. We have worked with ITD and we have worked with Jacobs Engineering to make sure that we have the appropriate right of way shown and showing exactly where McDermott is planned to be terminated and located.

Cassinelli: Okay. And there is -- and is there -- maybe this is for staff. Is there appropriate noise abatement measures there be it -- be it a berm or -- or fencing on that -- on that side along McDermott?

Allen: Mr. Chair, I'm not sure if there is. I'm trying to remember. I'm sorry. Give me a minute to look. I know there it is along Chinden.

Fitzgerald: And, Bill, I think there is a pretty significant separation between -- like between where their property ends and where the highway goes.

Cassinelli: That would be my -- that's my only concern thought there and hopefully -- hopefully there will be -- you know, whether it's ITD when they -- when they put that in they will -- you know, if they are going to put in a sound barrier, a wall, something.

Allen: And, Mr. Chair, noise abatement is currently not required in the staff report along McDermott, but if it's something that you wish to add, certainly do so. And if I may also clarify something while -- while I'm here. There was talk about the conditional use permit that will come back in for the hospital. Just, please, be aware that that is only for the hospital. It is not for the medical office building. So, if there is anything on the concept plan that you are not in favor of, please, make a recommendation as such at this time.

Fitzgerald: Thank you for that clarification, Sonya.

Cassinelli: -- that office building?

Allen: I'm sorry, I didn't hear you.

Cassinelli: I'm just clear -- I'm just asking for clarification that the CUP will not include the office building?

Allen: That is correct. It's only for the hospital use.

Cassinelli: Okay.

Fitzgerald: Sonya, do you know the -- how far to the west 16 is? I thought it was 150 -- or more than a hundred feet to the west of current alignment of McDermott. But can you clarify that? Or, Bill, can you clarify that?

Allen: Yes. Just a moment. So, it's approximately 630 feet to Serenity Lane from where the interchange is planned.

Fitzgerald: But do we know the alignment to like were 16 will go north-south, how far away from the current alignment of McDermott. I thought it was offset pretty far to the west.

Allen: I believe it's 300 feet --

Fitzgerald: Three hundred feet. Okay.

Allen: -- west of McDermott.

Cassinelli: So, it really -- it really moves to the -- to the west.

Fitzgerald: They went way -- yeah. It kind of angles off and it goes way -- goes way far to the west.

Allen: Yeah. I'm not absolutely positive, Mr. Chair, in this section.

Fitzgerald: Okay.

Allen: Give me -- give me just a moment, though, and I can look at that a little bit further here.

Fitzgerald: While you are looking, is there -- Bill, do you have additional questions for Patrick?

Cassinelli: Well, I think that kind of wrapped it up, but now finding out that that medical office building is not -- won't be a part of the CUP -- I don't know if we can bring the representative in who is on Zoom and talk to them. I would just like to find out if there was -- you know, it -- it seems to me with all that -- with all the -- all the pavement there, you know, something could have been shifted -- that building could be turned around. The entrance could face to the west to where you get -- where you can get more parking on the west side of that building and move it over to the east a little bit. Just -- I'm -- my thought is just that they did a lot to move it -- the hospital away from and reorient that so it -- you know, it's a little bit more friendly to the neighbors behind. I would want to see if we could do the same with that building.

Fitzgerald: Madam Clerk, is the hospital representative with us?

Weatherly: Mr. Chair, I moved Betsy over to a panelist. Betsy, you should be able to unmute yourself now and use your camera if you choose.

Hunsiker: Yes. Hi. Can you all hear me?

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

Hunsiker: Great. This is Betsy Hunsiker from HC Healthcare. My address is 1717 Arlington Avenue, Caldwell, Idaho. You know, I am sorry, I kind of cut out there when I was -- when she was moving me over -- the connecting cut out. So, are you asking if the MOB could be moved further away from the neighbors?

Cassinelli: That's correct.

Hunsiker: I think I --

Fitzgerald: It looks -- it looks like that parking lot to the -- to the east -- it looks like you could pick it up and literally drop it and swap the two and so I think we are confused on why you couldn't make it on the -- on the east side, instead of where it is.

Hunsiker: Well, I think -- I think there is a few reasons. I think probably one of the main reasons is because, then, the hospital is kind of hidden behind it and not very visible from the street. So, that's a concern I would have. I think that it's very tight up against -- I mean I think we are being asked to do a lot on this. We are -- you know, we are asked to put retail on the corner, put the office building, you know, have the -- you know, we have flipped the -- we flipped the -- the hospital to accommodate the trash and -- and, then, we reduced a story, all of which are pretty significant adjustments to our -- you know, our project. So, I -- I guess from my perspective I would prefer to move it down and actually connect it to hospital versus move it over so it's blocking the hospital view from the street, but -- so, that's -- that's probably the main rationale and -- and just the accessibility and traffic going around it from behind. I mean I'm not a -- a traffic planner, but that's probably the main concern I would have. I mean I think part of being accessible is for the public -- you know, knowing that it's there.

Fitzgerald: Commissioner Cassinelli, do you have a follow up for Ms. Hunsiker?

Cassinelli: Well, I just -- I mean my -- in my personal opinion I would like to see it -- I would like to see something else. That -- that's going to be a significant berm at -- off of Chinden with a -- with a fence and you have got trees. So, if you are -- if you are wanting your -- you know, if you are wanting the visibility from Chinden with that berm you are not going to get a ton of visibility from -- from Chinden. It's not -- you know, it's not like -- and people are going to see an office building, too. Office building. Hospital. And so they are going to -- they are going to see the complex. They are going to know how to get in there. They are going to -- you know, I don't -- I don't see that as being critical as much as --



Hunsiker: Yeah.

Cassinelli: -- orient this to fit in better with the neighbors, because we are backing up right to -- we got to -- we got to keep in mind we are backing up right to -- to residential that's been there for a significant amount of time.

Hunsiker: Yeah. Well -- and, like I said, I'm -- I don't do hospital layouts and that's not my area of expertise. So, there may be other more, you know, reasons around the parking and the traffic and the code that I'm just not as familiar with. So, we can certainly take that back and, again, you know, this -- I guess this has to come back for a conditional use permit. I think -- you know, I think we have tried to be pretty accommodating for the neighbors' concerns by reducing the stories and by reorienting the layout. So, I certainly think that those concerns didn't go on -- you know, weren't dismissed by any stretch. So, I -- you know, I think we can try to figure out some -- we could do more research on the viability of that. I don't know -- I -- that's -- there may be other reasons. I'm -- I'm not a hospital layout designer -- or a campus layout designer.

Cassinelli: And I would -- I would -- you know, I -- I agree and I -- I congratulate you for making those -- especially on the hospital, which -- which is significant. So, I'm pleased you did that. I just -- I just think without having to sacrifice anything else and if -- you know, changing the size, the overall square footage of that office building, you know, is there something -- can it be pushed a little bit more, because as it stands now it's only about a hundred feet from the -- from the property line there, give or take, from what I can see. You know, if there is something else that can be done I would love to see it. I know that they have already done quite a bit, you know, but is there -- can they tweak it a little bit more to -- to really make it -- to really make it shine, so to speak, and really fit in with the -- with those -- with the neighbors to the back and I -- and I do -- you know, I recognize the fact that you guys made significant changes on that to work with those neighbors. I just -- I was just looking at that, that's what sticks out in my -- when I see it as can -- can a little bit more be done without having to sacrifice anything -- not sacrificing parking -- that's the biggest thing. Not sacrificing square footage on that building. So, those are some comments if you could take them back to -- to the ones that do the layout and see if there is something that they can do a little bit more just to get that building a little further to the east would be -- would be probably much appreciated by the neighbors.

Hunsiker: Okay.

Cassinelli: Thank you.

Hunsiker: Yeah. I mean I think -- I'm -- we want it to be a project that they are proud of. I mean I have to say I think that this -- I'm really pleased with sort of where we are as far as the amount of green space and the -- the walking path. I think it's very attractive and it will be I think a real gem for this area. So -- so, you know, I want them to be proud of it as well. So, that's -- I'm happy to do that.

Cassinelli: Thank you.

Fitzgerald: Thank you, Ms. Hunsiker, we appreciate it greatly. Are there any other questions for Patrick or for Ms. Hunsiker? Okay. We appreciate you both being here. Thank you so much for the input. I know, Patrick, we kept you standing up there for a long time. We appreciate it. And we will give you a chance to -- to close as -- after we have finished public testimony. I know we have several people online that would like to testify. Madam Clerk, do you want to start there and, then, we will -- and go back and forth between in-person and online.

Weatherly: Absolutely. Mr. Chair, I don't have anybody else in person that has signed up to testify.

Fitzgerald: Okay.

Weatherly: I'm going to transfer Cary Pitman over. Cary, one moment, please.

Fitzgerald: Mr. Pitman, I think you are with us. You can unmute yourself and I think we will -- ready for your testimony.

Pitman: Can you hear me?

Fitzgerald: Yes.

Pitman: Okay. I am the -- this is Cary Pitman. I am at 6302 North Serenity Lane. The first one on the east side as you are looking at the map. I'm more concerned -- I see some of the possible ambulance access coming on the north side of my property -- or north side of my house going into the hospital. Can you hear me?

Fitzgerald: Yes, sir. Go right ahead.

Pitman: Okay. So, I'm just wondering that -- from the corner of my property that -- there is only 21 feet from the edge of that -- my property to the easement and I don't know -- my concern is, obviously, noise, but I'm concerned about is -- what kind of an access road is planned there with -- where is it coming off of Chinden, 20-26, and where does it -- the way it shows going into the hospital area there is -- there is not a lot of room that's up there and I'm more concerned about how people are going to come off of Chinden -- or an ambulance, excuse me, or a fire truck that's come off a Chinden and, then, across -- and cross Serenity Lane and, then, have that access in there, because -- well, according -- you were saying that we -- we probably won't have access to Chinden in the future, but if someone is coming out of that access lane and makes a mistake and turns left and goes towards Serenity and runs into an ambulance coming into the hospital or a fire truck, how does that look to you guys?

Fitzgerald: I think we will -- we will have the applicant answer your question about the width of that access. I think they had -- said that the ambulances will take access off of Levi Lane and not off of Serenity. I will have the applicant answer that question when they come back up.

Pitman: Okay. Yes. I see the access frontage road going all the way to Serenity, so --

Fitzgerald: And it's there. I think the ambulance entry is on the -- on the east side now. It's the red line, instead of the pink line. So, they would take access off of Levi and not off of Serenity. But we will have the --- the applicant clarify that when they come back up.

Pitman: Okay. And the other one was -- you know, that -- that was basically on -- and, then, there was the -- you addressed this earlier on the people wanting to come out of that subdivision going -- from the south of us thinking they could come up through Serenity going -- and accessing 20-26. So, I would request that, you know, the applicant either put up a -- well, maybe help us out with a security gate or something in there -- a privacy gate letting people know that they can't get through there, so that we don't have people turn around at the end of the road.

Fitzgerald: And I think the -- we will have them address that, too, sir. I think there is a question on the Fire Department's emergency access. So, when you guys have limited access to Chinden ensure they can get fire trucks or ambulances to Serenity Lane. But I will have the applicant make sure that they address that.

Pitman: Okay.

Cassinelli: Mr. Chair?

Fitzgerald: Yes, Commissioner Cassinelli, go right ahead.

Cassinelli: If I could ask a question of Mr. Pitman. I -- your -- your house is the one kind of impacted when I was -- I was asking about that office building in the distance there --

Pitman: Yeah.

Cassinelli: -- and making our request known. Can I get your feedback on -- on the layout of that, because you are -- you are the one that would be most impacted. You and your next door neighbor by that building.

Pitman: Yes. Yes. Me and -- me and the Ropskis that would be right behind our homes and, yeah, that's not exactly the view we have right now, so anything that would be -- give us the space that we are proud of right now would be much appreciated as far as, you know, maintaining somewhat of a view. I'm very appreciative of the -- going from four stories to three, so -- but a little more space back there where we are proud of our -- the properties we have had would be much appreciated.

Cassinelli: Okay. I just didn't want to make sure I was asking something of the property owner there that -- that you didn't really care about. So, thank you.

Pitman: No. Absolutely.

Fitzgerald: We appreciate it, Mr. Pitman. Thank you.

Pitman: One more thing.

Fitzgerald: Oh, yeah, go right ahead.

Pitman: So, that pie piece that's on the north of my property, what -- what's the planning on that? And I guess we can ask the -- because that's going to be just a piece of property that's up there north of me that really is not a buildable lot, but it's -- are they going to maintain that as far as landscaping and mowing and all that good stuff or -- I got a question about how that property is going to be taken care of.

Fitzgerald: I will have them address that as well.

Pitman: Thank you.

Fitzgerald: Thank you, sir.

Weatherly: Mr. Chair?

Fitzgerald: Go right ahead, ma'am.

Weatherly: Next up we have Sue Ropski. Sue, one moment, please. Sue, you should have the ability to unmute yourself. Please state your name and address for the record.

Ropski: Hi. My name is Sue Ropski and I live at 6262 North Serenity Lane. I'm Cary's neighbor. I want to thank you for the changes you have made so far. I really appreciate you listening to our feedback. One question I have is if you could flip the parking lot to the east of the medical building with the medical building, then, behind our homes we would have a parking lot, but it would give us a little breather from everyone in a three story building looking into our backyards and I don't know if that's possible or not. I really appreciate you moving the garbage to the south side out of our backyards. Thank you for doing that. I am concerned about the traffic on Serenity. We are a quiet street with children. We have no sidewalks for children to be on, so they ride their bikes on the street. They walk their dogs on the street. They get pushed in their buggies on the street. So, I am concerned with no sidewalks on Serenity where the safe place will be for those children to play and, then, the other part that the fire commissioner brought up last time was with that right-in, right-out out only. It will reduce his response time to emergencies on our road. We do have some elderly people on our road and, sadly, one of our neighbors just passed away, so we -- we do want quick emergency response time, as well as limiting traffic. So, it's kind of a double edged sword there and I'm -- I'm a registered nurse, I am not a traffic manager, but anything you can do to help us with that traffic piece would be greatly appreciated.

Fitzgerald: Thank you, Ms. Ropski. We will have the staff and the applicant talk about their -- that -- that access, because we want to make sure the fire and ambulance can get to you all as well. That's very important.

Ropski: Well, you know, we have been so fortunate -- many of us have lived here for over 20 years and we have a beautiful neighborhood and -- and we -- that's why we have lived here for 20 years. So, anything we can do to be good neighbors to the hospital, as well as maintain our quality of life, is just really, really appreciated. Thank you.

Fitzgerald: Thank you very much, ma'am. We appreciate you being here tonight.

Weatherly: Mr. Chair, next up we have V. Stack. One moment while I transfer you over.

Stack: Hi. My name is Val Stack and I'm at 6072 North Serenity Lane and I would just like to make a comment that -- it was either Monday or Tuesday I spoke extensively to Deputy Chief Joe Bongiorno, fire chief, and talked to him about the emergency access issues that we have been talking about and I wanted to clarify one thing for Patrick. I don't know what day you spoke to him on, but he had told me that he just really hates bollards and gates and things of that nature and he just wants it open for simplicity and I said, well, wait a minute, doesn't pretty much every gated community in the county have a digital access whereby the fire and ambulance have the ability to open the gate remotely on their way to the property and he said, well, yeah, but you have to be a private lane. I said, well, sir, we are a private lane. We have been a private lane since day one. We have a very narrow lane. It's been mentioned before that there are no curbs or anything and so I asked him for some data here, some metrics, and he said that the emergency vehicle access has to have a minimum of 20 feet. Serenity Lane is 19 feet wide and in order for it to be classified as a Meridian city street you have to have 24 feet and on the northern end of the property, as Cary was mentioning, there is only 21 feet between the corner hip, his fence, and the right of way. So, what we would propose is using -- you know, get a -- a vertical gate for -- instead of a bollard or anything for our south access to be able to get to Levi Lane and to be able to have it maintained as a private lane and -- for the safety of our kids and our pets and our people. We would still have access for residents and we would be able to have access for mail like every other gated community and that would give us -- that -- we could be doing something like that now, maybe with the help of Hubble Homes on that one and -- you know. So, that was really one of our really big issues. Another question I had was also about -- you know, they were talking about a front berm and that it would need to be -- or a wall that would need to be ten feet -- as high as ten feet from the center of Highway 20-26 and so my question is -- so, how far west does -- would that berm extend? Are you going to have a berm or a wall from Levi Lane that stops at the -- behind the hospital? Is it going to stop at Serenity Lane? Is it going to stop at Highway 16? Where does that go? And on that same note, we also talked a little bit last time about -- if somebody was coming into Serenity Lane there was some -- some comments that they could turn right and go west, continuing down that frontage road and that -- that would have access to that western property over by McDermott on the western side of Serenity. So, I'm curious as to what the real plan is there, because laying out the rest of this picture -- I think Bill had mentioned that, you

know, let's get a picture of what the -- the interchange is going to look like, what's -- what are the other surrounding things that are going to be happening on the rest of this, because this is really a pretty limited view and I probably would also make a comment about that the two story office or the three story office building -- medical office building and it just -- just doesn't seem to be a legitimate argument that you couldn't just flop the -- flip flop the parking lot and the building, because, you know, for 20 years we have been -- the value of our homes has really been based on our million dollar view to the east of the -- of the Boise foothills and moving that over to the other side would be a substantial -- substantial change for us. I think it's an illegitimate argument to think nobody's going to be able to figure out where the office building is that's closer to Levi Lane, that's closer to the light, as opposed to farther away. So, I would just kind of maybe throw that out there.

Fitzgerald: Could I have you wrap it up, please, ma'am.

Stack: I think that's pretty much the big things.

Fitzgerald: Okay. Thank you so much for bringing your thoughts tonight. We appreciate it greatly.

Stack: Thank you.

Fitzgerald: And we will try to get some of those questions answered for you.

Stack: Thank you.

Fitzgerald: Thank you, ma'am.

Weatherly: Mr. Chair, next is Doug Haneborg. One moment, Doug.

Fitzgerald: Sir, you are with us. If you would like to unmute and, then, we will -- we are ready for you whenever -- or whenever you are ready. There you go.

Haneborg: Can you hear me okay?

Fitzgerald: Yep. Doug, just give us your name and your address for the record and the floor is yours, sir.

Haneborg: Okay. Doug Haneborg. 6002 North Serenity Lane. I just want to piggyback a little bit and add to Cary and Val's questions and concerns. So, with the access -- frontage access road, I guess I'm a little confused, because if I understand correctly, the long-term goal is to close down Serenity off of Chinden, because it's too close to Highway 16 and what's going to go on there. It seems pointless to me to even have that frontage access road, because if their goal is -- I think originally from the start of this was for fire access or things like that, that won't even be a possibility from that location in the future if -- if that has to be shut down, because it's too close to Highway 16. So, I guess that's

my first concern there is the -- the access road just seems pointless to me at this point. The other thing is we do have elderly people in our neighborhood, but we also have younger couples as well, myself, we just had a newborn, there are several other neighbors with young, small children and we don't have sidewalks in our neighborhood and as was mentioned before, this is a private lane that is owned by the HOA and it's not that wide of a road. I mean even currently when we have two-way traffic coming through it's a tight squeeze and you got to slow down and go slowly across your neighbors, you know, when they are driving. That's with only 15 homes right now and there will be a lot -- a lot of traffic coming through our road if that is connected and opened, as the fire chief wants down below, and these are a lot of homes that are looking to put in here. I mean they are cramming these lots in and there is going to be a ton of traffic and the last thing I would want -- as it is already, even with just the 15 homes, it's a tight road and no sidewalks. So, we don't have sidewalks like this -- like other neighborhoods where you can take your child down the road. So, we have to ride our bikes on the edge of the road and I would hate it if someone -- you know, this -- this traffic increases tremendously and we are going to see accidents and -- and people going too fast. I mean, luckily, we do have a windy road, which helps it as it is now, but as you are going to increase traffic, this is going to be a big problem. The third thing that I would mention -- and mainly for Patrick, is -- so, I'm one of the lots there, I'm just to the north of that most southern lot where they -- they did make the adjustment on that pie-shaped corner. My question is, they go from the -- you know, the larger estate lot that backs up to us, which is two for each of ours, but, then, once you get across the street they go down to much smaller lots and I would like some consideration there to at least try to keep the larger lots across the street as well for our property values and also visibility as Val was mentioning earlier, because if you start cramming in lots right across the street, that is a big visibility factor for us. We are already going to have that with the two story townhomes and apartments and other things that they are doing there. But I think it would be nice if we could consider having some larger estate lots at least across the street as well when you get closer -- like that back up to the park over there by the pool and it would just make more sense to me, too, because if you are going to try to sell those larger estate lots, they are probably not -- the people that can afford the larger lot aren't going to want to look across the street at three or four lots that are -- that, you know, half the size and it will affect their property value, too. So, just for me, you know, I would think that that street on both sides should have the larger lots just for visibility, too. I mean I think it will -- these -- and I know there is a lot of different lot sizes that you are working with here and it seems like you guys have done a good job at, you know, your different phases of it, but to me in that particular area around that corner of that street you are going from large lots and, then, right across the street they get substantially smaller, so --

Fitzgerald: Could you wrap it -- close up your thoughts real quick, sir.

Haneborg: Yeah. That's -- yeah, that's it, basically. So, I would just like them to consider those three things if they could.

Fitzgerald: Okay. And I appreciate it and we will get you some answers on a couple of those things, too.

Haneborg: Appreciate that. Thank you.

Fitzgerald: Thank you, sir. Have a good night. We appreciate you being here tonight. Thank you.

Haneborg: Yeah. Thank you.

Weatherly: Mr. Chair, next we have Heidi Wilson. Heidi, one moment.

Fitzgerald: Heidi, I think you are unmuted whenever you are ready, ma'am, the floor is yours. Are you with us?

Wilson: Hello? This is Heidi Wilson. Can you hear me?

Fitzgerald: Give us your name and your address for the record and the floor is yours.

Wilson: My name is Heidi Wilson and I live at 6133 North Serenity Lane. Our lot is on the west side of Serenity Lane and I just wanted to quickly echo the concerns of my neighbors about the residential area having access at the south end of Serenity Lane. I have three young children, we ride our bikes, we walk our dog often up and down the narrow lane and the thought of having that as an access point, which I know would be used by residents in those homes, and just as my neighbors have said there is a lot of homes planned to be built and I know that our road will be used for people to access Chinden and I would just hate for that to happen. So, I just hope that we can come to do a little bit more research, just as my neighbors have said, to figure out a solution to that problem and that's -- I just wanted to voice my concern with that.

Fitzgerald: Thank you, Ms. Wilson. We appreciate you being here tonight and thank you for your comments.

Wilson: Thank you.

Fitzgerald: If there is anyone else who would like to testify in this application -- I think there was one more, Madam Clerk.

Weatherly: Yes, Mr. Chair. Chuck and Bobbi, one moment.

Fitzgerald: And if you are ready to unmute yourself, I think -- there you go. Oh. Maybe. Try one more time to unmute yourself and -- there you go. Try one more time. I think you guys are getting closer. I see the mute coming off. There we go. No.

Hay: I can hold it if that helps.

Fitzgerald: There you go. Hi, sir. Please state your name and your address for the record. Oh. If you hold your spacebar down that will work, too. Maybe. You went away.



Madam Clerk, can you click on there and unmute them or that -- offer them the ability to unmute?

Weatherly: Mr. Chair, I have asked them to unmute.

Fitzgerald: There you go.

Hay: Okay. Now can you hear me?

Fitzgerald: Yes, sir. We can hear you.

Hay: Okay.

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

Hay: My name is Charles Hay and my wife Roberta and I live in the Serenity Lane lot, which is in the lower southwest -- the last one right by that cul-de-sac. I would like to agree with what the other people in the subdivision have said about keeping our private lane private if at all possible, because of the property values and because of the danger that the very small road would have with increased traffic. I have one other further concern and that is as the one of the two on the south end of Serenity I would like to see a fence at least four to five feet high on that lower edge to protect our property from the smaller lots that are going to be right next to us. Other than that I have no real concerns about that area of the proposed development, but I just really think that to protect our property rights and kind of have a division there that -- between our lots and the ones that are going to be built right next to us, I think a fence would be the minimum that the subdivision ought to consider.

Fitzgerald: Sir, we will have the applicant address that when they come back up and we will take that into account during our discussions as well.

Hay: Okay. That's -- that's all I had. But I did -- like to confirm and agree with all the concerns that have been expressed about the roadway. That is the number one thing that concerns us all at this point.

Fitzgerald: Okay. We greatly appreciate that and we definitely will have them comment on it and I think --

Hay: Okay.

Fitzgerald: -- Ms. Stack talked about the fire discussion, too. We will definitely get to the bottom of that as well. We appreciate you being here tonight and thanks for the comments.

Hay: Okay. Thank you.

Fitzgerald: Thank you, sir. If there is anyone else would like to testify, either in person or online, please, raise your hand and we will make sure you get heard this evening. Mr. Seal, do we have anybody in chambers?

Seal: No, sir.

Fitzgerald: Okay. I don't see any additional hands being raised. Patrick, would you like to come up and close and respond to some of the comments.

Connor: Yes, I would, Chairman, thank you. While it's fresh in my mind, Charles, surrounding our property boundary we will be putting a six foot vinyl fence, so there will be a buffer between our lots and -- and your side yard. I think there is a kind of common thread from all the comments that I have received from the neighbors. I'm going to defer a couple of them to staff and potentially to Betsy, if she's still on the line, but just to clarify a few. So, the first couple from Cary. The ambulance entry as shown on this Meadow campus map, the primary entry will be to Levi Lane, no longer will be part of that frontage road. I do want to kind of defer some questions to Sonya about the frontage road, because that was a requirement by the City of Meridian to extend it -- the intent of the frontage road is so the parcel west of Serenity Lane has continual access eventually to Levi. So, that was the intent is to have a frontage road by code between parcels to ensure that there is the connectivity of safety there. So, that's the intent and that's -- that's where the location of it is. Sonya, I don't know if you want to go ahead and talk about the frontage road.

Allen: Yes, Mr. Chair, Members of the Commission, Patrick's correct, that is a UDC requirement for properties adjacent to state highways to provide frontage or backage roads. In this instance it made more sense to provide a frontage road, since the -- it may not be likely or maybe some time until the properties to the west redevelop and they are designated mixed use regional as well. But it made more sense to have the frontage road meeting closer to Chinden, rather than like midway through the site to the west and the purpose of the frontage road is to provide access from the adjacent collector streets, so that it reduces access points on the state highway.

Fitzgerald: And, Patrick, can you talk through the width of that, because I -- I think the conversation about the pie-shaped lot up in the front and the width of that road -- just so everyone understands it.

Connor: Yes. I believe the width of the road is 27 feet and the way that pie shape kind of works is that's the property line. How that area will be treated is it will be landscaped, probably just grass and be maintained by the hospital. Potentially as that frontage road is built, depending on when it's required to be built, that may be used as a potential like drainage area for the frontage road. But it will be maintained, it will be landscaped with grass, and so it won't be covered in weeds or anything like that, it will be a consistent treatment, just like in the medical campus. Another question that was posed about the berm along the property line -- as this property develops and as it goes to the CUP it is a requirement to have that noise abatement berm and trees ten feet above the centerline

of Chinden Road, so that is accurate. My understanding right now is that the full frontage along Chinden will have to have that berm. As properties to the west develop and as properties to the east develop they will also be required to do that berm per code. So, as this -- as this particular parcel develops, as the medical campus is under construction, that will be part of their requirements for noise and noise abatement and site abatement. Again, I think that's going to be clarified more in the CUP process with the hospital. I do want to answer just a couple questions on the access of Serenity Lane and maintain the privacy of that and, then, lastly, I just want to defer the medical office building location to Betsy, if she's still on the line. But to answer your question, Val, I believe the last I talked with Joe was on Monday or Tuesday, he did want it to remain open for access, but I do agree with Sue's sentiment that, you know, it's kind of a double edged sword there in that you are opening -- you are inviting people to come through, but also you are losing your ability to -- to service them with emergency services. So, I am one hundred percent open and we are onboard if we can do some sort of electronic gates, we can definitely look into that. It's something that I think would be a really good win-win for both parties. I think it would give you all the opportunity to maintain the privacy of your road, but if it could also be agreed upon with the fire department it can be -- it can be something we can work with there. So, it's definitely I think something we can look into and something we can work with and we are open to footing the bill for that. So, I think that is most of the comments that were ever brought in. Oh. To address the question from Doug about the bigger lots across the street from the estate lots wrapped around the southeast corner. Those lots across the street are 60 foot -- foot lots already that backup to the park. So, the idea of making those larger estate lots kind of takes away from the point of that park in creating kind of a neighborhood feel and taking away more homes ability to backup to the park. So, that was important to us having homes adjacent to that park. They are already 60 foot lots, meaning they would likely be 50 foot home plans, which are larger home plans in today's definitions of that and they won't be anywhere near the size of the homes on the Serenity Lane, but they will be part of our nicer more estate series, the ones directly across the street from the estate lots. Betsy, if you are still on the line, if you could maybe address some of the questions they had about the medical office building shifting, whether it's a rotation or whether it's moving further east. I know that, as you said, that we are working with actual professional landscape -- or architectural professionals and landscape architects to make sure this thing functions well, but also gives you all the ability to have visibility off Chinden and I think it's something that we can work with. I don't know if you have more comments on that.

Hunsiker: No. I think it's the same as Mr. Cassinelli asked before, so I think, you know, we are open to looking at it. I think it's also -- I mean, frankly, I would love to not have to do the frontage road -- road either. It makes things a little bit more complicated. But that's something we have to do. So, since it has to go through the campus, but -- so we will -- we will look at that and see, you know, maybe we can even rotate it 90 degrees, that was one thought I was having just as I was sitting here, because, then, that would narrow the profile and potentially help, you know, limit obstruction. You know, how -- how obstructive it is to the view. So, I think we -- I think we can look at a few options and try to make that work better for the neighbors.

Connor: I also just want to clarify one more thing. The distance of the edge of the medical office building to the property line is more on the par of 130 feet. The hundred feet is the distance to the 30 foot buffer. So, the distance from the medical building to the 30 foot buffer is one hundred feet and, then, an additional 30 feet. So, it's a -- it's already a significant separation there. Again, the lowering of the four stories to three stories was a significant change accommodation that we are trying to give. In addition, there is going to be an eight foot wall, in addition to a number of dense trees along that property edge. So, I think the obstruction in the visibility of the medical office building will be considerably low considering how far away it is from the -- from the property line and all the accommodations they are making with the landscaping and the wall.

Fitzgerald: Thanks, Patrick. I appreciate that. Other questions for Patrick at this point?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Patrick, I have a quick question for you that we haven't touched on yet. On Fireline Court, just kind of northwest of the dog park, is that intended to be a through street in the future when the parcel to the north develops or is that anticipated to stay a cul-de-sac?

Connor: Thank you for bringing that up. That was -- we worked with staff to put -- to arrange that there. That eventually will be -- or it could be an access point for that parcel. We were required to do a similar thing that we did with Serenity Lane where we bring the street all the way to the property line. So, yes, that will be probably like a secondary or emergency access for that -- for that property. They are going to get their primary access point from McDermott, which will terminate into their property, and, then, in theory, that frontage road, as it continues to their property, that's the intent of the frontage road is to connect all the properties along a major state highway to the mid-mile collectors.

Grove: And so would that be signed as such, as that's been built out?

Connor: The -- the cul-de-sac connecting to the north parcel?

Grove: Correct.

Connor: I believe so. My -- my understanding is that the sidewalk will kind of wrap around as we build it, but as that property develops they will have the chance to easily tie into that -- to that road. They can tear the sidewalk out and continue the pavement to get access.

Fitzgerald: Any additional questions for Patrick?

Cassinelli: Yes. I'm sorry.

Fitzgerald: Go ahead, Commissioner Cassinelli.

Cassinelli: Patrick -- can you pull up the slide that shows that access road.

Connor: The medical -- the frontage road?

Cassinelli: The -- I'm sorry. You are correct. The frontage road. Yes. I'm trying to dig it up, too. But you can --

Connor: I think I have it on the screen.

Cassinelli: Okay. So -- and this -- this might even be for -- for staff as well. I'm not -- if that's a frontage road and that's not what I was -- I thought it was just kind of a rear access to this. I didn't realize that that was going to be a frontage road. You have got a frontage road that comes through a parking lot for a medical facility. So, you have got that other -- the future development to the west of Serenity Lane. That's going to take half of this access off of a frontage road that goes through a -- through a commercial development. Again, that's -- this is -- I guess this is more towards -- more to staff now that we brought up the -- the frontage road. Sonya, can you kind of address that? Is that a -- was that looked at?

Allen: Yes, Chairman, Commissioner Cassinelli. It's not ideal. Typically we prefer to have backage roads and for them to be a separate driveway and not through the site. The code also requires that the entrance to the frontage road be 660 feet south of the highway from the intersection. So, with that requirement it -- it necessitates it circulating through the site.

Fitzgerald: Commissioner Cassinelli, do you have a follow up?

Cassinelli: No, because my brain just got twisted by having a frontage go through a development. Perhaps the frontage road could have ran the -- the bordering edge of this medical facility for -- on the -- see what I'm saying? Coming down this -- where the -- where the 30 foot landscape buffer is.

Fitzgerald: I guess I'm confused. What would be -- what would be the purpose?

Cassinelli: It's a road that carries significant traffic.

Fitzgerald: I don't think it would be significant traffic. I think most access is going to come off of Levi Lane.

Cassinelli: But I mean for the -- for the future developments to the west.

Fitzgerald: Okay.

Cassinelli: Because what are we talking about on that parcel that's going to go in eventually to the west of Serenity Lane, how many -- if it's going to be residential, how many homes in there?

Seal: Mr. -- Mr. Chair. I mean the --

Fitzgerald: Yes. Go right ahead.

Seal: -- a simple way to address this as the frontage road is required, so it doesn't matter what goes in there, it's going to have to be there. So, it doesn't matter if it's going to be a -- you know, a medical facility, parking lot, or -- or what that might be. There is a road system in there that's going to accommodate and handle that -- that traffic. And I agree with Sonya, it's not ideal, but it is a requirement that it go in there. About the only thing I could see that might make that better is to -- if the property that's still in negotiation is purchased and maybe the frontage road goes all the way across and connects directly into Levi Lane, that might be something that makes it a little more palatable, but as it being a requirement if the whole thing -- I mean it's --

Cassinelli: It has to be further to the south, though, that she indicated. It can't be right up there at the -- at the top of Levi Lane, it has to --

Seal: Got you.

Allen: That's correct, Chairman and Commissioners. The other alternative was to run it along the 35 -- or 30 foot wide buffer, but, you know, staff was trying to keep the traffic away from the residential properties.

Fitzgerald: Yeah.

Cassinelli: I'm just looking -- I'm just thinking down the road, if we -- if whatever goes in to the west of Serenity Lane, if it's residential, then, you have got -- all those people are going to -- to get out to Levi Lane to get on Chinden, they are going to be going through a parking lot.

Fitzgerald: I guess I'm confused. That's commercial property or mixed use regional property on the frontage along that whole interchange. So, I don't think you are having residential homes -- that's an interchange and it's going to get big right there. So, I'm less concerned about that. I understand what you are saying, but I think that interchange is going to be significantly -- I mean if you look at the -- at what's on the screen, that thing is going to take up the majority of that other property.

Cassinelli: Okay. I mean I guess that -- that reduces the amount -- the amount of traffic that will use that, but --

Fitzgerald: And, then, McDermott will have an actual road where Highway 16 will be to the west, McDermott will actually go down into a cul-de-sac or some kind of an access.

So, there will be another access down there. McDermott won't just terminate and go away. There will be a cul-de-sac at the end. There will be another access there.

Cassinelli: Okay.

Fitzgerald: Additional questions for Patrick?

Allen: Mr. Chair?

Fitzgerald: Go right ahead, Sonya.

Allen: If I may, I don't have a question for Patrick, but in response to your question earlier about how far away State Highway 16 will be from the west boundary from the residential properties and, you know, it slopes -- it kind of curves through there. The closest point at the northwest corner it's about 75 feet and, then, it ranges to about 190 feet from the property, approximately. Staff would be in support of a noise abatement berm-wall combination along that west boundary if the Commission would like to make that recommendation.

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Sonya, were they required to work with ITD on that at all?

Allen: No, they were not.

Cassinelli: Okay.

Allen: It's not directly adjacent to this site.

Cassinelli: Okay. Thank you.

Allen: But it definitely will be affected from the noise of the traffic.

Fitzgerald: And, Patrick, are you amenable to that?

Connor: Yes, we are amenable to that.

Fitzgerald: Okay. Any additional comments or questions for Patrick?

Parsons: Mr. Chair, this is Bill.

Fitzgerald: Yes, Bill.

Parsons: I just wanted to go on the record and just let you know that the applicant actually did work with the property owner to the north and ITD to make -- and redesign their plat to make sure that they were in alignment with the State Highway 16 plan. So, I just want to go on the record and give them kudos for doing that, because it's -- it's not always the case where property owners want to work together to make sure that they are each -- they are preserving access. And, then, I wanted to go back to the backage road comment if I could. So, that mixed use interchange as you see there is meant to be office uses and low traffic generating uses and that's why we have specifically put that land use there. So, yes, although there could be some potential of some cut-through traffic through that medical campus, again, anything that develops farther to the west is not going to be primarily residential, it will be low generating traffic commercial uses, unless somebody comes back and changes the comp plan designation. And, again, that's a whole other process before this body and the City Council. So -- and, again, as Sonya alluded to, we don't know how those other properties are going to redevelop. Obviously, if -- if those homeowners are bought out in the future when land gets expensive and low density residential is no longer desirable there, those property owners could work together on a backage road or change their circulation of the site out there and work with the hospital campus in the future. So, again, we were trying to work with the applicant and satisfy a code requirement based on what we have currently, but it doesn't mean we haven't -- we can't plan for something else in the future when other properties develop to the west.

Fitzgerald: Thanks, Bill. Commissioners, I'm going to let one more person from the public -- Patrick, if you can take a seat just for a second. I will give you another couple seconds to close. We have one more person that hopped up in line. Bonnie Layton. Madam Clerk, can you bring her over and we will let her speak and, then, we will give Patrick a couple minutes to close it up and we will hopefully be done.

Layton: Thank you, Chairman, Members of the Commission. I'm Bonnie Layton. 690 South Industry Way, Suite 10, in Meridian. I'm actually the planning consultant with WH Pacific and I represent the client -- my client, the property owner, that owns the property to the west that we were just talking about with the mixed use and, then, there is some residential in there. So, I just wanted to let the Commission know that we have been working with staff and have had some preliminary conversations about how that will develop and we are pleased to see that the applicant and the application shows that frontage road along Chinden. And, then, I have had a couple of different conversations with ITD on how we would tie in -- where folks have discussed, the cul-de-sac that would come off of McDermott, you know, in -- in kind of the long-term plan and -- and how we would tie into there. So, I just wanted to bring that forth and also thank the applicant for working to provide access and I think the entire area, once it's developed, will be -- will be a great addition to the -- to the City of Meridian. So, if -- that's all I have. I will stand for any questions if anyone has anything for me.

Fitzgerald: Thanks, Ms. Layton, we appreciate you -- your comments tonight. Any questions? Thank you, ma'am.

Layton: Thank you.



Fitzgerald: Patrick, did you want to come back up and close, sir? Sorry about that. Just wanted to make sure everybody gets a chance to speak.

Connor: Thank you, Mr. Chairman, Fellow Commissioners, thank you for having us tonight. I think we have a lot of good feedback. I think we -- we need to look and work with the Fire Department about the -- the access and the -- having a digital gate there. I think that could be a definite solution to all of our concerns. Again, to reiterate what Sonya had said, the backage road location is not ideal, but I think that it may be something that is not going to have a great traffic impact that we may be fearing. Truly, it's just a way to have access for neighboring parcels to -- to the mid mile collector. Thank you for having us again. I think this is a better project than it was a month ago and it wouldn't be that way if it wasn't for the input of the neighbors and from the Commission. So, thank you. And thank you, staff, for your support to this process.

Fitzgerald: Thanks, Patrick. We appreciate it. Last chance for any questions for staff. If not, I will entertain a motion to close the public hearing.

Seal: Mr. Chair?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: I move we close the public hearing for file number H-2020-0047, Prescott Ridge.

Seal: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-0047. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Fitzgerald: Anyone want to lead off?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: Just looking at the project as a whole and where it was the last time we saw it, I really appreciate what they have done to it. I mean, essentially, they did everything that was asked of them and, then, a few more things to kind of make sure that what they did wasn't just trying to shoehorn in an accommodation to a request. So, I really like the layout, especially the new layout in the townhomes. That makes a lot more sense than it did before. The -- the mix of housing availabilities in here is -- is really good. I mean they have -- you know, as far as the mixed use portion of this, you know, they kind of nailed

that. So, it would be nice to see -- not that everybody has an expanse like this to -- to develop, but, you know, I think they got that right. It seems to blend in pretty well to the surrounding areas. It kind of sets the pace for -- for where other things will need to blend into it. As far as them making the accommodations with the hospital, that's -- that to me is great. Again, you know, they are -- they are, basically, doing everything that we asked. I mean they are -- they are kind of in a rock and a hard place as far as the -- the access to Serenity Lane. Great to have a gate there, but as soon as access to shut off to Chinden, if it ever is, considering that it's a private lane, then, you know, that opens up a lot of questions as far as how the -- you know, where the secondary access is going to come from. If they want the gate in there at that point in time, considering that that's the fastest route for emergency services to get to them at that time. But as -- as a whole I think they have done a really good job with this project and I would definitely recommend approval of it.

Fitzgerald: Thanks, sir. Commissioner Cassinelli, you're not on mute, so I'm calling on you.

Cassinelli: Okay. You know what, I -- I said a lot of it in all the questions that I -- that I addressed. All in all, they -- they have -- they have worked with the neighbors, they have worked -- they have done a lot and I think it's -- I think all in all it's a -- it's a pretty good -- it's a pretty good package, especially for the location. I'm just going to make some comments on some conditions I would like to see to move it to -- to move it to Council and that would be to have them work with ITD on -- on a -- on some sort of a buffer noise abatement if -- if necessary. I mean if -- if they feel that there is plenty of distance there. But I just -- I would like to see a requirement that they work with -- with ITD on that. The lots on the south, that was a concern of mine that Commissioner Yearsley brought up -- brought up and that do they line up to the development on the south that are R-4. Continue to maybe look at some options on that -- on that smaller office building to see if they can't still tweak that a little bit to get it a little further away and, then, continue to work with Meridian Fire Department to see if a -- if a digital gate, as opposed to -- I mean we were all talking bollards and thinking bollards last time, but a gate isn't going to really slow down the department, but -- but five seconds to open a gate -- to open a digital gate. So, if we could do that. Those would be -- other than that I'm -- I think that they have done a lot and I think it looks good. I really -- well, that said -- and this just popped up in my mind, because we kind of went away from it. I -- the other part is I wanted to see initially -- and this was a big thing for me -- that other lot to be a part of it and now that I say all that I -- we didn't really -- we talked a little bit about it, but that other lot -- I think that that needs to be a condition, too, to move this forward to get that -- to get that apart, because, otherwise, I think a lot of things -- I don't know if the hospital layout can -- can move forward without that. So, I think that would be a necessary condition as well. But if that lot comes together -- it sounds like it will. As long as that comes together, then, I'm in favor of it with those conditions.

Fitzgerald: Commissioner Grove, go right ahead, sir.

Grove: Thanks, Mr. Chair. I -- I will start off with the -- just my overall thoughts. I really like the -- the adjustments that they made. In particular, I -- either didn't notice it or they really did a better job of calling it out and -- or improving the -- the walkability of the development overall, especially in regards to the medical complex, I think that really highlighted the effort to, you know, provide some boundaries for -- for the development and -- but also make it more usable for -- for everybody. I really like that. And not just in the commercial area, just throughout it seems like there has been some true intentionality to how they thought about pathways and walking and mobility. So, appreciated that. I really liked the improvement that they did to that townhome layout. It's functional now compared to what we saw last time. I like the open space and the amenities that they -- they have worked to -- to add in with -- with that product. And, then, to Bill's conditions, I'm less concerned with the ITD piece on the west side in terms of -- I think they could do something there, but to me the noise abatement almost needs to go on the other side of McDermott. So, it would be between Highway 16 and McDermott versus right up on the -- on this development, but I might not be seeing that all the way through. I might be missing a piece there, so -- and, then, I'm good with the other three that -- that were mentioned. So, moving forward seems -- seems like a good thing to me.

Fitzgerald: Commissioner Yearsley, do you want to chime in?

Yearsley: I actually think -- my hat's off to Bill. You have done a great job identifying the issues. Again, coming in late to this, being my second meeting, you know, I didn't know what the first one looked like. My personal opinion is it's still a little dense. I would have liked to have seen fewer lots. But I will concede if we can add -- maybe reduce some of the lots along the R-4 on the south to provide a buffer between that facility, kind of like we have done to the -- to the north.

Fitzgerald: And I -- I'm in agreement with most of the comments. I -- my biggest thing was -- I think the electric -- electronic gate or a digital gate is imperative for maintaining the lifestyle that the folks on Serenity Lane have. I was kind of with Bill, I thought we were going the bollard route, but if we are -- I understand the balance we have and I know Ms. Stack and Ms. Ropski both talked about making sure we can get proper emergency access in there for when they do need fire and ambulance services, whether it's part of, you know, Chinden being open or Chinden being closed, it's definitely going to be important later. So, having that digital gate in there, making sure that's a piece of this. I'm less concerned about the -- the last piece being a part of this. I think that's a separate entity. I don't think we can condition it. I think that's a hard -- you got to take the application the way it is. So, I don't know if we can condition additional land being brought into something that's on here. That puts people in a really tough spot and that could actually make an impact for that sale. I mean if you condition a property being brought into a condition -- or into an application, maybe do a change of requirement of what that thing is going to cost. So, I don't think as a city we can get into dictating to a buyer or to an owner what -- that being a part of the property. You can have a master plan over the top of it, but you can't ask them to be a part of it. But, then, not bringing it into this application, you can't do that. So, I don't think we could have that be a condition. I would be pretty opposed to that. And I don't think it's a piece that needs to be a part of this. I

think they can -- they have enough room to maneuver in there without making it -- making that a condition. So, that would be my one kind of hard press back. I don't think we can do that. But everything else I think is absolutely -- Bill, I think you hit on the -- nail on the head. I think you -- you outlined all my concerns, except that one piece. I don't think we can condition that -- a property that's not a part of this application. First of all, you can't -- I don't think we can even do it, because it's not part of the surveys that are included in the application first. So, I don't think we have legal precedence to do that. So, anybody's feedback on that. But I think we are setting a really bad precedence by positioning a property that isn't inside the application. So, I would love Andrea's thoughts, but I don't think I would like to see us do that.

Pogue: Can you hear me, Mr. Chair?

Fitzgerald: Yes, ma'am.

Pogue; Yeah. I'm in agreement with your comments and concerns on that topic.

Fitzgerald: Okay. Thank you, ma'am.

Cassinelli: Yeah. I think I was hoping for a purchase-sale agreement and I think they -- I think the applicant was, too. And if I could just make a comment to Commissioner Grove on the ITD portion, the only thing I would want to ask -- not that a noise abatement be -- be mandated, but just that they have that conversation with ITD and if ITD decides it can go on the -- you know, we will call for something -- we will have something on the other side of McDermott. It doesn't need to be on the west -- on the east side of McDermott, it will be on the west side of McDermott eventually, then -- then I just want them to have that conversation, so that those homeowners aren't surprised in a couple years when -- when they have got a freeway going through their backyard.

Fitzgerald: Commissioner Cassinelli, yeah, you did a great job of outlining all the things that were issues. I think it's a well laid out revision with lots of open space and amenities. So, I think you -- you nailed all the pieces. I said that one piece that I was concerned about.

Cassinelli: And, Mr. Chair, if I could -- question for Commissioner Yearsley and get his input. What -- as far as the -- the -- that southern area, if they were to maybe lose a couple lots down there, maybe you can put a -- I don't know if you can necessarily put a pathway in. There is a long block there that almost seems like it needs some walking connectivity, but if it doesn't line up with the development on the south, then, that doesn't work. But what's your thought on -- on that, losing -- losing a lot or two and making those a little wider?

Yearsley: That's how I would recommend, making sure that they match the -- the R-4 type zoning with those lots. You know, 60 feet wide is still not a very wide lot for an R-4 zoning, you know. I think if they lost a couple of lots through there, two or three,

depending on how that would lay out, I think it would look a lot better and match up with the homes on the other side.

Fitzgerald: So, can we give the staff the capability to work with them on it to match up those and not give them a lot number?

Yearsley: Yeah. No, I think that makes sense.

Fitzgerald: Commissioner Cassinelli, I see you working on a motion is what I'm thinking. I'm thinking you are --

Cassinelli: I have got nothing. I have got notes here.

Parsons: Mr. Chair, before -- this is Bill. Before we get into a motion, I just wanted just -- just to remind the Commission that both you and the Council have consistently required noise abatement along properties adjacent to State Highway 16. If you recall, we just had Gander Creek come through, we had Chukar Ridge and all of this body wanted to see actually a 12 foot wall-berm combination and that -- those projects were 300 feet from the state highway and this one's even closer. So, that's why staff -- and I'm happy to hear that the applicant's amenable to that sound attenuation, because I think -- I think it is needed here, to be honest with you, on that berm and along that entryway and we have some other pending applications that are to the south of you that more than likely we have pre-app'd with them and asked for the same thing. So, I don't want to go into too many of those details, but that has been a consistent recommendation and approval for this body and the City Council. So, just giving a friendly reminder of what you have done in the past.

Fitzgerald: Thanks, Bill. Commissioner Cassinelli, I think -- I'm amenable to requiring a noise abatement or -- I mean you could have them talk to ITD, but I think it sounds like the applicant's amenable to it. I think we can incorporate it into it.

Cassinelli: Okay. Did we hear from everybody?

Fitzgerald: I think so.

Cassinelli: I got to find my -- my notes here.

Fitzgerald: Commissioner Seal's always got a motion in his back pocket, too, so --

Cassinelli: Well, if he's ready -- if he's ready I'm --

Seal: Mr. Chair, I can take a stab at this.

Fitzgerald: Okay. Go right ahead, sir.

Seal: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council file number H-2020-0047, as presented in the staff report for the hearing date of October 22nd, 2020, with the following modifications: That the applicant provide noise abatement measures along the western boundary closest to Highway 16. We recommend that the three story medical building be moved or swapped with the parking area to its east. That the applicant work with staff to provide an electric gate that is approved by the fire chief for access to Serenity Lane from the south and that they reduce the number of lots to the south to provide better transition to the properties to the south.

Cassinelli: I will second that.

Fitzgerald: Just for clarification, you are giving the staff the ability to work with them to line that southern property up; right?

Seal: That's correct.

Fitzgerald: Just so I'm clear. Okay. Commissioner Cassinelli, does that make up with your second?

Cassinelli: Yes. Exactly.

Fitzgerald: So, I have a motion and a second to recommend approval with modifications for H-2020-0047, Prescott Ridge. All those in favor say aye. Any opposed? Motion passes.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

Fitzgerald: Patrick and Ms. Hunsiker, thank you for being with us tonight. I wish you best of luck working with staff to get everything finalized. And, team, if it's okay we will take a five minute break, so everybody can take a -- get a water or use the restroom and we will be back in a second to continue on and, Sonya, sorry, but we will just pause for five minutes.

(Recess: 9:27 p.m. to 9:34 p.m.)

**4. Public Hearing Continued from September 17, 2020 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.

Fitzgerald: Okay. So, I think we have all the team back. Moving to the last item on our agenda is the continued application for H-2020-0064, Pura Vida Ridge Ranch and we will turn it over to Sonya for the staff report.

Parsons: Yeah. Mr. Chair, you are actually going to get me for the rest of the evening.

Fitzgerald: Oh, sweet. Okay.

Parsons: So, as this Commission is aware, this project was continued from the September 17th hearing for the purpose of making some changes and bringing that back to this body. So, the applicant did work with staff to -- to come up with some landscape solutions for the hillside, some changes to the open space resulting in enlarged usable area and, as you recall, there are some significant slopes on this site and so they were asked to bring back a fire prevention plan as well and that had been presented to the fire chief for review and approval. So, the applicant did submit revised plans and I will go to those quickly. I think the color graphic probably depicts it the best. You can see it more accurately as to the proposed changes that they -- they have here. But you can see here that they have a larger central common open space area where a couple of building lots in a parking area were previously shown and that's in this area central to the development. So, you are looking at the graphic on the left, you can see where there is two buildings and that parking lot and go to the right here, you can see that that's been removed, the unit and the parking for more -- better interconnected open space. So, that resulted in an increase of .36 acres of qualified -- qualified open space overall and, then, additional site amenities consisting of a tot lot, children's play -- with children's play equipment and four fitness workout stations located in different spots along the perimeter. So, along here there is some fitness stations that were included along the pathway, if I recall. The applicant also provided some revised elevations for you to take into consideration. If you recall at the last hearing we did discuss the requirement of them bringing back an architectural design guidelines manual for the proposed development, we wanted to make sure there was a consistent design theme throughout the development. The applicant also provided that. And, then, the applicant also provided an updated parking plan, which, essentially, they lost -- they went from 71 off-street parking spaces to 20 for overflow parking, but they still maintained 88 on-street parking spaces. I think that was probably some of the reason for the continuance is to see if the applicant could get more open space and still maintain -- satisfy the concern of parking and provide better amenities for the development, because of the density that we were proposing. So, as I mentioned to you here, I will go through here and see if I can get to those elevations for you. So, this is kind of what they had at the last hearing. The single story detached. And these are some of the additional town -- townhome elevations that they want you to take under consideration tonight. Again, two story. And, then, this is the three story product that they -- they are thinking that they may want to incorporate into the development and want to get your -- your recommendation on allowing this to occur within the development. I

think the applicant will probably be best to go over those changes with you this evening. But, really, those were the -- kind of the themes that we heard from that previous hearing. As the previous hearing, staff is recommending approval and I will stand for any questions for you and, then, we will let the applicant present their changes to you.

Fitzgerald: Thanks, Bill. Appreciate it. Can you restate the percentage of open space again, just so I -- because I didn't hear you quite right.

Parsons: Well, yeah, let me see. I think -- I believe the applicant gave us some of those changes here.

Fitzgerald: Okay.

Parsons: So, you can see here open space is at 19.92 percent now. So, again, it was a 0.36 percent increase in the qualified open space for the development, which is what you guys wanted to see, at least --

Fitzgerald: Yeah.

Parsons: -- more central consolidated open space. So, you have gotten that now.

Fitzgerald: Okay.

Parsons: Which I think, again, from -- from our standpoint it is -- it looks like the applicant has done what the Commission has asked. Any other additional questions for me?

Fitzgerald: Any additional questions for -- for Bill?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Bill, there was -- there was no three story previously; is that correct?

Parsons: That is correct, Commissioner.

Cassinelli: Thank you.

Fitzgerald: Any additional questions for Bill at this time?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Bill, so with the loss of -- you said -- I think it shows, what, 71 parking spots. Does -- what impact does that have for the overall parking of this development? Are we still --



are we getting down to like the minimum of what is required for the number of units that are going in or how are we looking?

Parsons: Yeah. Mr. Chair, Members of the Commission, again, I think -- if I recall, you know, this -- as -- as we work with applicants through moving them through the hearing process, we talked with him about providing a parking plan and at least sharing that with you. It's not really a code requirement, but each one of these units have to provide a certain amount of parking based on the bedroom counts and, then, as you recall, at the last hearing we determined that they had plenty of on-street parking. So, in your hearing outline tonight they still have 20 guest parking stalls, but they still have 88 on-street parking spaces. So, again, I think you are allowed to park on both sides of the street, if I remember correctly, along some of these -- this ring road and the one that stubs to the south here. So, again, from -- from our perspective I think you guys -- at least from my recollection, you felt there may have been too much surface parking and you wanted to see more open space. So, the applicant did keep some of the guest parking in the appropriate locations, but, then, incorporated more open space. So, I think from our perspective we think there is adequate parking and it meets code, so --

Fitzgerald: I think -- yeah. I recall we -- we thought there was too many parking spots and not enough consolidated open space. At least that was our -- my recollection as well.

Grove: Thank you. I just wanted to make sure we didn't lose --

Fitzgerald: Commissioner Cassinelli, did you have other comments or questions, sir?

Cassinelli: How do you read my mind?

Fitzgerald: I just do. I can see. Or maybe. I don't know.

Cassinelli: Bill, you had a -- you kind of flew by a plat map there that sort of had these two -- not that one. It was -- it was the -- the map with the blue line. There. No. It was -- it kind of divided -- it -- it kind of divided the two -- these -- these -- you know, the single family versus the -- the townhomes. Kind of on the -- it kind of split the hill. That's not the one. I don't know where it was and you flew through it. I just wanted to get -- I'm trying to get an idea for the -- there you go. But that -- that does the same thing. But that was the -- that was the better one on the other map, but -- so -- and just to clear this up, this is -- we are looking at this -- this is one large plat that we are looking at. So, when we are looking at the density, we are looking at the total overall density and whatnot and not that of parcel one and parcel two; is that correct?

Parsons: Yes. That's correct. We look at the density. This project just has two zoning district boundaries, but it's still one project.

Cassinelli: Okay. Oh, is that what -- is that why we have got -- there is two zoning districts in there?

Parsons: Yep. That's why you see it.

Cassinelli: What -- and what are the -- what are the -- what are they on the -- on the two?

Parsons: Are you referring to acreage?

Cassinelli: No. As far as what are the two -- what do we have in there? I think that -- that was on the next slide or the previous slide.

Parsons: Well, we have a hundred and -- we had -- the -- the housing mix is 30 detached homes or single family homes and, then, six attached and 121 townhomes, which, again, some of that's going to change slightly, because we did lose some units. Some attached units is what we are looking at, with an overall gross density --

Cassinelli: Is that on the land use map? Is that --

Parsons: Well, the land use map -- yeah. The land use map has this medium high density residential, which is eight to 12 dwelling units to the acre. So, this one's falling into -- if you look here on --

Cassinelli: Okay. Does that parcel one -- if that were to be looked at by itself does that fit with the future land use map with the zoning?

Parsons: I would say, yes, it does.

Cassinelli: It definitely does?

Parsons: Yes.

Fitzgerald: I think we walked through that last time.

Cassinelli: It was -- I'm still confused on that.

Fitzgerald: Bill, did you have a follow up?

Cassinelli: No. No. That's it.

Fitzgerald: Okay. Any additional questions for Bill at this point? Okay. Would the applicant like to come forward or join us on Zoom. Sir, whenever you are ready and to get your slides up. Make sure you speak directly into that mic and we will -- state your name and your address for the record and the floor is yours when you are ready.

Gibbons: I will stand closer. Can you hear me now?

Fitzgerald: Can you get that a little bit closer or maybe try the other one?

Gibbons: Okay. No worries. Mr. Chairman, Commissioners, this is -- I'm Jay Gibbons. I am with South Beck & Baird Landscape Architecture and Land Planning, 2002 South Vista, Boise, Idaho. I represent the owner and the project. So, I can answer the last question that Commissioner Cassinelli provided as well. This -- this first slide -- this -- I want to reacquaint you with where we are. The Pura Vida Ridge Ranch Sub -- Ridge Ranch Subdivision is -- the property is the four sided triangle there in the middle. We are just off one property away from Boise Ranch. Lake Hazel runs on our north property boundary and you have the South Meridian YMCA to the north. A couple of city parks as well. Recently you approved Poiema -- or the city approved Poiema Subdivision and the proposed development to the south of us, Sky Break, was -- was on a recent -- well, last week's -- two weeks ago Commission hearing. Got tabled until November 19th. So, you will hear more about that as we go forward. Let me address first the density question that Commissioner Cassinelli had. On the -- the lower portion, the R-15, portion the medium high density residential district a -- the city would like to see eight to 12 dwelling units per acre. We have -- because of the way we are doing are -- the reason we are doing the planned unit development is because we have basically -- you have got two and a half acres of the Ten Mile Creek drain that is unbuildable. It's -- it's fully within their property in the east. And, then, our ridge line that bisects the north of the bluff to -- to the lower end, that's about four and a half acres. So, there is seven acres total. That leaves us the bottom area in zone one with about nine -- a little over 19 acres. You take away seven you got 12. We have 127 units -- dwelling units on those 12 acres. That's just a little over ten dwelling units per acre. That's smack dab in the middle of what the city was -- was looking for from a comp plan perspective. So, hopefully, you understand that a little bit better. Lake Hazel itself is a mobility corridor and that's part of the reason the city wanted to see the -- the medium high density residential in this area to support that designation. So, at our last hearing on 17th what I heard from the Commission was, basically, nine issues that -- that you would like -- that you asked us to go back and take a look at our development plan and see what we can do to really -- to address these. One of them was a more unique design layout. Reduce the parking for more open space. Create a common area for an open play and a tot lot. A more cohesive open space plan. Fencing along Ten Mile -- Ten Mile Timber Creek drain and the multi-use pathway that's -- that we are proposing along that. More hillside treatment. Provide a -- you wanted to see the firewise -- fire prevention plan before making a recommendation and go to the City Council. Similarly, you wanted to see draft architectural design guidelines for review before making a decision and, then, you asked us to explain the lack of vehicular connection between the R-15 homes and the R-8 homes. And so what I have geared my presentation tonight is around these nine questions and I will cover those in the following slides. Oops. So --

Cassinelli: If we could have Jay speak into the microphone.

Gibbons: I will stand still. That helps. So, my first slide -- Bill showed you the -- the overall color landscape plan from last time and -- and so, then, the follow up was we took that one and we -- we took away the two lots. The salmon colored lots that were formerly now the -- the open space, the -- the larger open space that we have created, we took out one ring road was road number four on the plat map. It was troublesome to ACHD,

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because it was really short and only served basically a parking lot -- off-street parking lot and -- and two lots. We were able to recoup those lots. Took out some of the -- a parking lot that was over by the future bridge over Ten Mile. The Ten Mile drain. So, we didn't lose any lots. Part of the reason we are providing a new housing type or two new housing types -- one or the other is that originally they -- they all were on -- they didn't have a parking pad behind them. They had to be two bedroom. You didn't have a driveway. So, basically, you had a two car garage in each of those. We are proposing a housing type that is cohesive with the rest of our -- or will be -- more in line with what we originally proposed for the R-8 and the R-15 -- the townhome style. This is a shorter -- a shorter house, wider lots. They are 24 foot wide lots. They are still 65 feet long, but because the houses themselves are 40, 42 feet wide -- or 42 feet deep we can get a 20 by 20 pad behind each of them. That overcomes a loss of -- of any -- we still have 127 lots in the -- in the R-15, but we are able to supply parking on those lots for each individual home, as opposed to having those separated off-street parking lots that we have -- we have taken off and what we did with that -- by losing those 71 spaces is, then, at the ends of those -- the new lots are all the -- the tan color homes. The end caps of each of those are now greenspace, which ties into the MEWs running between the entries -- the front entries to the homes and this other -- other note about the -- one of the new product types is there is a -- there is a man door next to -- there is an entry into the house off the garage -- not in the garage, next to the garage doors. So, you know, a guest comes and parks in your driveway, you can let them in the back door, as opposed to having to go and find -- find your house in -- in the MEW. Another benefit of that is that each of these housing blocks have their own little extra green space -- usable gathering space, in addition to their MEW. And I will say that this -- so, it doesn't sound like -- .36 acres is -- is what the net or the -- the net gain to open space by creating this -- this larger open space with the tot lot and a fitness is -- it also will house -- it's a full size youth -- up to U-10 soccer field or half of a soccer field for -- or U-14 to U-19. It's basically 165 feet by 105 feet open. That's why there aren't trees in the middle of it. So, you got -- you got a lot of -- a lot of space there without -- without really that -- it's a benefit to us. What we have also done is connect the -- the pathway all the way across each of the 24 foot wide loop roads to -- that feed these houses to provide access to these houses. You remember last time there was -- there was a sidewalk between them, but there wasn't one outside -- near the toe of the slope. That allows us to really provide -- as you will see in a few minutes how it really all ties together. And so, like I said, we -- we propose a new two -- two story, two car garage, 24 by 40 foot home. We don't need the extra parking lots and they can be three, four bedroom homes and have a 20 by 20 parking pad. We also want to propose to you a three story product for -- and -- and I'm going to -- I'm going to tell you these -- these products that I'm proposing they only go for those 32 lots that we reconfigured. Those are the ones in the middle. They are not on the perimeter on the east next to the multi-use pathway, they are right at the toe of the hill, which, you know, it's basically per code they can't be more than 40 foot. That's -- that's the height limitation at 40 feet. Well, you got the two story product with the peaked roof, that's about 35 feet anyway. So, they are really -- they really -- but it allows -- you know, you can see -- you can have patios on -- on two different levels or what have you and -- and these are -- these are rear loaded as well and I'm looking for some input from the Commission on these, especially from -- from, you know, a look perspective. Because of our design guidelines all the homes in

this development will -- will -- as we finalize our design guidelines, you know, similar elements will tie all of our homes together, be it color treatment, it could be stone or masonry, it will be, you know, roof colors, there will be paint schemes, windows, decks, what have you. The whole nine yards. That will be in the design guidelines. These will have to comply with that as well. These are, you know, conceptual ideas for -- for three story product. So, one of the things that -- that -- of course, as the Commission pointed out was, you know, what's unique or we need a little more uniqueness to your -- to your layout and what -- we think we are pretty unique the way it is in the beginning, because of our housing type and, you know, how we can manage to get the city's wishes met with the zoning district, but having an opportunity to -- to create more of an active lifestyle in this development, we can create a recreation, a fitness plan that ties the multi-use pathway that runs over a thousand feet along the Ten Mile Creek drain, ties into the sidewalk there along Locust -- or Lake Hazel and, then, comes back into the development along our entry and follows the toe of the slope all the way around. All of those are -- are concrete sidewalks within our plan and it ties all of the open spaces together and that's a point -- .7 mile loop. In addition to that, we have got four fitness stations, two of them directly along the Ten Mile pathway and, then, one in our -- in our new tot lot and open play area and, then, one on the south end and where it turns and goes back towards the creek.

Cassinelli: Jay, if you could get into the microphone a little better. I'm having a real hard time hearing.

Gibbons: I apologize. I'm going to have to put it on my lapel in a minute, I suppose, but -- so, we have added some amenities. We are way above what the city would otherwise require and we have used the hillside -- we are going to -- we are going to have a -- you know, a cyclist -- a bicycle circuit, rest areas, benches with a -- you know, a post to park on. There is -- there is a trash receptacle, a rest area along the way. Viewpoints or what have you. And that's about -- that's about a .6 mile circuit. So, by interconnecting all these greenways it really helps. And there is another reason for those greenways that I will get to in a minute. You were concerned about fencing along Ten Mile drain and there is always an issue with fences along -- on the drain side, the water side, of multi-use pathways. In the first place the city doesn't typically put them in on the creek drains, because they aren't -- they are not -- they are not -- they are not live water per se. They are not like an irrigation lateral that it's running water during the season. This is a drain creek, natural waterway. Five Mile Creek doesn't have -- they will have -- they will have fences on the house side of the pathway, but not on a water side. It's what we are going to do, because our houses are there along the pathway, we are actually going to connect a wrought iron five foot wrought iron fence house to house and, then, at the ends of the MEW where the MEW -- the walkway through the MEW connects with the multi-use pathway, we will have a gate there, that way -- that separates the public versus the private space. We got public -- it's a public multi-use pathway. It's going to be a city pathway. The interior in the MEWs, that's -- that's a private space for -- our owners and so we think this is a creative solution and it's a good way to go and this is -- this is the -- the product that -- what we are going to use. So, we -- you asked to see the architectural design guidelines. I submitted a draft of those. Like I say they will be finalized as we go forward.

The condition -- the city has conditioned that it be finalized and approved and incorporated into the CC&Rs prior to the first final plat. Similarly, with the -- the draft Wildland Urban Interface Fire Safety Plan, long title, means the same. There are five firewise principles. You got fire resistant homes and that has everything to do with building materials. You have perhaps fiber cement siding, masonry accents of asphalt, composite shingles, all the things that aren't readily flammable from embers or even direct flame in some regard. The second point is fire resistant landscapes. You know, you have three zones -- can I wrap up? I have -- I can do this in a minute. Anyways. So, you have three zones out to 30 feet from the structures. You got the clean -- clean and green, which means that's -- that's basically yard space or manicured lawn and, then, from 30 to 70 is pruned and groomed and that's prune trees up eight feet. You have groomed the -- the deadwood out of the shrubbery. You have -- you may have lower grasses. It's still -- it's still irrigated and, then, you have the native vegetation that you are going to address from 70 feet plus that -- it creates that safe zone from the structures along the natural hillside that the Fire Department is concerned with and we are, too. Third is an evacuation plan. Be prepared and plan ahead. Fire prevention. That's all about awareness and education. And, then, fire ecology and management. It's how the fire -- firefighters do their jobs. And it all goes hand in hand and our -- our plan addresses these and it, too, will be incorporated into the CC&Rs prior to the first final plat. So, I have some overall concepts -- one from above looking into the development from across the north side of -- of Lake Hazel along Ten Mile Creek. To the right of that is the entry into our development, undeveloped land to the west. The bottom left corner is the alley loaded product with the driveways and, then, to the lower right corner is one of the -- one of the MEWs along the creek. It's between some of the -- the three townhomes along Ten Mile Creek itself. You can see it actually looks bigger than -- than just in the plan view. It's not exaggerated. It's a nice -- it's a nice picture. And with that I will stand for questions.

Fitzgerald: Thanks, sir. Are there questions for the applicant? Not at this time? Going once, going twice. Jay, thank you very much, sir. I'm sure we will have comments or -- I will I let you close after public testimony.

Gibbons: Perfect. Thank you.

Fitzgerald: Thank you. Madam Clerk, do we have individuals who would like to testify in person or online?

Weatherly: Mr. Chair, we have two people signed in as if necessary. John Roters, do you want to talk? Okay. John Roters is not speaking tonight. Justin Griffin? Okay. We don't have anybody in house left that is raising their hand on that.

Fitzgerald: I see Annette.

Weatherly: Yep. Annette, one moment, please.

Fitzgerald: Annette, how are you, ma'am?

Alonso: I'm good. Can you hear me?

Fitzgerald: Yes, ma'am.

Alonso: Okay. Let me state my name.

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

Alonso: Okay.

Fitzgerald: You know the drill.

Alonso: I know the drill. This is Annette Alonso. 2204 East Hyperdrive, Meridian. And I am representing the Southern Rim Coalition and I just want to start, I just want to say I like the redesign of the open space. I think it's nice. I think it's nice that they put it along the toe of the hill there. I just wanted to kind of discuss a few other things. One is we still haven't talked about any connectivity to that upper part and -- and being that we are in the situation we are with Sky Break, not sure where that's going to go, we still don't have any way for that to access. So, I don't know how this works. Maybe they could have -- maybe they could have a DA later to talk about that part of the development, but I think that's their last phase anyway. I just don't know exactly how to handle that part of it. The other situation I wanted to say is -- they are still talking about having the R-15 -- we are going to have some deviation in the setbacks of those R-15s and we haven't really talked about that. Essentially, that is equivalent to a step up and we are not doing any step ups as I know. So, I don't think that has been addressed. I'm having a little struggle with the three story thing and, then, going much higher than the 35 feet. I don't know how that works out. But I don't think that's supposed to be allowed either. Thirty-five feet is that UDC requirement on the single family, but, like I said, I do like the open space. Little -- still a little worried about the hill and how you are going to address that part that's on the upper side of that R-8 that's on the top. Are we doing any fill? Because I know the Sky Break is talking about a huge bunch of fill up there. We have essentially only one chance to take care of our southern rim, that existing portion, and so I just want to make sure we are not talking about a huge amount of fill. I want to make sure we are protecting that natural geologic hill there and not doing anything crazy. So, those are kind of my questions. What are we doing with that no connectivity. Can we ask for a DA later for that last phase? What are we doing about that setback on the R-15s and the height of those homes that I'm not really excited about. So, just want to make sure we are protecting our geological features that we have naturally. I think those are my last few things that I have. Otherwise, I talked about it all before.

Fitzgerald: We appreciate it.

Alonso: And that's all I have.

Fitzgerald: Thanks, Annette. We appreciate it very much. Appreciate you being here tonight.

Alonso: Thank you, guys.

Fitzgerald: Visiting with us.

Alonso: No problem.

Fitzgerald: I don't see any additional attendees. Is there anyone in the audience that we didn't hear from? There is no one else on line. Okay. Hearing none, currently -- and, Commissioner Seal, no one else has raised their hand and wants to testify?

Seal: That is correct.

Fitzgerald: Okay. Jay, would you like to come back up and answer a couple of questions and close, sir?

Gibbons: Thank you, Mr. Chairman, Commissioners. I'm back. I'm going to stand close. Try to speak for -- or speak appropriately. So, we -- we recognize that access -- that the vehicular access to the top of the bluff where R-8 zone is has to come from the south. Throughout this whole application process and working with the city, we have had to work with the property owner of Calvary Church with Poiema Subdivision. They needed access, we are building a bridge, so both of us need access. We are sharing that access. The property to the south we have worked with both property owners at one point or another. The one that was -- when that application went -- was withdrawn and, then, they got a new owner and now they are back with Sky Break. So, we have worked with them all along, so that our -- our access to that R-8 -- and the reason that it's R-8 and the reason we asked for R-8 zone on the top is because that matches what's going to happen south of us. So, that way there isn't a transition area with -- because, technically, our whole 26 acres is -- is medium high density residential, but we feel that if we are taking access from the south that translation should be better anyways. I brought my own peanut gallery. So, anyway -- so, yes, we -- it's our last phase. We recognize that even -- and you will -- you will have a crack at -- at Sky Break in a few weeks. According to their -- their plan, that piece that abuts our property doesn't happen until phase five and we are fine with that. We are not in a hurry to develop it or anything at this point on top of the hill. It is -- it is what it is. So, we will have to -- of course, we will deal with the -- with the -- the water lines, utilities that the city is going to require to be -- you know, from top to bottom or heavy, that's going to happen regardless. But development on the bluff is -- is down the road. The setbacks in the R-15 -- yes, we asked for some reductions in order that the -- the reductions are for the attached products that don't have parking pads. Basically, we are asking for a reduction because it's -- it's a unique product type and a higher density residential district that we are trying to come up with a -- with a quality product that fits and it's a high, you know, from -- from an aesthetic standpoint the type of homes and materials used in the homes is -- are high quality. We -- it's not really asking for special dispensation, it's -- you know, there are a lot of things that we are -- we are also doing as part of the development plan to justify those -- those asks. So, I don't think there is -- there is really any -- there hasn't -- that's the first time I have heard anybody have -- take issue with the -- the reduced setbacks on -- on some of the lots in an R-15.



It's not every lot, it's only -- it's only -- it's a two story, two bedrooms product that doesn't have parking pads. So, anyways -- and, granted, that's -- that's 64 lots, so -- out of 127. Then the three story product, it's -- you know, in vision what we would like to see is -- the R-15 height limit is 40 feet. So, I'm comfortable saying that. One of the product types has a flat roof. We would like -- actually, whatever we build we would like to have a flat roof. That provides that homeowner -- they have got the roof -- they have got a roof deck for -- for family functions, a personal open space right on top of the roof and that -- that stays under the height limit for the city. It's a creative solution. It's a creative product. And we would like the commission to give us their thoughts. And other than that, I do have my engineer here if you have any questions as far as roadways or -- or traffic or what have you, so --

Fitzgerald: Jay, can you address the fill -- fill issue. I know that that's a pretty significant slope coming off from the -- from the two phases. Can you address the comment about fill and what you -- what you -- how much fill you are bringing in, if you are bringing in any.

Gibbons: Mr. Chairman, Commissioners, so we are not building a road up to the bluff. We are -- and that's the reason we are not building a road is because they have already -- the one home that exists up there has a road cut up from Lake Hazel up the hill and it does have a significant cut gap in order to meet the -- you know, the -- ACHD and the city's guidelines for slope. But all of that fill was pushed to the -- to the valley floor in order to provide a ramp. We -- we can't -- that can't remain. So, that home can't remain. So, we have to -- we have to deal -- we have to fill it back in. So, you know, we are not cutting more out of that hillside. We have a pathway. So, it's only a five foot pathway. But it's -- it's a balanced cut and fill at that point. Does that answer your question?

Fitzgerald: Yes. I just wanted to make sure we are on the record explaining that. I know there is already a -- kind of a road up that side and you guys were cleaning that up and maintaining the hillside.

Gibbons: Mr. Chairman, that's correct. We are going to reclaim that road.

Fitzgerald: Okay. Thank you very much. Additional questions for Jay?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: I know we talked about parking, Jay, but how many lots did you lose in this redesign?

Gibbons: Mr. Chairman, Commissioner Cassinelli, we lost no -- we didn't lose any lots. We -- we took two lots out and put them in a different location. We lost a parking lot in order to put those two lots over there. We reduced the parking, we are -- we are -- still have way more than -- than what's required for -- for the housing types that we have shown, so --

Cassinelli: Okay. And, then, my other question was was this designed as a rental product or --

Gibbons: Mr. Chairman, Commissioner Cassinelli, no, these are single family homes. They are single family attached homes in the R-15 and they are single family detached on -- on the R-30. They are not a rental product.

Cassinelli: Thank you.

Fitzgerald: Thank you, Commissioner. Additional questions for Mr. Gibbons? Anyone? Well, Jay, thank you for being here tonight. We appreciate you and your team being here and we will go from here.

Gibbons: Thank you, Mr. Chairman, Commissioners.

Fitzgerald: With that can I get a motion to close public hearing?

Grove: So moved.

Seal: Mr. Chair?

Cassinelli: Second.

Fitzgerald: I have a motion and a second to close the public hearing for H-2020-0064, Pura Vida Ridge Ranch. All those in favor say aye. Any opposed? Motion passes.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

Fitzgerald: I do appreciate, Jay and your team, that you guys took our comments to heart and made some significant improvements to -- especially that open space and that was -- Commissioner Grove and I were kind of on the same page in regards to having something that was centralized. So, we appreciate that. Anyone want to lead off?

Grove: Mr. Chair, I will.

Fitzgerald: Go right ahead. Commissioner Grove.

Grove: So, I think with the -- like you said, the centralized open space is a lot better. I was a little concerned with the -- the amount of parking that was lost, but I'm looking at, you know, this view here, you see all of the parallel parking along the street, I'm not as concerned. I would like to say I am a fan of the three story product and the placement of where that three story project is going to be. I think that it works well with where they are going to put it. It's kind of tucked away from, you know, the main road. It's against the hillside. I think that it works where it is. They also, you know, have incorporated more green space in the -- in those areas. I like that. The biggest thing that I kind of didn't notice the first time reading through it, but really paid attention tonight was with the loop

that they made for recreation. I think that is a very big value add and does a lot better job of tying at least the bottom portion of this project together. I still have concerns similar to the testimony from Ms. Alonso in terms of how the bottom and the top portions connect. I know that can't be necessarily addressed with this single development, because it's relying on neighboring projects -- or neighboring projects to tie them together from a vehicular standpoint and so that -- that portion is a little muddled in my head and, then, just to reiterate my concern in this area, just in terms of the school and looking at the West Ada numbers that came over, I know that doesn't necessarily weigh in as much as I would want it to, but it is something I would at least like to say is mildly concerning.

Fitzgerald: Thanks, Commissioner Grove. Additional thoughts?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: I will start with the good. I like the changes that were made. I really do like that -- the athletic loop, the way that that's put in. I have been hanging out at the HP campus for a long time before they sold it and they have the -- a similar loop that's over there with similar equipment. So, it's actually pretty functional and provides for, you know, good -- a good -- good fitness community. I like the changes that have been made as far as where the parking was taken away, where the open space has been added, how it's been added, the continuity to it. Also like the way that the -- I mean, essentially, have a small trail system that's going on between the upper and the lower for connectivity as far as, you know, the ability to bike there, so I can see this. I have a -- you know, I have a young son, who is -- I shouldn't say a young son. I have a young man son that would probably be interested in a product type like this as far as, you know, first -- first time homeownership. You know, it's probably going to be a place where there is not going to be a lot of school aged children that are going to be there. I'm looking at this as more as kind of, you know, first time homebuyers, maybe starting a family, not necessarily raising them here or -- either that are empty nesters that are, you know, trying to find something similar, you know, a little bit less maintenance, a little smaller footprint, but, you know, nice amenities and things like that. The -- the rest of the layout -- I mean I'm -- you know, again, I'm -- I don't dislike the higher densities, but sometimes when you get more out into what has typically been the country it's a little bit harder to swallow sometimes, but I do like the product, I do like the way that it integrates. I -- I also like the idea of the three story houses with a rooftop. I think that's something that's -- to me that's innovative and especially for the people that are going to be looking into something like this, you know, to be able to have, you know, rooftop summertime, springtime celebrations, get togethers and things like that, that's -- you know, it's an innovative -- innovative way to do it without them needing a -- you know, huge backyard in order to do so. The school situation on it. Generally speaking that just the overcrowding of the schools in this area would be enough to basically stop me in my tracks, but for the product type that's here and the fact that the -- you know, where families with children are going to be living is the R-8 part, that's going to, you know, start developing at a far later date, hopefully, by the time schools open in

this area, kind of negates that for me. So, I think that overall, it's something that I can -- I can support.

Fitzgerald: Thank you, Commissioner Seal. Additional comments? Commissioner Yearsley, go right ahead.

Yearsley: Personally I don't like it, but -- I don't think it fits that area, but it's already been through the process and I'm coming in late to the game, so I will leave it at that.

Fitzgerald: Commissioner Cassinelli, thoughts?

Cassinelli: They -- you know, I -- I will compliment the applicant and that they did take our feedback and they did make adjustments. You know, they -- they did it without losing lots. I thought that they were going to give up some lots for a little bit more open space. I'm really torn, I mean I know -- we were just dealing with -- with in-fill earlier tonight -- or maybe that was -- how many hours ago that was. It feels like yesterday. And it's tough. But to me this is just one of those -- it is a -- it is a round peg in a square hole. Because of this -- of the attached portion. I like the product. I like the MEWs. I'm not even opposed to three story product like this. But I think that fits in a different area. If this were in -- if this were a neighborhood center or something like that, you know, I would want to see that product all day long. I think it would fit there. I just don't -- when you look at the -- you know, you look at R-8 right up the hill and you look at -- I'm assuming -- I don't recall what the -- you know, what we are looking at where the church is to the property to the east there, but I think the -- the homes are R-8. They might be R-15. But it -- it just doesn't -- it doesn't fit and I'm not saying that I don't like it, just not there. So, I just can't -- I know it's tough. You know, it's -- what works I don't know. But I'm not -- because of the fact that it's just this round peg in a square hole to me, it's just -- it just doesn't work and I don't -- and I -- and, again, the other thing -- and Commissioner Seal addressed it -- that's been bugging me is that this has been such a rural area and, you know, now we are putting -- you know, we are going from -- from nothing to everything in this area and it's -- that's a tough one to swallow. So, that's -- those are my -- I just can't get behind it, though, because of that.

Fitzgerald: I'm going to probably come at it from a different angle than you guys it sounds like -- or maybe I'm kind of on both sides. You know, we just finished a comp plan process and this is what the comp plan requires or requested and so they are trying to fill in in a really rough and geographic location, too, and you have a drain on one side and you have a giant 35 foot hill on the other side and so I -- I -- and you are trying to put medium high density residential in here and we are asking him to put R-4 it sounds like and I don't think that's what we are -- the city comp plan process took us through. So, I -- I like the product, it looks like something that the river district in Eagle built. I think it's got, you know, funky undulation. It's something we don't see every day. It's tucked underneath that hill, so I think you could do some rooftop decks. We don't have -- we need some different products in my opinion. I'm tired of looking at the same product that gets built in every one of these major subdivisions. We got to do something different and I'm sorry to say it, but the south is -- this is where it's coming, guys. They have a couple of parks that are going out there.

I know that we are looking at a major -- some of the major city centers moving out this direction and Kuna is coming right behind us, not very far away, and so there is -- there is employment both directions and so I don't think we can call this a rural area anymore and so I think we got to understand that this is why we went to the comp plan and this is what the city wanted is, you know, a differentiation in housing types and that's why they put this kind of zone over the top of this area and so I think you have a golf course right next door, you may have some mixed -- a mixture of -- like I said, I don't think it's just going to be young families with young kids, I think it's going to be a different kind of product type -- or different kind of group of people that are going to be living here and I do appreciate kind of the different look than the same old thing we see every day. I do like the MEW living. I think they are -- those are cool. It's a different kind of person than I think maybe everybody else is -- is used to looking at purchasing and so I think we need to look at differentiation a little bit. I think it definitely fits into the stuff to the northeast or where the church is. You have a pretty big significant building that's going on right to that northeast corner not very far away from this thing and they are doing a bridge to interconnect that community into Lake Hazel Road. It's funky with that -- that neighborhood on top of the hill -- or that piece of the neighborhood on top of the hill, but I think that comes in very much later. But I do like the way they have connected with the -- the nature trails with the one hard path -- that connection into that big community center type greenspace. So, I guess I'm kind of thinking about it a little bit differently. I think you are -- you are putting a niche product in a niche kind of component of the land and that's kind of where I come from a little bit different angle. I understand that the school age piece -- or the school kids, like Mr. Grove mentioned, I think this wouldn't fit that group very well. It will be a different purchaser. That might be playing golf at the ranch and maybe looking to retire soon. Or maybe empty nesters or somebody that. Maybe that's not the sound, but I think that's something that's a little bit different than your normal growing family. So, just my thoughts.

Cassinelli: Mr. Chair, if I could?

Fitzgerald: Yeah, go right ahead.

Cassinelli: One -- another thought on that is even if this were 500 feet or whatever it is to the west at the intersection, I think this would fit -- to me it's just in between those things. Again, it's a tough one. But if this were -- if this product were right now at -- at the intersection of Eagle and Lake Hazel, it would fit more as a transit, you know, to transition. It's a -- it's a weird transition with this piece. It's this -- it's this attached piece that -- that I can't get my -- get my mind around. And the other thing I want to say is that, you know if this -- what I -- what I do oppose in this, because of where it's at, is the three story. I like the three story. Not -- if this is -- to me if this is going to pass in here, that's -- that would be a -- you know, I might be swayed to approve this, but not with the three story, because to me that just -- that throws it -- that really throws it out of whack. Where it's located. Only because of where it's located. Not that I don't like it.

Grove: Mr. Chair? Okay. I think -- I understand what Commissioner Cassinelli is saying. I would take a contrary view of it just to a certain extent and say that the golf course and

Lake Hazel and the hill kind of isolate this property and, then, the subdivision to the -- to the east to a very large extent and I don't see this as being as much of a clash of the -- the surrounding area just due to the geography of how this is laid out. I think if it was a flat map and we were looking at it it would look a little bit different, but the geography of this area kind of makes it so much different than if we were just looking at it as a flat surface and so I -- I struggle with that just from that perspective and, then, to Commissioner Seal, I agree a little bit with, you know, the -- the farmland and how it feels somewhat out of place, but I think if we use the future land use map and the -- and kind of think about it from ten, 15 years from now, does this feel as out of place at that point based on how the area has grown around it and I don't -- I don't have that -- as much concern with it looking at it from a longer viewpoint than -- than today.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: And to kind of touch on -- I mean, you -- you -- you touched on it a little bit, but, essentially, I mean I have been out in this area quite a bit this last summer and I mean, personally, it was shocking to me to drive out there after not having been out there for a decade, because to where you are used to seeing hillsides and farmland, you see rooftops, you know, and, essentially, a sea of them out there and it is -- I mean it's -- it's right in this area where -- I mean there is -- there is not many acres out there that aren't going to be covered with rooftops out there, so -- and that -- to me that's hard. I mean it's -- you know, when I see that it makes me a little bit sad. That said, it's where our city's at and it's where our city is growing. I think a diverse product like this, it is something different, which is good. I think it's going to attract younger people and give them, you know, hopefully an affordable housing choice that isn't, you know, something that's just stripped down and bare, you know, to make it fit on, you know -- you know, essentially, make it fit into a -- fit -- fit the square peg into the square hole, I guess. So, I think something like this where it is a little bit more diversified it's going to be something that might be good for that community out there. Again, you have a golf course that's next to it. You have parks that are coming in. You have something that's, you know, kind of built to be more of fitness minded folks living there, you know, with the bike trails, with the -- the fitness loop that's in there and things like that. So, you know, again, personally, I'm not a huge fan of the higher density stuff, but I see this as -- you know, I mean, you have an irregularly shaped hole here, so not much is going to fit in there. My hat's off to them to make -- you know, for making something that's this different fit in there this well at this point. And, again, they -- you know, they took everything that we asked them to do. They did it. I think they have addressed the questions that we originally had. So, you know, again, I'm -- I'm more in favor of this at this point.

Fitzgerald: Additional comments, thoughts? Commissioner Grove? Oh, you went back on mute. I caught you having to talk. Anybody -- additional comments or thoughts or motions? I -- you know, Commissioner Seal, I think you and I are on the same page. I think -- and I do think there is a need right now and I think there is -- with some of the folks moving in from out of town there is a -- there is a lot of people that would like attached

products. They sell really fast. I get to live with a realtor and so I -- they try to find more product like this in town and there isn't any and so I think there is a need out there for that kind of product and I know it may not fit everybody's style, but I think there is a desire for -- like I said, an affordable option that is a sense of community, too. And so there are folks that are moving here that aren't necessarily traditionally going to like that big open space, they like having tighter area and more community and, like you said, fitness focused and so I think I'm in agreement with where you are.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Unless anybody does -- was there any modifications that we were -- that we are mulling about on this one? I don't have any really written down, but if there are none, then, I would move forward with a motion.

Fitzgerald: I think the only thing was the -- is fencing -- the way they fenced the -- the drain is everybody okay with that? I think it's a request to vet it or do whatever they need to do with the Council anyways, but I don't have any problem with what they are proposing.

Seal: I agree with that.

Grove: So, anything with that?

Fitzgerald: Yeah. I think -- I don't have any -- any modifications that I'm aware of.

Grove: Okay. I'm going to try it, if that's okay, Mr. Chair.

Fitzgerald: Go right ahead, sir.

Grove: All right. After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2020-0064 as presented in the staff report for the hearing date of October 22nd, 2020.

Fitzgerald: And, Commissioner, I guess I'm going to throw a monkey wrench in your comment. We do need to talk about the three story product. Are we going to -- I know Bill had an opinion about that. Commissioner Seal, you had an opinion about that. So, I stopped you in the middle of your motion. I apologize. But that's something I think we do need to address. Does anybody -- I know Commissioner Cassinelli had an opinion. Commissioner Seal, you had an opinion. I tend to think it works there, but I understand that there is a compromise to be made. I understand that there -- this could be the compromise. So, Commissioner Cassinelli, go right ahead, sir.

Cassinelli: I -- yeah, I'm definitely opposed to the -- to the three story product in this place.

Fitzgerald: Okay. Commissioner Seal, do you have follow up thoughts?

Seal: I stand by my remarks.

Fitzgerald: Okay. Commissioner Grove, what do you -- do you want to incorporate that into a motion, whichever way you want to lean? I -- I'm okay with the three story. I don't know where you are going to come down, but --

Grove: I actually prefer it. I think that it adds some additional qualities to this project, so I'm in favor of it personally.

Fitzgerald: I think if we put it in there they need to have elevations finalized and ready to go before City Council, so they understand what they are getting into, because what they presented tonight don't match up with what the original elevations are. That would be my only thought there.

Grove: It would be -- I do like the flat top, just as a personal --

Fitzgerald: I do, too. I agree.

Grove: All right. So, I will try this again.

Fitzgerald: Sorry about that, sir.

Grove: Okay. After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2020-0064 as presented in the staff report for the hearing date of October 22nd, 2020, with the following modification: To add in completed elevations for -- before City Council for review, with recommendations to make the three story product a flat top product. Badly worded.

Seal: Second.

Fitzgerald: I have a motion and a second to recommend approval with modifications of File No. H-2020-0064 and, Madam Clerk, I will have you call the roll.

Roll call: Grove, yea; Yearsley, nay; Seal, yea; Cassinelli, nay; Fitzgerald, yea; Holland, absent; McCarvel, absent.

Fitzgerald: The motion passes on a three-two vote.

**MOTION CARRIED: THREE AYES. TWO NAYS. TWO ABSENT.**

Fitzgerald: Mr. Gibbons, we appreciate you guys being here tonight and we hope you get all your ducks in a row and elevations ready for City Council and we wish you luck. Team, thank you. It's been fun, literally an evening of three continued projects. Okay. I need one more motion.



Seal: Mr. Chair?

Fitzgerald: Yes, sir, go right ahead.

Seal: I move we adjourn.

Cassinelli: Second.

Fitzgerald: I have a motion and a second that we adjourn. All those in favor say aye. Motion passes. Oh, is there anybody opposed? Sorry, I should have asked that. Hopefully, not. We can all go to bed. You guys have an awesome evening. I will see you in November.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 10:41 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

\_\_\_\_\_  
RYAN FITZGERALD - CHAIRMAN

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Oakwind Estates Subdivision (H-2020-0093) by Engineering Solutions, Located at 5685 N. Black Cat Rd.

A. Request: Preliminary Plat for 94 single family lots, 92 townhome lots, 26 common lots and 3 common driveway lots on 24.54 acres.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Alan Tiefenbach

**Meeting Date:** November 5, 2020

**Topic:** **Public Hearing for Oakwind Estates Subdivision (H-2020-0093) by Engineering Solutions, Located at 5685 N. Black Cat Rd.**  
A. Request: Preliminary Plat for 94 single family lots, 92 townhome lots, 26 common lots and 3 common driveway lots on 24.54 acres.

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## 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



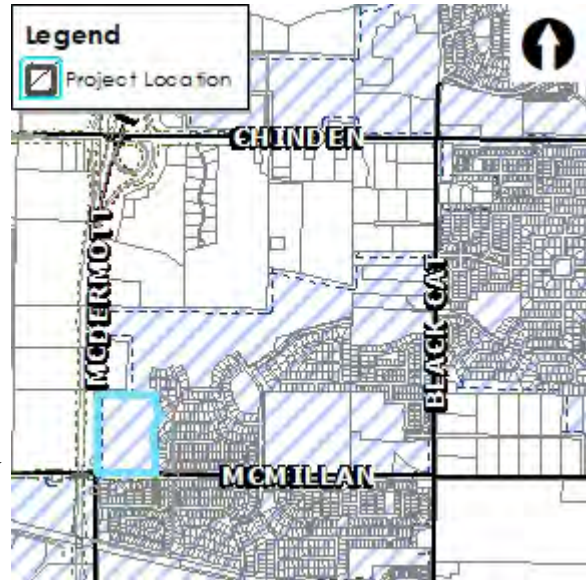
HEARING DATE: 11/5/2020

TO: Planning & Zoning Commission

FROM: Alan Tiefenbach  
208-489-0573

SUBJECT: H-2020-0093  
Oakwind Estates Subdivision – PP and MDA

LOCATION: Northeast Corner of N. McDermott Road and W. McMillan Road



### I. PROJECT DESCRIPTION

Preliminary Plat (PP) proposal consisting of 94 single family lots, 92 townhouse lots, 3 common driveways and 26 common lots on 24.54 acres in the R-15 zone. A concurrent development agreement modification (Instrument #114030972) is submitted to change the development plan from multifamily and self-storage uses to the single family and townhome uses being proposed with the subject project. NOTE: The Oaks development agreement governs a larger area that what is being proposed with this development application. Therefore, the subject modification will exclude the subject property from the boundary of the overall DA, so the applicant can enter into a new DA with provisions that are relevant to the proposed development.

### II. SUMMARY OF REPORT

#### A. Project Summary

Description	Details	Page
Acreage	24.54	
Future Land Use Designation	Medium Density Residential	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Single Family Residential	
Lots (# and type; bldg./common)	94 single family lots, 92 townhouse lots, 3 common driveways and 26 common lots	
Phasing Plan (# of phases)	Two Phases	
Number of Residential Units (type of units)	186 – 94 SFR detached and 92 townhomes	
Density (gross & net)	7.58 du / acre gross, 10.13 du / acre net	
Open Space (acres, total [%]/buffer/qualified)	4.97 acres total, 4.16 acres (16.95%) qualified open space.	

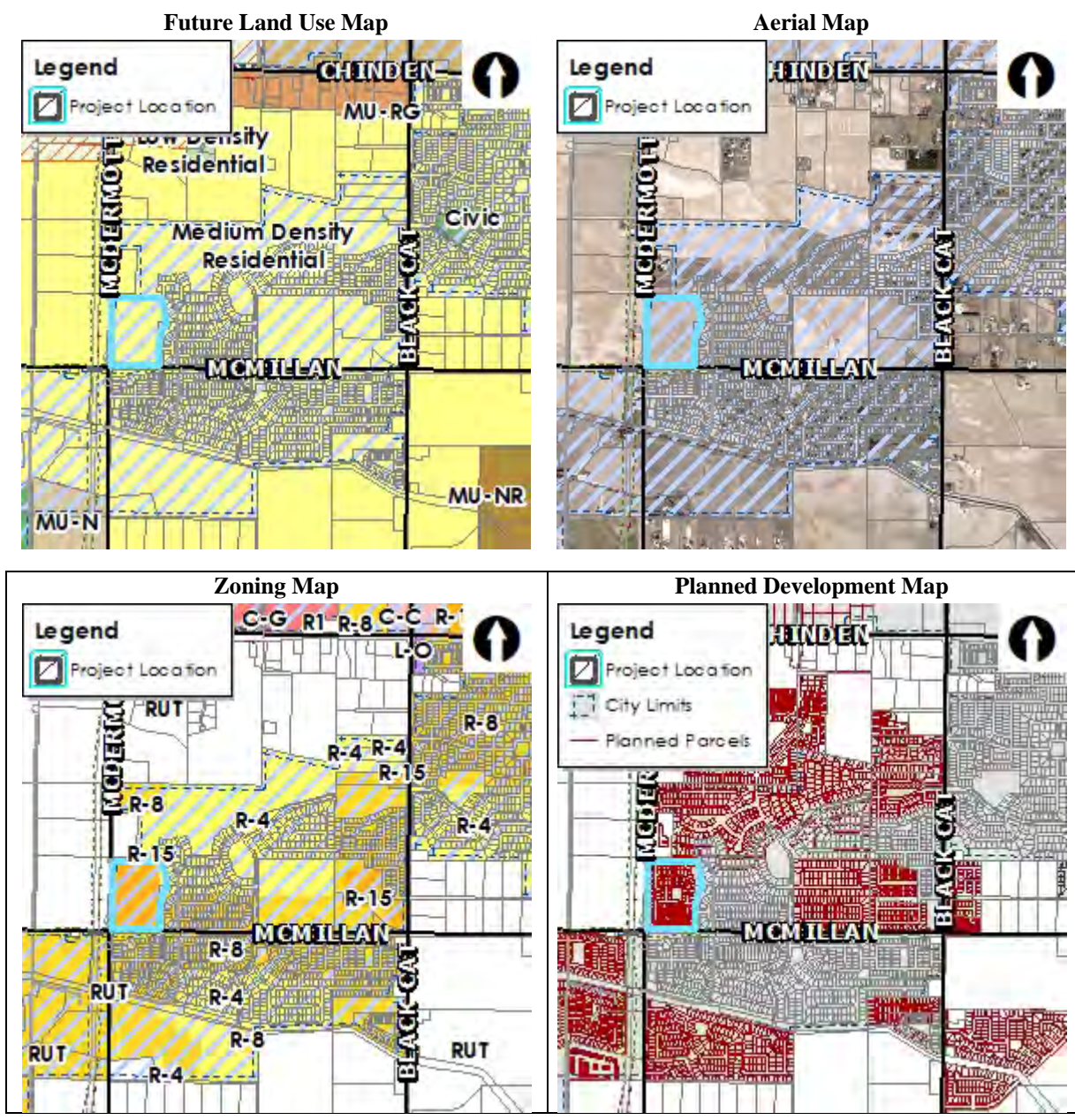
Description	Details	Page
Amenities	Pathways, central lawn, playground, fire pit, outdoor kitchen and shelter, additional qualified open space > 20,000 sq. ft.	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	Oct 10, 2019, 2 attendees	
History (previous approvals)	Oakcreek AZ 08-004, Oaks North- RZ-13-015, PP-13-0014, MDA-13-015 & DA Instrument #114030974; and Oakwind H-2018-0119. The previous Oakwind development is not moving forward because the applicant failed to execute the amended development agreement. The new proposal is intended to supersede the previous approval.	

### B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> </ul>	Yes	
<ul style="list-style-type: none"> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	Yes	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	2 local streets, Cherrybrook Drive and Daphne Street, will connect to N. Trident Way, which connects to W. McMillan Rd (arterial).	
Traffic Level of Service	D	
Existing Road Network	No existing internal roads.	
Existing Arterial Sidewalks / Buffers	McDermott Road – Undeveloped (no sidewalks or buffers) McMillan Road – Undeveloped (no sidewalks or buffers)	
Proposed Road Improvements	Applicant required to construct all internal roads. 10' wide walkway and installation of curb and gutter along N. McDermott and W. McMillan.	
Distance to nearest City Park (+ size)	+/- 2 ½ miles, Seasons Park, Keith Bird Legacy Park	
Fire Service		
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> </ul>	3.5 miles	
<ul style="list-style-type: none"> <li>Fire Response Time</li> </ul>	> 5 minutes	
<ul style="list-style-type: none"> <li>Resource Reliability</li> </ul>	86%	
<ul style="list-style-type: none"> <li>Risk Identification</li> </ul>	1	
<ul style="list-style-type: none"> <li>Accessibility</li> </ul>	Roadway access, radio coverage	
<ul style="list-style-type: none"> <li>Special/resource needs</li> </ul>	No aerial device necessary	
<ul style="list-style-type: none"> <li>Water Supply</li> </ul>	1,000 gpm	
<ul style="list-style-type: none"> <li>Other Resources</li> </ul>	None needed	
Police Service		
<ul style="list-style-type: none"> <li>Distance to Police Station</li> </ul>	8 miles	
<ul style="list-style-type: none"> <li>Police Response Time</li> </ul>	> 5 minutes	
<ul style="list-style-type: none"> <li>Calls for Service</li> </ul>	102 within one mile	
<ul style="list-style-type: none"> <li>% of calls for service split by priority</li> </ul>	47% P2, 53% P3	
<ul style="list-style-type: none"> <li>Accessibility</li> </ul>	Satisfactory.	
<ul style="list-style-type: none"> <li>Specialty/resource needs</li> </ul>	None necessary.	
<ul style="list-style-type: none"> <li>Crimes</li> </ul>	14	
<ul style="list-style-type: none"> <li>Crashes</li> </ul>	3	

Description	Details	Page
<ul style="list-style-type: none"> <li>Other Reports</li> </ul>	85	
<b>West Ada School District</b>		
<ul style="list-style-type: none"> <li>Impacted Schools</li> </ul>	Pleasant View ES - 1.8 Miles Star MS – 7.2 Miles Meridian HS – 5.5 Miles	
<ul style="list-style-type: none"> <li>Capacity of Schools</li> </ul>	Pleasant View ES - 650 Star MS – 1000 Meridian HS – 2075	
<ul style="list-style-type: none"> <li># of Students Enrolled</li> </ul>	Pleasant View ES - 356 Star MS – 701 Meridian HS – 1975	
<ul style="list-style-type: none"> <li>Estimated New Students Generated by Development</li> </ul>	Pleasant View ES - 60 Star MS – 30 Meridian HS – 40	
<b>Wastewater</b>		
<ul style="list-style-type: none"> <li>Distance to Sewer Services</li> </ul>	0	
<ul style="list-style-type: none"> <li>Sewer Shed</li> </ul>	N. McDermott Trunkshed	
<ul style="list-style-type: none"> <li>Estimated Project Sewer ERU's</li> </ul>	See application	
<ul style="list-style-type: none"> <li>WRRF Declining Balance</li> </ul>	13.97	
<ul style="list-style-type: none"> <li>Project Consistent with WW Master Plan/Facility Plan</li> </ul>	Yes	
<b>Water</b>		
<ul style="list-style-type: none"> <li>Distance to Water Services</li> </ul>	0	
<ul style="list-style-type: none"> <li>Pressure Zone</li> </ul>	1	
<ul style="list-style-type: none"> <li>Estimated Project Water ERU's</li> </ul>	See application	
<ul style="list-style-type: none"> <li>Water Quality</li> </ul>	No concerns	
<ul style="list-style-type: none"> <li>Project Consistent with Water Master Plan</li> </ul>	Yes	
<ul style="list-style-type: none"> <li>Impacts/Concerns</li> </ul>	* Water main should be removed from McDermott Rd. * Water main in Daphne St should be 12", the main shall extend west and stub at McDermott Rd * Alley with both water and sewer shall be 20' wide with 5' easements on either side to a total of 30'. * Each phase of the development will need to be modeled to verify minimum fire flow pressure is maintained.	





**III. APPLICANT INFORMATION**

**A. Applicant:**

Becky McKay, Engineering Solutions LLP – 1029 N. Rosario St. Ste 100, Meridian ID 83642

**B. Owner:**

Toll Southwest LLC – 3103 W. Sheryl Dr, Ste 100, Meridian ID 83642

C. Representative:

Becky McKay, Engineering Solutions LLP – 1029 N. Rosario St. Ste 100, Meridian ID 83642

IV. NOTICING

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	10/16/2020	
Radius notification mailed to properties within 300 feet	10/13/2020	
Public hearing notice sign posted on site	10/27/20	
Nextdoor posting	10/13/2020	

V. STAFF ANALYSIS

This proposal includes platting the subject property to allow 94 single family lots, 92 townhouse lots, 3 common driveways and 26 common lots on 24.54 acres previously conceptually approved to develop with multifamily and self-storage uses. This proposal includes amending the existing development agreement (Instrument #114030972) that only allows multifamily and self-storage on this property. This subdivision is proposed to develop in two (2) phases as shown on the preliminary plat.

In 2008, the subject property received annexation approval (AZ-08-004) for a large master planned residential development (Oak Creek AZ 08-004 and PP-08-003). The original annexation included 318.74 acres, although at the time only 139 lots on 30.72 acres at the SW corner of McMillan Road and Black Cat Road were proposed for platting (including the subject property). This was because city services were only available to this area with the expansion of the Black Cat trunk. The annexation included development agreement instrument # 109009629 (agreement later terminated and replaced with the agreement noted below).

In 2013, the subject property was rezoned to the R-15 zone and was included as a portion of the Oaks North Subdivision. The Oaks North Plat included a lot for both the multifamily and self-storage uses. The lot that was to develop with multi-family was required to at a density range between 8-15 du / acre and the self-storage was allowed on 7.83 acres on the southern portion of the property subject to further approvals per the recorded DA..

In 2018, the 16.71 acre multifamily lot was proposed to be rezoned from R-15 to R-8 to develop eighty-two (82) single-family detached dwellings on lots ranging in size from 5,400 square feet to 8,600 square feet with an average lot size of 5,843 square feet (the Oakwind Subdivision H-2018-0119). This proposal included yet another amendment to the existing development agreement to remove the multifamily uses. This proposal was recommended for approval by the January 17, 2019 Planning Commission, but was withdrawn by the applicant in June of 2019 before proceeding to the City Council. Accordingly, the Oaks North Plat and DA #114030972 still govern this property.

A. Development Agreement Modification (MDA)

The Applicant proposes to revise the following sections of Development Agreement Instrument # 114030972:

- 5.1.4 “Development of the multi-family lots requires conditional use permit approval. The density range in these areas shall be 8 to 15 dwelling units to the acre.”



*Proposed for deletion.*

- 5.1.9 “The proposed outdoor storage is an accessory use in the R-15 district for the benefit of the proposed residential developments and shall not operate as a stand-alone commercial business. Development of this lot shall not commence until the Owner/Developer obtains certificate of zoning compliance and design review approval of the storage facility.”

*Proposed for deletion.*

- 5.1.12 “The Owner/Developer shall provide a method for notifying home owners of the future multi-family developments proposed with the Oaks North and Oaks South developments as determined by the Planning Division Manager.”

*Proposed revision would strike the reference to the Oaks North.*

- B. *Staff supports a modification to the development agreement. As described below, the result would still be a diversity in housing, with a significant amount of useable open space. However, since the development agreement applies to the entire Oaks North and South (of which this property is only a small part) staff believes it would be better to leave the existing development agreement as is and create a new development agreement for this property.* Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)

The site is designated MDR (Medium Density Residential), which allows smaller residential lots. Uses may include single-family homes at gross densities of 3 to 8 dwelling units or less per acre (du./acre).

*The applicant proposes to develop this 24.54-acre site with 94 single family lots and 92 townhouse lots at a gross density of 7.58 dwelling units per acre (d.u./acre) consistent with the MDR FLUM designation.*

- C. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):  
(Staff analysis is in italics after the cited policy)

- Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian’s present and future residents. (2.01.02D)

*94 single family homes are proposed on the northern portion of the development on lots between 3,000 square feet and 5,500 square feet, with the average lot size being 3,700 square feet. The southern portion is proposed to develop with 92 townhomes on lots between 2,100 square feet and 3,200 square feet, with the average townhouse lot being 2,481 square feet. With the Oaks North and South Subdivisions being comprised of 963 single family lots with lot sizes averaging 10,000 sq. ft. +/-) this proposal for smaller lot sizes and single family attached provides the “missing middle” housing encouraged by the Comprehensive Plan.*

- 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)

*As mentioned above, this proposal would allow for a more diverse type of housing.*

- 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).

*This new subdivision provides a 10’ wide pathway along W. McDermott Rd. and a 10’ wide pathway along W. McMillan Rd. A 5’ wide pathway bisects the proposed development north*

– south and links to a 10' wide pathway connecting the future Gem Innovation School to the Oaks North development. The townhouses are organized along mews with pathways and open space dividing the townhouse rows into groups of 5 and 7 units.

*The proposed plat depicts a total of 4.16 acres (or 16.95%) of qualified open space, much of which is usable, and amenities consisting of a central open grassy area, community playground, fire pit, outdoor kitchen and shelter. The development as proposed would result in a pedestrian-friendly community that links to surrounding development and provide quality open space for the residents.*

- “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 services are available and can be extended by the developer with development in accord with UDC 11-3A-21. A regional sewer lift station and pressure sewer line were installed with the Oaks South Subdivision, extending east on McMillan Road and then south on Black Cat Road to the North Black Cat Lift Station. Oakwind Estates (this development) will connect to an existing 15-inch gravity sewer main line in N. Trident Way. An 8-inch sewer main line will be constructed and will be stubbed through a common lot to McDermott Road for future service to the west. The applicant will be required to extend the 12-inch water main located at the intersection of McMillan and McDermott Roads north along the development's McDermott frontage.*

*This development cannot be served by Meridian Fire within the 5-minute response time but does meet the resource reliability goal of greater than 80%. Extended response times put the residents and first responders at a higher risk. More than one point of access is available to this property as N. Trident Way and W. Milano Dr. (which provides access to W. McMillan via N. Rustic Oak Way) have already been constructed and stubbed to the subject property as part of the Oaks North No. 1.*

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.*

“Reduce the number of existing access points onto arterial streets by using methods such as cross-access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity” (6.01.02B).

*The proposed street network stubs two streets to the east – W. Cherrybrook Dr. and W. Daphne St. - which connect to N. Trident Way. N. Trident Way terminates at W. McMillan Rd to the south and W. Milano Dr. in the Oaks North development to the north. This proposal would not provide direct access to an arterial nor would it increase the number of access points to nearby collectors or arterials.*

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 density of 7.5 du / acre meets the Comprehensive Plan's recommendation of 3-8 dwelling units per acre, and provides a diversity of housing anticipated by the Plan for this area. However, staff notes townhouse lots as small as 2,200 sq. ft. are directly across the*

*street from lots in the Oaks North No. 1 Subdivision which are between 8,000 square feet and 9,100 sf. ft. The applicant has noted Toll Southwest LLC (the owner) is also the developer of the Oaks North No. 1 to the east, and the subject property is part of this larger development.*

D. Existing Structures/Site Improvements:

There are no existing structures presently on the property.

E. Proposed Use Analysis:

The applicant proposes single-family detached and townhome dwellings which are listed as a principal permitted use in the R-15 zoning district per UDC Table 11-2A-2.

F. Dimensional Standards (*UDC 11-2*):

The preliminary plat and future development is required to comply with the dimensional standards listed in UDC Table 11-2A-7 for the R-15 district. All lots meet the minimum 2,000 sq. ft. requirements, and future structures should comply with the minimum setbacks of the district.

UDC 11-6C-3- regulates block lengths for residential subdivisions. Staff has reviewed the submitted plat for conformance with these regulations. The intent of this section of code is to ensure block lengths do not exceed 750 feet, although there is the allowance of an increase in block length to 1000 feet if a pedestrian connection is provided. Two pedestrian connections and a common open space area bisect the lots along N. McDermott Rd. in Block 1 with the longest block face being 628 feet.

G. Access (*UDC 11-3A-3, 11-3H-4*):

This development is estimated to generate 888 additional vehicle trips per day. ACHD previously reviewed this site as part of The Oaks Subdivision in December 2013 and as Oakwind Subdivision in February 2018. ACHD has noted their requirements will remain the same for this project, as the number of lots as proposed would likely be less dense than the 3 multifamily lots that were approved with the previous proposal.

There are presently no local roadways within the site. This proposal includes 2 local streets - Cherrybrook Drive and Daphne Street - that are proposed to stub to the site's east property line. This would connect to N. Trident Way (approved and constructed as part of the Oaks North), which would route traffic to W. McMillian Rd. The applicant also proposes to provide alley-loaded access to townhouses in Block 3 by constructing a 20-foot wide paved alley that runs east/west between Marysville Way and Palustris Way. The proposed new access points are consistent with Comprehensive Plan action item 6.01.02B which restricts access points on arterial streets.

W. McMillan Rd. to the south and McDermott Road to the west are improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. An interim signal is planned to be installed at the W. McMillan Rd / N. Black Cat Rd. intersection in the next two years. Future improvements to W. McMillian Rd include widening W. McMillan Rd to 3-lanes from McDermott Road to Black Cat Road and installing a roundabout at this intersection. Future plans for N. McDermott Rd. include widening to three lanes. At the request of ACHD, the applicant is required to dedicate right-of-way and improve both roads along the frontages. Improvements include a 10' wide walkway along both roads and installation of curb and gutter.

Per ACHD, Marysville Street and Palustris Avenue are proposed to be greater than 750-feet in length and will need to be redesigned to reduce the length of the roadways or to include the use of passive design elements. Stop signs, speed humps/bumps and valley gutter are not accepted as

traffic calming. Prior to City Council, the applicant should be required to submit a revised preliminary plat showing the redesigned roadways and approved by ACHD.

Finally, UDC 11-3H states residential development along McDermott Road from Chinden Blvd to I-84 is required to provide noise abatement by constructing a berm or a berm and wall combination a minimum of ten feet (10') higher than the elevation at the centerline approximately parallel to W. McDermott Rd. The landscape plan does not reflect this improvement. As a condition of approval, staff recommends the applicant submit a landscape plan which meets the requirements of UDC 11-3H-4D prior to City Council.

H. Common Driveways (UDC 11-6C-3):

The proposed preliminary plat shows three common driveways (Lots 17, 47 and 73 Block 1). Lots 17 and 47 will each serve three single family residences, and Lot 73 will serve 4 single family attached units. The common driveways meet the minimum width of twenty feet (20'), and none of the driveways exceed the maximum allowed length of one hundred fifty feet (150').

A perpetual ingress/egress easement for the common driveway(s) is required to be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of the easement should be submitted to the Planning Division prior to signature on the final plat.

I. Parking (UDC 11-3C):

Off-street parking is required to be provided for single-family attached and detached dwellings based on the number of bedrooms per unit (i.e. 2, 3 and 4 bedroom units require 4 per dwelling unit with at least 2 in an enclosed garage, other spaces may be enclosed or a minimum 10' x 20' parking pad) in accord with the standards listed in UDC Table 11-3C-6. All elevations show at least two car garages, and the landscape plan shows parking pads of least 20' x 20' in front of the single family attached.

The applicant has provided a parking exhibit for the single family attached portion of the project (southern portion). The parking plan provides a 33' local street section which allows for additional on-street parking. It is important to note this on-street parking does not count toward meeting minimum requirements. ACHD and Meridian Fire have both reviewed the plan and have not expressed concerns.

J. Pathways (UDC 11-3A-8):

As mentioned in the Comprehensive Plan analysis above, this new subdivision provides a 10' pathway along W. McDermott Rd., a 10' pathway along W. McMillan Rd. and 5' micro-pathways interspersed throughout the development. As required by UDC 11-3A-8, all micro-pathways are within lots of at least 15' in width and contain landscape strips of at least 5' in width with at least 100 tree per hundred linear feet as required by UDC 11-3B-12.

K. Sidewalks (UDC 11-3A-17):

Attached sidewalks are proposed throughout the development on both sides of all roads and meet the minimum widths of UDC 11-3A-17.

L. Parkways (UDC 11-3A-17):

No parkways are proposed with this development.

M. Landscaping (UDC 11-3B):

The proposed landscape plan meets the requirements of UDC 11-3B. 15 species of trees are provided where at least 5 different species are required. All proposed trees meet the minimum

sizes as indicated in Table 11-3B-5-2. A 35' wide landscape buffer is proposed along N. McDermott Rd as is required for an entryway corridor, and a 35' wide buffer is shown along W. McMillan Rd. whereas 20' would be required. The minimum landscape buffer density of 1 tree per 35' linear feet is exceeded, and all pathways include the minimum 5' landscape strip on each side of the pathway. Several landscaped common open spaces are provided including a central park of approximately 1 acre. Finally, landscaped mews of at least 20' are provided along the front of each single family attached unit, all containing a pathway and trees.

The proposed landscape plan contains a note which indicates no trees exist on site and therefore tree preservation or mitigation does not apply.

N. Qualified Open Space (*UDC 11-3G*):

The development proposes 4.16 acres (16.95%) of qualified open space. This includes several grassy areas larger than 50' x 100', pathways along all the landscape buffers, micro-pathways internal to the development and along mews fronting the single family attached, and a one-acre park central to the development. The development proposes quality open space which exceeds the requirements.

O. Qualified Site Amenities (*UDC 11-3G*):

The proposal includes a one-acre park with a playground, fire pit, outdoor kitchen and shelter. In addition, 4.16 acres of qualified open space is proposed, which is 1.76 acres over the minimum requirement of 2.4 acres. (Additional qualified open space of at least twenty thousand (20,000) square feet is counted as an additional amenity.) The development exceeds the minimum requirements for qualified site amenities.

P. Waterways (*UDC 11-3A-6*):

No waterways bisect this development.

Q. Fencing (*UDC 11-3A-6, 11-3A-7*):

All fencing constructed on the site is required to comply with the standards listed in UDC 11-3A-7. A 6-foot tall solid vinyl fence is proposed along N. McDermott Rd. and W. McMillan Rd., and 4' vinyl fencing is proposed along pathway connections, and common open areas as it allowed by UDC 11-3A-7-A.

As mentioned in the section regarding access above, noise abatement by constructing a berm or a berm and wall combination a minimum of ten feet (10') is required along W. McDermott Rd. As a condition of approval, staff recommends the applicant submit a landscape plan which meets the requirements of UDC 11-3H-4D prior to City Council.

R. Utilities (*UDC 11-3A-21*):

Connection to City water and sewer services is proposed. Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances.

S. Building Elevations (*UDC 11-3A-19 | Architectural Standards Manual*):

Conceptual building elevation renderings were submitted for the future single family detached and townhomes within the development. Home styles for both types of home include the Bungalow, Farmhouse, and Craftsman. Materials include lap siding, pitched composite shingle roofs with gables, and vinyl windows. Several building types include exposed timber frame.

Overall, staff believes the architecture and materials are high quality but does have concerns. One concern is the length of the first story roofs on the single-family homes. It is staff's opinion that these roofs should extend further over to the garage doors, or there should be another roof

element on the garage side of the house. Staff likewise has concerns with the porch roof elements that are over the doors on the townhouses and recommends these elements comprise a larger percentage of the townhouse façade.

Staff also has concerns with the length of the rooflines of several of the townhouse rows. As a condition of approval, staff recommends no single family attached roofline may exceed more than 50 (fifty) feet without providing variations in roof profile including but not limited at least two of the following: two or more visible roof planes; dormers, lookouts or, turrets. Townhouses will be required to be reviewed with a future design review process and will be required to meet the standards of the Architectural Standards Manual (ASM).

Also, because the rear and/or sides of 2-story homes will be highly visible from the arterial streets (i.e. N. McDermott and W. McMillan Rd.), staff recommends articulation is incorporated through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from these roads. One story residences are exempt from this requirement.

## **VI. DECISION**

### **A. Staff:**

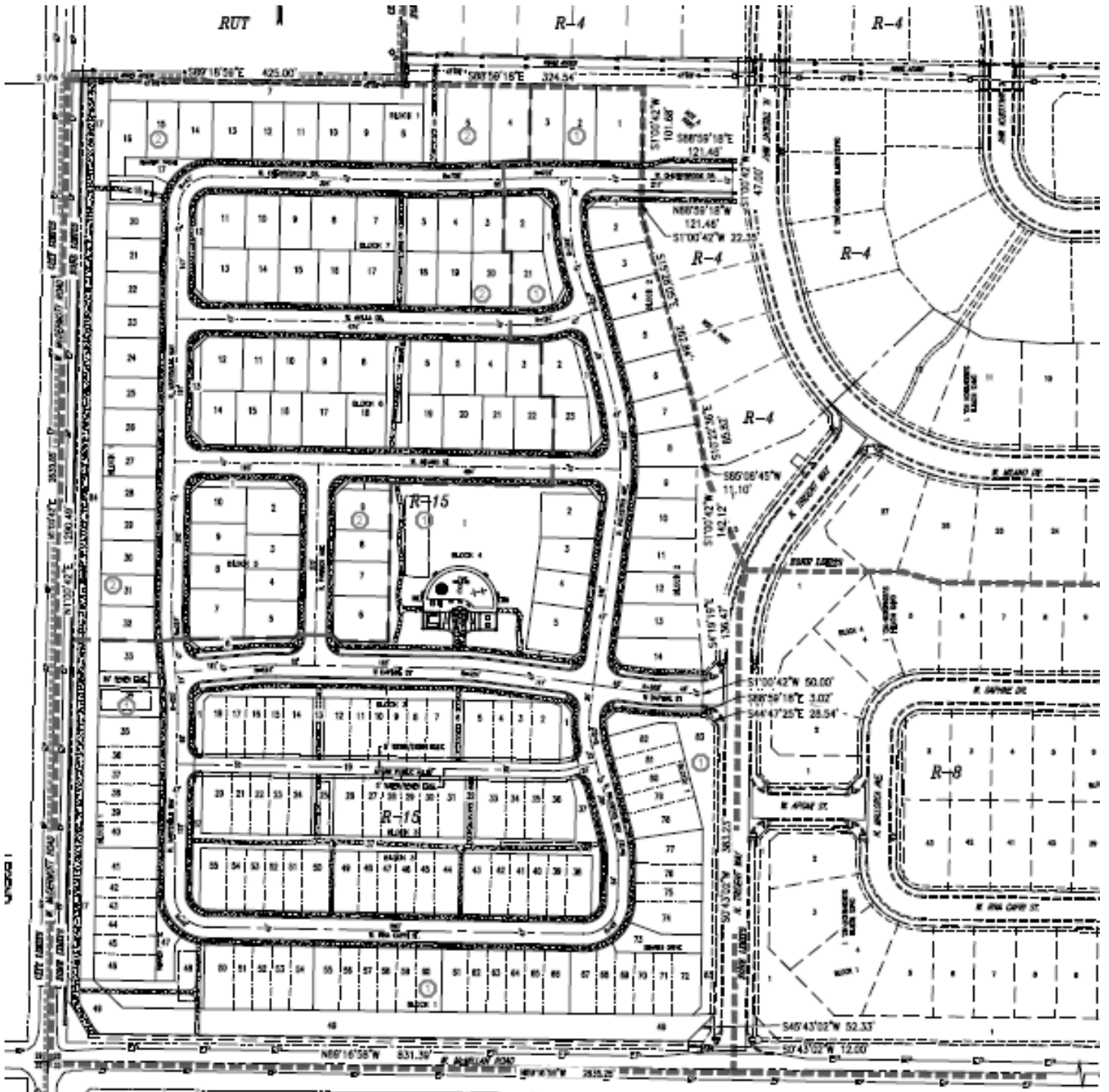
The proposed plat includes less density than what was originally approved, but still contains a diverse housing stock in terms of lot sizes, house sizes, and both detached and attached housing product. ACHD reviewed the impacts of earlier projects in this location which included more density and determined roads are either adequate or will be upgraded to satisfactorily serve the project. Water and sewer can be extended to the subject property. Finally, the qualified open space and amenities as proposed exceed the minimum requirements; the amount of qualified open space is almost double what is required, is central to the development and there are numerous pathways integrated into and out of the plat.

Staff recommends approval of the requested preliminary plat and creation of a new development agreement for this property with the conditions noted in Section VII. per the Findings in Section IX.

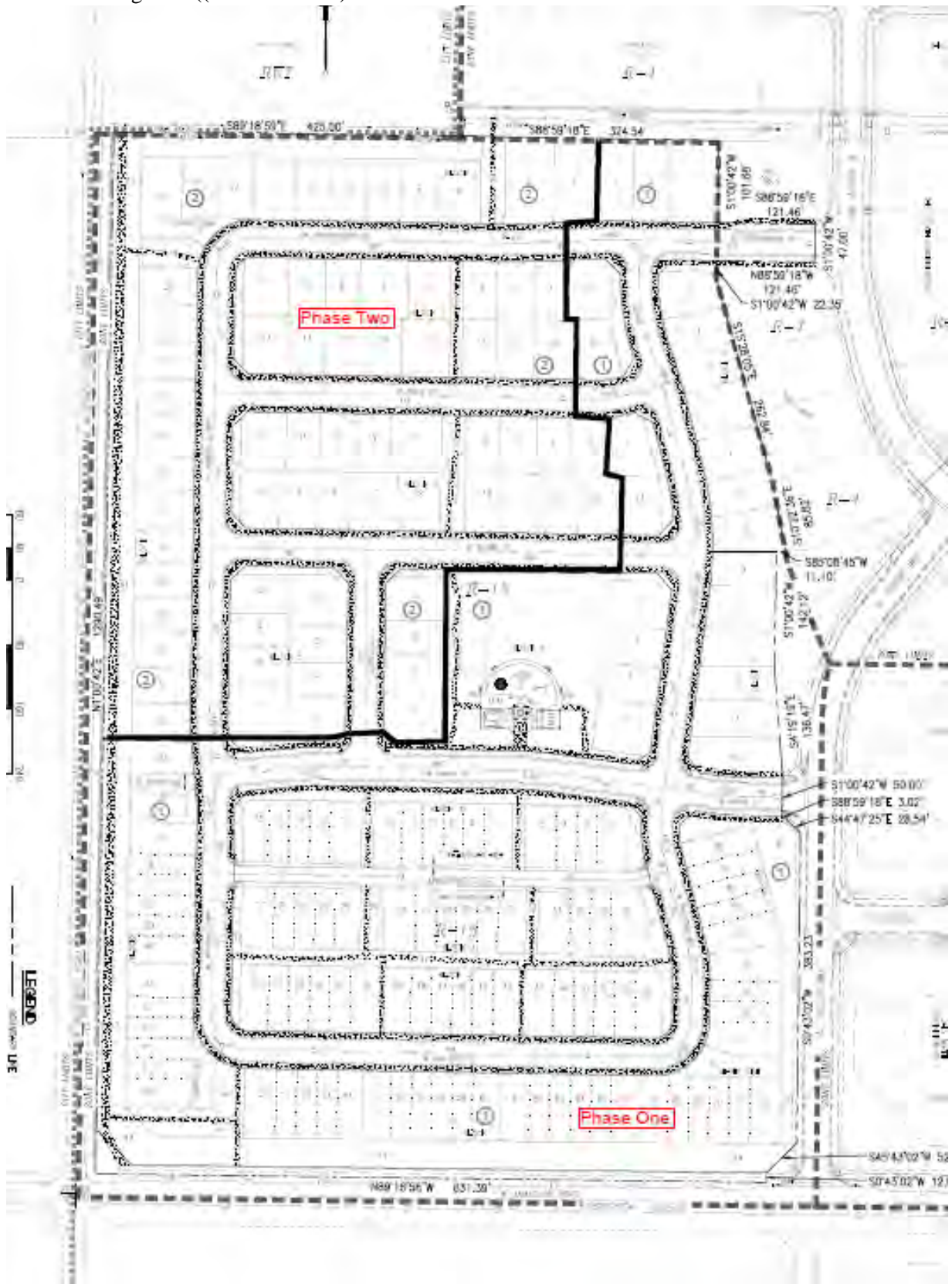


### EXHIBITS

#### A. Preliminary Plat (date: 9/1/2020)

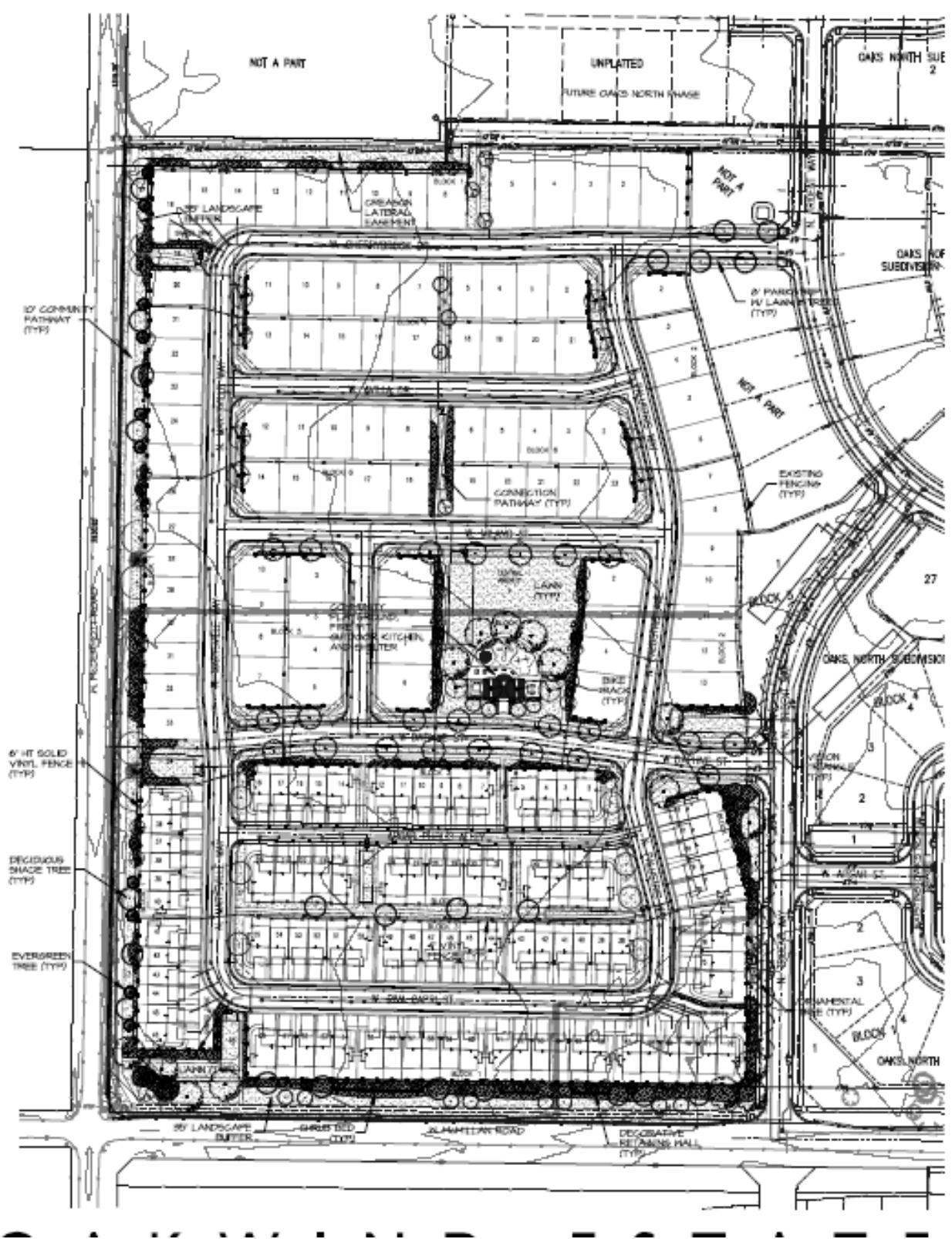


B. Phasing Plan ((date: 9/1/2020))





C. Landscape Plan (date: 9/1/2020)

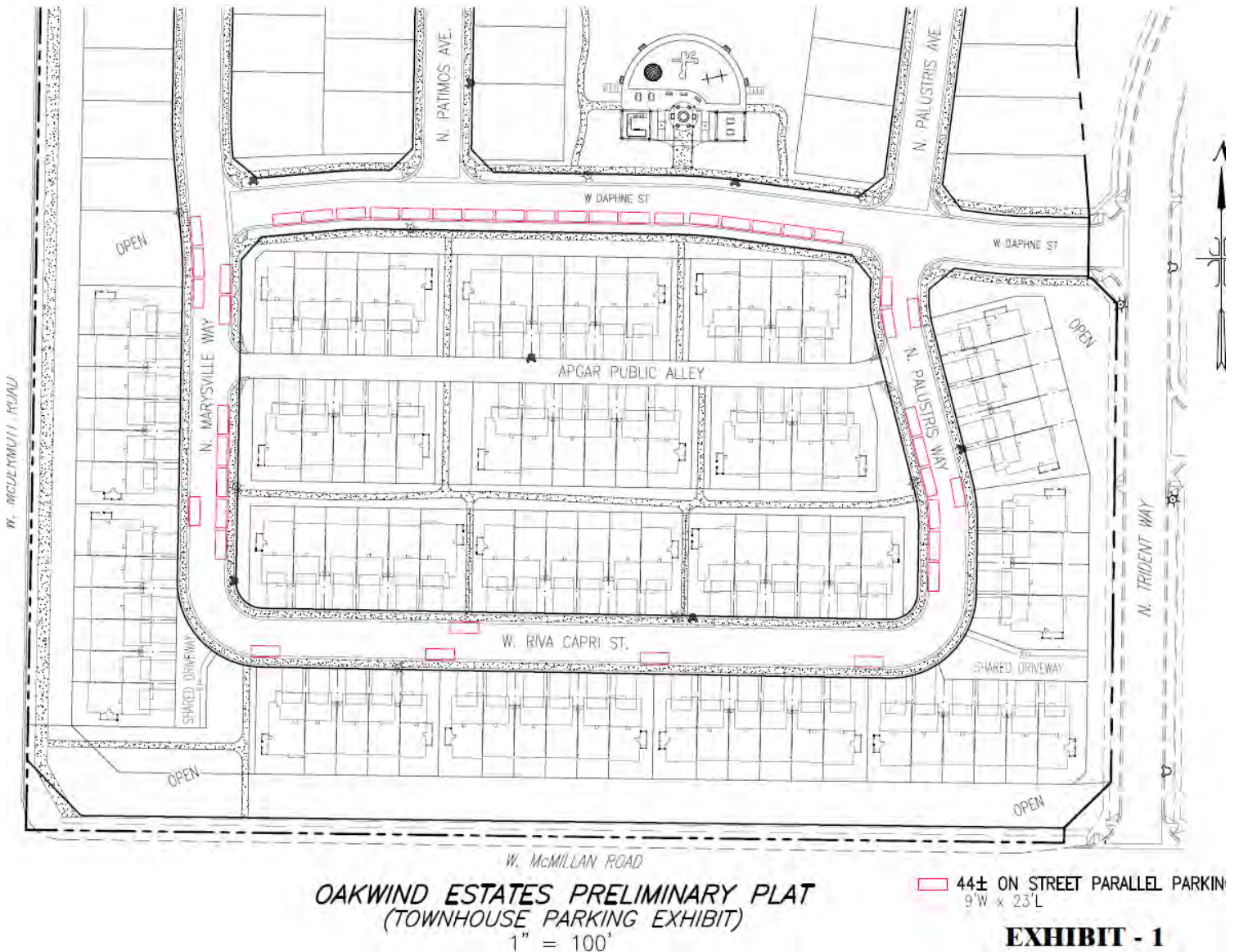


D. Qualified Open Space Exhibit (date: 9/1/2020)





### E. Townhouse Parking Plan



F. Building Elevations (date: 8/13/2020)



FRONT ELEVATION



FRONT ELEVATION



FRONT ELEVATION



FRONT ELEVATION

G. Building Elevations – Single Family Attached (date: 8/13/2020)



FRONT ELEVATION - TERRITORIAL



FRONT ELEVATION - CRAFTSMAN



LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



G.1 Building Elevations – Single Family Attached (date: 8/13/2020)



FRONT ELEVATION - TERRITORIAL



FRONT ELEVATION - RANCH



FRONT ELEVATION - CRAFTSMAN



LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

## F. Legal Description

Legal Description  
Oakwind Estates

A parcel located in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 28, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

**Commencing** at a Brass Cap monument marking the southwest corner of said Section 28, from which a Brass Cap monument marking the southeast corner of the SW  $\frac{1}{4}$  (S  $\frac{1}{4}$  corner) of said Section 28 bears S 89°16'58" E a distance of 2635.25 feet;

Thence N 1°00'42" E along the west boundary of said SW  $\frac{1}{4}$  of Section 28 a distance of 25.00 feet to a point;

Thence leaving said west boundary S 89°16'58" E a distance of 25.00 feet to the **POINT OF BEGINNING**;

Thence N 1°00'42" E along a line being parallel to and 25.00 feet easterly of said west boundary of the SW  $\frac{1}{4}$  a distance of 1290.49 the north boundary of said SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ;

Thence along said north boundary S 89°18'59" E a distance of 425.00 feet to a point;

Thence leaving said north boundary S 88°59'18" E a distance of 324.54 feet to a point;

Thence S 1°00'42" W a distance of 101.68 feet to a point;

Thence S 88°59'18" E a distance of 121.46 feet to a point;

Thence S 1°00'42" W a distance of 47.00 feet to a point;

Thence N 88°59'18" W a distance of 121.46 feet to a point;

Thence S 1°00'42" W a distance of 22.35 feet to a point;

Thence S 15°28'05" E a distance of 262.84 feet to a point;

Thence S 10°22'36" E a distance of 85.82 feet to a point;

Thence S 85°08'45" W a distance of 11.10 feet to a point;

Thence S 1°00'42" W a distance of 142.12 feet to a point;

Thence S 4°19'19" E a distance of 136.47 feet to a point;

Thence S 1°00'42" W a distance of 50.00 feet to a point;

Thence S 88°59'18" E a distance of 3.02 feet to a point;

Thence S 44°47'25" E a distance of 28.54 feet to a point;

Thence S 0°43'02" W a distance of 383.23 feet to a point;

Thence S 45°43'02" W a distance of 52.33 feet to a point;

Thence S 0°43'02" W a distance of 12.00 feet to a point;

Thence N 89°16'58" W along a line being 25.00 feet northerly of and parallel to the south boundary of said SW ¼ of the SW ¼ a distance of 831.39 feet to the **POINT OF BEGINNING**.

This parcel contains 24.54 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS  
Land Solutions, PC  
September 1, 2020





## CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

The subject property shall no longer be subject to the terms of the existing Development Agreement (DA) (Inst. #114030972) upon the property owner(s) entering into a new agreement. The new DA shall be signed by the property owner(s) and returned to the Planning Division within six (6) months of the City Council granting subject modification. Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The new DA shall incorporate the following provisions:

- a. Future development of this site shall be generally consistent with the submitted plat, phasing plan, landscape plan, open space exhibit, amenities and conceptual building elevations for included in Section VII and the provisions contained herein.
  - b. The applicant shall construct the entire street buffers, pathways and sound attenuation wall along N. McDermott Rd. and W. McMillan Rd with the first phase of development
  - c. No single family attached roofline may exceed more than 50 (fifty) feet without providing variations in roof profile including but not limited at least two of the following: two or more visible roof planes; dormers, lookouts or, turrets. Planning approval will be required at time of building permit.
  - d. The Development Agreement shall require the rear and/or sides of 2-story structures that face the arterial streets (i.e. N. McDermott and W. McMillan Rd.) to incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.
2. The preliminary plat included in Section VII.A, shall be revised ten (10) days prior to the Council hearing as follows:
    - a. Note #10: Revise to include Lot 84, Block 1 as a common lot to be owned and maintained by the Home Owners Association.
    - b. Marysville Street and Palustris Avenue will need to be redesigned to reduce the length of the roadways or to include the use of passive design elements. Stop signs, speed humps/bumps and valley gutter are not accepted as traffic calming. The applicant shall submit a revised preliminary plat showing the redesigned roadways and approved by ACHD prior to City Council.
  3. The landscape plan included in Section VII.B shall be revised ten (10) days prior to the Council hearing as follows:
    - a. The applicant shall revise the landscape plan to include a berm and sound attenuation wall along W. McDermott Rd as required in UDC 11-3H-4D. All required landscaping shall be on the west side of the wall.
  4. Prior to the Planning Commission, the Applicant shall revise the proposed elevations to extend the first-floor rooflines on the single-family residences further toward the garage or incorporate a similar element, and expand the porch roofs on the townhouses to include a larger percentage of the facade.

5. For lots accessed by common driveways, an exhibit is required to be submitted with the final plat application that depicts the setbacks, fencing, building envelope and orientation of the lots and structures. Driveways for abutting properties that aren't taking access from the common driveway(s) should be depicted on the opposite side of the shared property line away from the common driveway. Solid fencing adjacent to common driveways is prohibited unless separated by a minimum 5-foot wide landscaped buffer.
  - a. A perpetual ingress/egress easement is required to be filed with the Ada County Recorder for all common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of the easement should be submitted to the Planning Division prior to signature on the final plat.
6. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-7 for all buildable lots.
7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family detached dwellings based on the number of bedrooms per unit.
8. All townhouses are required to complete design review approval prior to building permits.
9. Developer shall comply with all ACHD conditions of approval.
10. The Applicant shall have a maximum of two (2) years to obtain City Engineer's signature on a final plat in accord with UDC 11-6B-7.
11. Staff's failure to cite specific ordinance provisions does not relieve the applicant of responsibility.

## **B. PUBLIC WORKS DEPARTMENT**

### **1. Site Specific Conditions of Approval**

- 1.1 The water main in W. Daphne Street needs to be 12-inch diameter. The water main shall extend west, and stub at McDermott Road.
- 1.2 Each phase will need to be modeled at Final Plat to verify there aren't any pressure issues.
- 1.3 Remove the water main in McDermott Rd
- 1.4 Confirm sewer mainline slope from SSMH TL-12 to the first new proposed Manhole (should be 0.04%). Need to ensure that property to the west has adequate depth for future development.
- 1.5 When there are four or more lots on a common drive, a mainline can be installed in lieu of extending service lines.

### **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 then 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-foot 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 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](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. COMMUNITY DEVELOPMENT (SCHOOLS ANALYSIS)**

[HTTPS://WEBLINK.MERIDIANCITY.ORG/WEBLINK/DOCVIEW.ASPX?ID=214998&DBID=0&REPO=MERIDIANCITY](https://weblink.meridiancity.org/WebLink/DocView.aspx?id=214998&dbid=0&repo=MeridianCity)

**D. ACHD**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=214524&dbid=0&repo=MeridianCity>

**D. MERIDIAN POLICE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=203768&dbid=0&repo=MeridianCity>

**E. MERIDIAN FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=203794&dbid=0&repo=MeridianCity>

**F. COMPASS**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=214349&dbid=0&repo=MeridianCity>

**G. WEST ADA SCHOOL DISTRICT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=214828&dbid=0&repo=MeridianCity>

**VII. FINDINGS**

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 that the proposed plat is in substantial compliance with the adopted Comprehensive Plan in regard to land use, transportation, and circulation. *Please see Comprehensive Plan Policies and Goals, Section VII, of the Staff 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 upon development. (See the Comprehensive Plan analysis regarding serving development by critical public facilities as well as the section regarding urban infrastructure.

**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 recommends the Commission rely upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.) to determine this finding. (See Exhibit B for more detail.)

**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 that should be brought to the Commission's attention. ACHD considers road safety issues in their analysis. Staff recommends that the Commission consider any public testimony that may be presented when determining whether or not the proposed subdivision may cause health, safety or environmental problems of which Staff is unaware.

**6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)**

Staff is unaware of any significant natural, scenic or historic features that need to be preserved with this development.



## AGENDA ITEM

- ITEM TOPIC:** Public Hearing for Goddard Creek Subdivision (H-2020-0092) by Conger Group, Located in the Northwest Corner of W. McMillan Road and N. Goddard Creek Way
- A. Request: Development Agreement Modification (Inst. #102012598) to allow the development of an age restricted community consisting of thirty-four (34) attached SFR homes instead of offices.
- B. Request: A Rezone of approximately 5 acres of land from the R-4 to the R-15 zoning district.
- C. Request: A Preliminary Plat for 34 residential lots and 8 common lots in the proposed R-15 zoning district.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** November 5, 2020

**Topic:** **Public Hearing for Goddard Creek Subdivision (H-2020-0092) by Conger Group, Located in the Northwest Corner of W. McMillan Road and N. Goddard Creek Way**

- A. Request: Development Agreement Modification (Inst. #102012598) to allow the development of an age restricted community consisting of thirty-four (34) attached SFR homes instead of offices.
  - B. Request: A Rezone of approximately 5 acres of land from the R-4 to the R-15 zoning district.
  - C. Request: A Preliminary Plat for 34 residential lots and 8 common lots in the proposed R-15 zoning district.
- 

## **Information Resources:**

[Click Here for Application Materials](#)

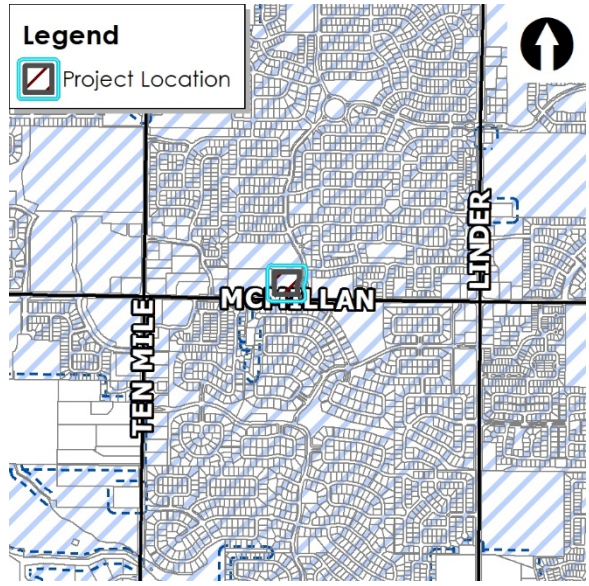
[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)



**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: November 5, 2020  
TO: Planning & Zoning Commission  
FROM: Bill Parsons, Current Planning Supervisor  
208-884-5533  
SUBJECT: H-2020-0092  
Goddard Creek Community  
LOCATION: Northwest corner of W. McMillan Rd.  
and N. Goddard Creek Way.



**I. PROJECT DESCRIPTION**

- Modification to the recorded Development Agreement (Inst. #103012598) to allow the development of age-restricted, single family attached homes instead of offices;
- Rezone of 5.03 acres of land from the R-4 to the R-15 zoning district;
- Preliminary Plat consisting of 34 residential building lots and 8 common lots on 4.62 in the proposed R-15 zone;
- Private Streets to provide access to the development; and,
- Alternative Compliance to allow common driveways off of a private street.

## II. SUMMARY OF REPORT

### A. Project Summary

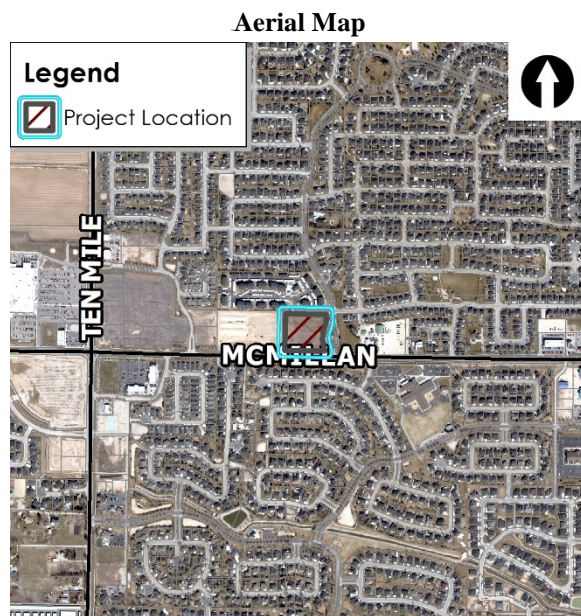
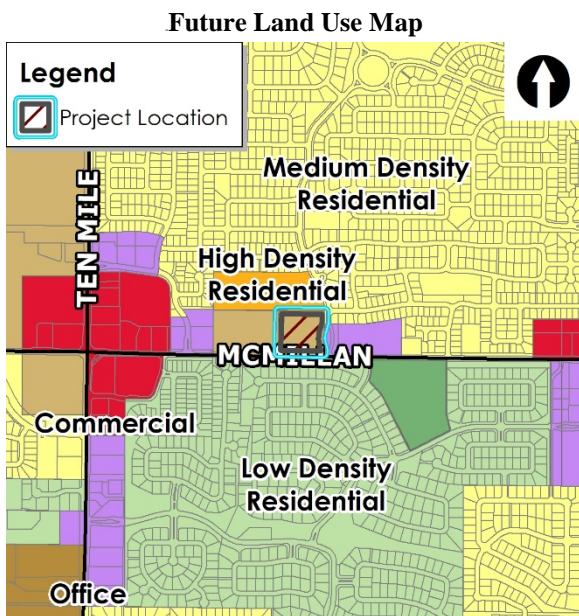
Description	Details	Page
Acreage	4.62	
Future Land Use Designation	MU-C	
Existing Land Use	vacant	
Proposed Land Use(s)	Single-family residential, duplex	
Current Zoning	R-4	
Proposed Zoning	R-15	
Lots (# and type; bldg/common)	34 SFR building/8 common	
Number of Residential Units (type of units)	34 (SF attached units)	
Density (gross & net)	7.36 units/acre (gross); 9.09 (net)	
Open Space (acres, total [%] / buffer / qualified)	0.56 acres, 12.12% (according to the submitted Open Space Exhibit).	
Amenities	One (1) qualified amenity - Covered picnic shelter	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	July 30, 2020; 8 attendees	
History (previous approvals)	This property was granted annexation, preliminary plat, and a conditional use permit as part of the Lochsa Falls Subdivision in 2002 (AZ-02-010, PP-02-009, CUP 02-012) and has a development agreement (Instrument #103012598). These approvals granted office uses in the R-4 district. In 2017, the property received CPAM approval from Office and High Density Residential to Mixed-use Community. A PP and FP were also approved. A concurrent RZ, CUP and MDA was proposed to develop the property with 76 multi-family units however, that request was withdrawn. A PP and FP were also approved (H-2017-0007 and H-2018-0014) to develop the self-storage portion of the development. In 2019 an application for 44 attached townhome style single-family units was denied by City Council (H-2019-0068). <b>This application differs from the previous development in that it has 10 fewer units and proposes all age-restricted attached units (duplexes).</b>	
Written Testimony		

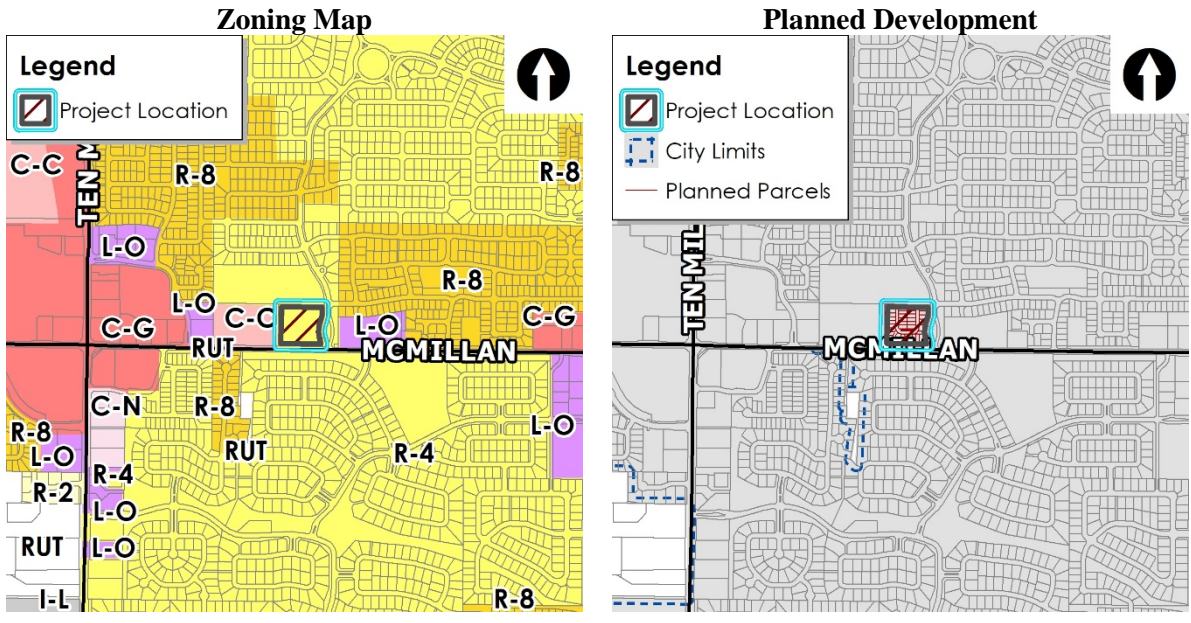
### B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	<p>Yes</p> <p>No</p>	
West Ada School District	No Comments were submitted by West Ada School District – this is likely due to project being proposed as an age-restricted development.	

<b>Wastewater</b>		
Distance to Sewer Services	N/A	
Sewer Shed	White Drain Trunkshed	
Estimated Project Sewer ERU's	See application	
WRRF Declining Balance	13.97	
Project Consistent with WW Master Plan/Facility Plan	Yes	
Additional Comments	<ul style="list-style-type: none"> <li>• Flow is committed</li> <li>• See "WW comments" pdf markup for items that need to be addressed.</li> </ul>	
<b>Water</b>		
Distance to Water Services	0'	
Pressure Zone	2	
Estimated Project Water ERU's	See application	
Water Quality Concerns	None	
Project Consistent with Water Master Plan	Yes	
Impacts/Concerns	<ul style="list-style-type: none"> <li>• See the attached Water Main Markup for details.</li> <li>• No water main in the shared driveway at the southeast, water services only</li> <li>• Instead of connecting the water main to the southern stub, extend the water main south directly to McMillan to eliminate unnecessary parallel water main. The existing stub will either need to be abandoned or end in a hydrant.</li> <li>• Loop the two deadend water mains near the north boundary line and connect to existing water main in Selway Rapids Ln to create a secondary connection and eliminate two deadend mains. An easement will need to be obtained from Selway Apartments in order to connect to the water main in Selway Rapids</li> </ul>	

C. Project Area Maps





**III. APPLICANT INFORMATION**

A. Owner:

Steve Schmidt – 1016 W. Sanetta Street, Nampa, ID 83651

B. Applicant Representative:

Sophia Durham, Conger Group – 4824 W. Fairview Avenue, Boise, ID 83706

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	10/16/2020	
Radius notification mailed to properties within 300 feet	10/13/2020	
Public hearing notice sign posted on site	10/26/2020	
Nextdoor posting	10/13/2020	

**V. STAFF ANALYSIS**

**Comprehensive Plan:**

The subject property is designated MU-C on the future land use map. The purpose of this designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use - Neighborhood areas, but not as large as in Mixed Use – Regional areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to three or four miles). Employment opportunities for those living in and around the neighborhood are encouraged.



When the FLUM was changed in 2017, staff had analyzed the viability of three different land uses on the subject property. At the time of the FLUM change, the plan consisted of multi-family and a self-service storage facility. In determining the appropriateness of the land use change staff determined that other commercial and office uses approved next to the storage and multi-family development would serve as the third land use type to support the requested FLUM change. Prior to City Council's action on the previous development, the applicant of the multi-family project withdrew their CUP application. Therefore, the subject 4.62 acre parcel is still governed by the original development agreement which allows office to develop on the property.

The applicant now desires to develop the site with 34 age-restricted (55 years of age and older) single-family attached and units in the form of duplexes. Staff has evaluated the existing land uses and zoning in the area to determine if this stand-alone residential project is attainable. This area is primarily developed with single-family homes with the exception of the apartment complex to the north. To the west of the adjacent storage facility and at the nearby intersection of Ten Mile and McMillan, more commercial uses are currently being built including restaurants and a gas station. In addition this age-restricted product would be an additional option for this demographic as the large commercial parcel to the west is entitled for an age-restricted multi-family development (they have applied for building permits at the time of writing). Because the applicant is proposing to provide housing diversity in the area and other land uses are nearby the development, staff believes the plan is consistent with the MU-C designation. The project also falls within the target density of 6 to 15 dwelling units per acre as the proposed gross density is 7.36 dwelling units to the acre.

**COMPREHENSIVE PLAN POLICIES:** 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*):

- “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 will contribute to the variety of residential categories that currently exist in this area (i.e. duplexes). Staff is unaware of how “affordable” the units will be.*

- “Encourage development of universally accessible home designs within new developments and home retrofits, allowing residents to age in place and creating full accessibility for all residents of varying levels of physical ability.” (2.01.01E)

*The subject development is proposed as an age-restricted community and part of that should be the ability for residents to age in place. Staff is unaware of the accessibility of these homes for residents with barriers to physically access these units. Staff therefore recommends that the Applicant clarify this for Staff and if no units are ADA accessible, Staff recommends that a certain number of the units should be constructed as such.*

- “With new subdivision plats, require the design and construction of pathways 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)

*The subject property is under 5 acres in size and the UDC does not require that the applicant provide common open space. To ensure the project offers some open space for its intended residents, the Applicant is proposing to provide approximately 12 percent common open space for the development and include a covered picnic area as the amenity. Staff finds that the open space and amenity leaves something to be desired and is not particularly exciting but with the intended demographic for the development, large swaths of open space is not needed. The residents would have ample access to sidewalks should they desire to go for*

*longer walks through the proposed common lots. Staff finds that the proposed open space and amenity can provide adequate area for the target demographic.*

- “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)

*Development exists adjacent to the subject site in all directions with City services readily available in McMillan Road. Public Works has committed flow to the property and all levels of service are available and adequate to serve the site (i.e. Fire and Police).*

- “Reduce the number of existing access points onto arterial streets by using methods such as cross-access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity.” (6.01.02B)

*The UDC (11-3A-3) restricts access to arterial streets when access is available from a local street. Access to and from the development is provided along the north boundary via a private street (W. Apgar Creek Lane). Access is not proposed to McMillan Road.*

**REZONE**

The applicant requests to rezone 5.03 acres of land from the R-4 zone to the R-15 zone consistent with the MU-C FLUM designation.

**DEVELOPMENT AGREEMENT MODIFICATION**

The applicant is requesting to modify the recorded Development Agreement (Inst. #103012598) to development the site with 34 single-family attached homes (duplexes) instead of offices. The applicant is requesting to exclude the subject property from the boundary recorded DA and enter into a new one that governs this site specifically. Staff’s recommended DA provisions are included in Exhibit VIII below.

**PRELIMINARY PLAT**

The proposed preliminary plat consists of 34 building lots and 8 common lots on 4.62 acres in the proposed R-15 zone.

**Dimensional Standards (UDC [11-2](#)):**

The proposed plat and subsequent development is required to comply with the minimum dimensional standards listed in UDC Tables 11-2A-7 for the R-15 zoning district. The proposed plat complies with these standards.

**Access (UDC [11-3A-3](#)):**

Access is proposed via an existing private street, W. Apgar Creek Lane and access via McMillan Road is prohibited. The Applicant is also proposing an emergency-only access to McMillan Road to be limited by bollards as approved by the Fire Department.

**Private streets are not typically intended for single-family developments unless designed with a mew or gated community. However, to avoid having a public road off of a private street (Apgar Creek Lane) that connects to another public street (Goddard Creek Way), and with access to McMillan Road prohibited, staff is of the opinion the internal private street is appropriate. In addition, the private street standards require that they connect to a local or collector street which this property does not have access to due to McMillan being an arterial and any access to Goddard Creek Way would not meet ACHD separation requirements for access. Therefore, the Applicant is applying for alternative compliance in**

order to provide internal private streets on Lot 42, Block 1 for internal access within the development.

Private streets are required to comply with the design and construction standards listed in UDC 11-3F-4. The proposed private street is 24 feet wide with 5-foot sidewalk on the internal side of the street. To ensure adequate guest parking is provided, the applicant is proposing a guest parking area along the north side of the private street across from lots 14-18, Block 1, lots that abut McMillan Road.

Additionally, the private street standards prohibit common driveways from taking access from private streets, unless approved by the director with an alternative compliance application. Alternative compliance has been requested in accord with 11-3F-4A.6, to allow the two (2) common driveways to be accessed off the private street. Because of the access constraints and the fact that it is a small compact, infill development, the Director approves the request for alternative compliance.

**Note:** One of the perpetual issues within the area surrounding the subject site is inadequate parking and to help address this issue the Applicant has proposed to widen the existing private street, Apgar Creek Lane, to 32 feet wide to allow on-street parallel parking on its southern edge. This widening should allow approximately 8 additional parking spaces along this private street.

The Private Street standards are intended for developments that provide a mew (shared vista) or are a gated community. The Applicant is not proposing either of these because of the site constraints discussed above. However, Staff cannot ignore these standards and therefore the Applicant should attempt to meet these requirements. Staff recommends that the Applicant construct faux gates at both entrances to help it appear to be a private development which would also add a nice entry feature. With the final plat submittal, the Applicant will be required to apply for Alternative Compliance to propose an adequate alternative to these standards.

#### **Common Driveways (UDC [11-6C-3](#))**

All common driveways are required to comply with the standards listed in UDC 11-6C-3D. Two (2) common driveways are proposed that comply with UDC standards. Common driveways should be a maximum of 150' in length or less, unless otherwise approved by the Fire Dept.

**An exhibit is required to be submitted with the final plat application that depicts the setbacks, fencing, building envelope and orientation of the lots and structures. Driveways for abutting properties that are not taking access from the common driveway(s) should be depicted on the opposite side of the shared property line away from the common driveway. Solid fencing adjacent to common driveways is prohibited unless separated by a minimum 5-foot wide landscaped buffer.**

**A perpetual ingress/egress easement for the common driveway(s) is required to be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of the easement should be submitted to the Planning Division prior to signature on the final plat.**

**Signage should be provided at the ends of the common driveways for emergency wayfinding purposes as requested by the Fire Department.**

#### **Sidewalks (UDC [11-3A-17](#))**

Private Streets do not require sidewalks within a residential development per the private street standards. There is existing sidewalk along both McMillan Road and Goddard Creek Way

adjacent to the subdivision; there is no existing sidewalk along W. Apgar Creek Lane, the private street abutting the subject site to the north. With the proposed expansion of Apgar Creek Lane by the Applicant, 5-foot detached sidewalk is also being proposed that would connect this subdivision to Goddard Creek Way along the northern boundary. However, there is also existing sidewalk along the western side of the existing Apgar Creek Lane where it turns into N. Selway Falls Lane (the entrance into the Selway Apartments) that the Applicant is not showing a clear sidewalk connection to.

**The Applicant should continue the existing sidewalk from Selway Apartments into this site and provide a clear crossing from that side of the street to the proposed 5-foot attached sidewalk along the interior of the proposed private street that loops through the development. It is unclear on the submitted plans if the Applicant is also proposing to use the common driveway/emergency access as an added pedestrian connection to McMillan Road but the Applicant has stated to Staff this is the intent. The Applicant should revise the plans to clarify this prior to the City Council hearing. The submitted plat shows the common driveway as 20 feet wide with 5 feet of landscaping on each side which exceeds code requirements. The most eastern area of landscaping should remain and the other 5 feet of area should be used as the pedestrian connection and should be clearly defined with pavers, stamped concrete, or similar to clearly delineate the driving surface and the pedestrian path to McMillan.**

**In addition, any area where pedestrians will need to cross the street from the interior sidewalk loop to areas on the perimeter (i.e. to and from Selway Apartments, the open space area and the common driveway) should be clearly delineated from the driving surface with pavers, stamped concrete, or similar for added pedestrian safety and clarity. Staff has included DA provisions in line with these recommendations.**

**Landscaping (UDC [11-3B](#)):**

Landscaping is required within street buffers ([11-3B-7C](#)), and within common open space areas ([11-3G-3E](#)) in accord with UDC standards. **Note: The street buffer landscaping to McMillan Road and Goddard Creek Way is existing and the Applicant is not required to provide more landscaping – the Applicant is not proposing any more landscaping in these areas.**

**The Applicant has proposed a larger common open space lot shown to include five (5) Class II trees which exceeds the requirement of one (1) tree per 8,000 square feet of open space. All other landscape areas appear to be landscaped per city code requirements including those areas with proposed seepage beds.**

**Qualified Open Space (UDC [11-3G-3](#)):**

The UDC does not require the applicant to provide any qualifying open space because the project is less than 5 acres. However, the applicant recognizes that this is an infill development and the surrounding residential developments have ample open space. In order to complement the surrounding developments, the applicant is proposing 24, 415 square feet of open space (12.12%), of which 13,367 square feet would qualify under UDC 11-3G-3 standards. This amounts to approximately 6.49% of qualified open space. The large open space lot within the development also includes the proposed amenity, a covered picnic shelter.

**Some of the area shown as qualifying on the submitted open space exhibit does not qualify under the UDC standards because it is not wide enough; those landscaped areas adjacent to W. Apgar Creek Lane need to be at least 20 feet wide in order to count as linear open space. The removal of this area and taking half of the arterial buffer area is how Staff came to the reduced number of qualifying open space when compared to the data shown on the open space exhibit (Exhibit VII.D).**



The existing utilities to serve this development are stubbed in from McMillan Road and require an easement by Public Works. The Applicant is utilizing this requirement to incorporate one of their common driveways for this area in the southwest corner of the site. Further, this common driveway is also being utilized as the secondary emergency access.

Staff is supportive of the amenity package and qualified open space for this development due to the resident demographic, its relatively small size, and the proximity of Heroes Park that has easy pedestrian access from this development via sidewalks.

**Parking (UDC [11-3C](#)):**

Parking for single-family dwellings is required based on the number of bedrooms per unit. For 1-2 bedroom units, a minimum of 2 spaces per unit are required with at least one of those spaces in an enclosed garage, other space may be enclosed or a minimum 10' x 20' parking pad. For 3-4 bedroom units, a minimum of 4 spaces per unit are required with at least 2 of those spaces in an enclosed garage, other spaces may be enclosed or a minimum 10' x 20' parking pads. Each of the units are required to comply with the parking standards set forth in UDC 11-3C-6.

Because of the proposed 24-foot wide street section, on street parking is prohibited. As mentioned above, the applicant is providing 16 guest parking stalls within the project and is widening the existing private lane abutting the site to the north to provide additional parking for the development. Parking stalls are required to measure 9' x 19' in accord with UDC Table 11-3C-5.

**NOTE: Parking is a concern in the area. The City has received multiple complaints from residents in the area because the existing apartment complex does not have adequate parking. To address this concern, the Applicant has proposed the above additional parking spaces and proposed this project as an age-restricted development which tends to be over parked and create less traffic than traditional subdivisions or commercial development.**

**Fencing (UDC [11-3A-7](#)):**

All fencing constructed on the site is required to comply with the standards listed in UDC 11-3A-7.

**Utilities (UDC [11-3A-21](#)):**

Connection to City water and sewer services is proposed. Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances.

**One issue presented by Public Works is regarding the proposed sewer and water mains shown in the common drive in the southeast corner; Public works requires that if the common drive serves three (3) or less properties that only service lines should be constructed and not mains.**

**The main issue is regarding the water line layout and a requirement to connect to the existing main within W. Apgar Creek Lane from both of the proposed stubs off of this road to create a looped system. The Applicant would need to obtain an easement from Selway Apartments to connect their existing main. In addition, Public Works is requesting that the Applicant change the connection point to the water main within McMillan Road to connect directly south of the emergency access instead of heading east within the landscape buffer.**

See Section VIII.B below for specific Public Works comments/conditions regarding the requested changes to the utility layout.

**Pressurized Irrigation System (UDC [11-3A-15](#)):**

An underground pressurized irrigation system is required to be provided for each lot within the development.

**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](#)):**

The design of structures on this site is required to comply with the design standards listed in UDC 11-3A-19 and the City of Meridian Architectural Standards Manual because they are an attached product with two or more dwelling units. The development should incorporate high quality architectural design and materials that is also consistent with the MU-C designation. Conceptual building elevations are proposed as shown for the single-family attached units.

**All structures within the development are required to comply with the residential design standards listed in the Architectural Standards Manual. An administrative design review application must be submitted to the Planning Division and approved prior to submittal of building permit applications; one design review application may be submitted for the overall development.**

**VI. DECISION**

**A. Staff:**

Staff recommends approval of the proposed rezone, development agreement modification and preliminary plat and the Director approved the private street and alternative compliance applications per the conditions included in Section VIII. in accord with the Findings in Section IX.

**VII. EXHIBITS**

**A. Rezone Legal Description and Exhibit Map**

**RE-ZONE DESCRIPTION FOR  
R15 ZONE  
GODDARD CREEK TOWNHOUSE SUBDIVISION**

Lot 2, Block 1 of Goddard Creek Subdivision as filed in Book 114 of Plats at Pages 17060 through 17062 and a portion of the SE 1/4 of the SW 1/4 of Section 26, T.4N., R.1W., B.M., Meridian, Ada County, Idaho more particularly described as follows:

**BEGINNING** at the NW corner of said Lot 2;

thence along the along the North boundary line of said Lot 2 South 88°58'36" East, 476.28 feet to the NE corner of said Lot 2;

thence along the easterly boundary line of said Lot 2 the following 5 courses and distances:

thence South 00°31'17" West, 107.36 feet;

thence 7.85 feet along the arc of a non-tangent curve to the right, said curve having a radius of 30.00 feet, a central angle of 14°59'49" and a long chord which bears South 08°06'33" West, 7.83 feet;

thence South 15°36'33" West, 96.54 feet;

thence 131.94 feet along the arc of a non-tangent curve to the left, said curve having a radius of 252.00 feet, a central angle of 29°59'51" and a long chord which bears South 00°36'25" West, 130.43 feet;

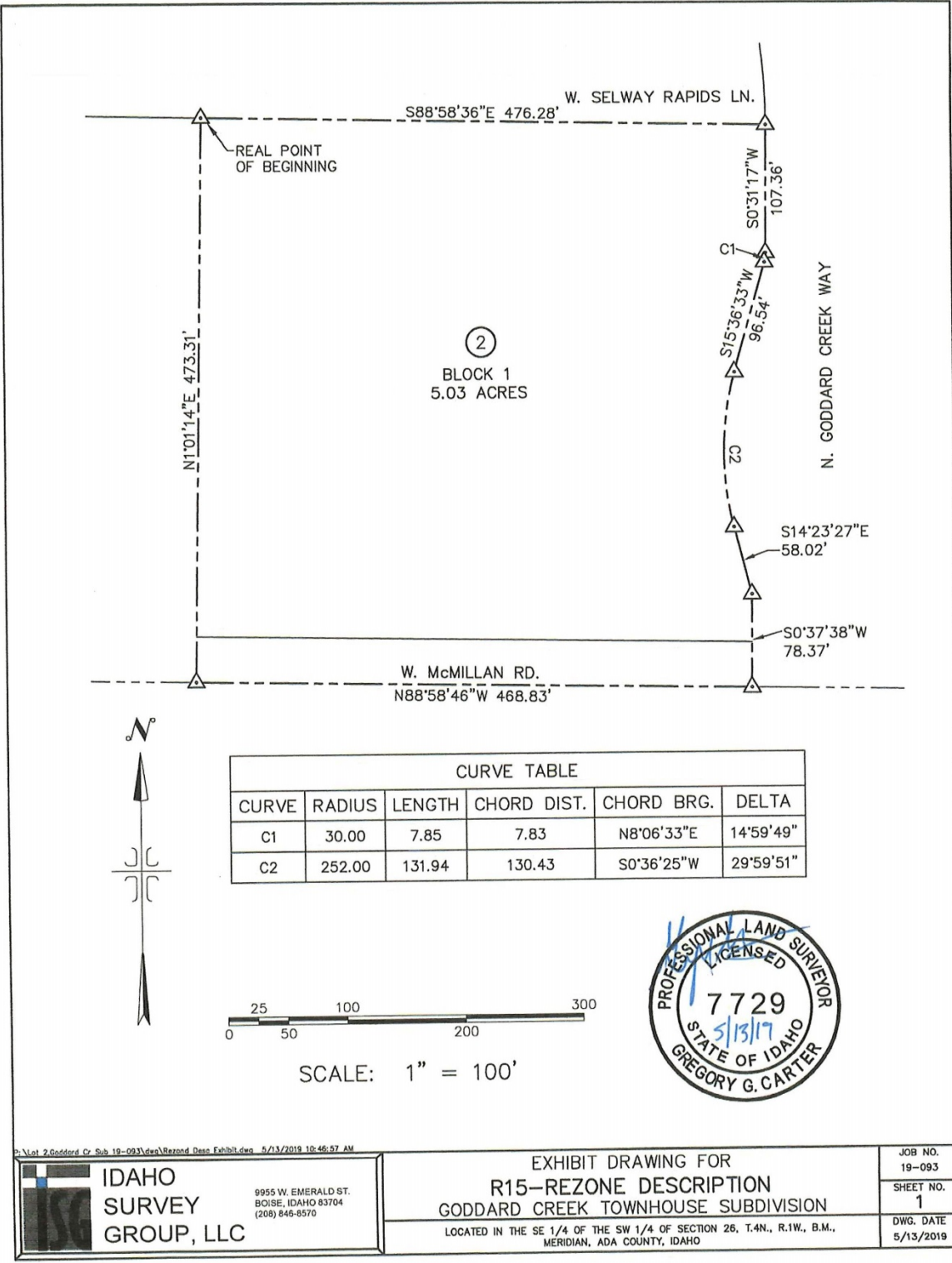
thence South 14°23'27" East, 58.02 feet;

thence continuing along the easterly boundary line of said Lot 2 and the southerly extension thereof South 00°37'38" West, 78.37 feet to a point on the South boundary line of said Section 26;

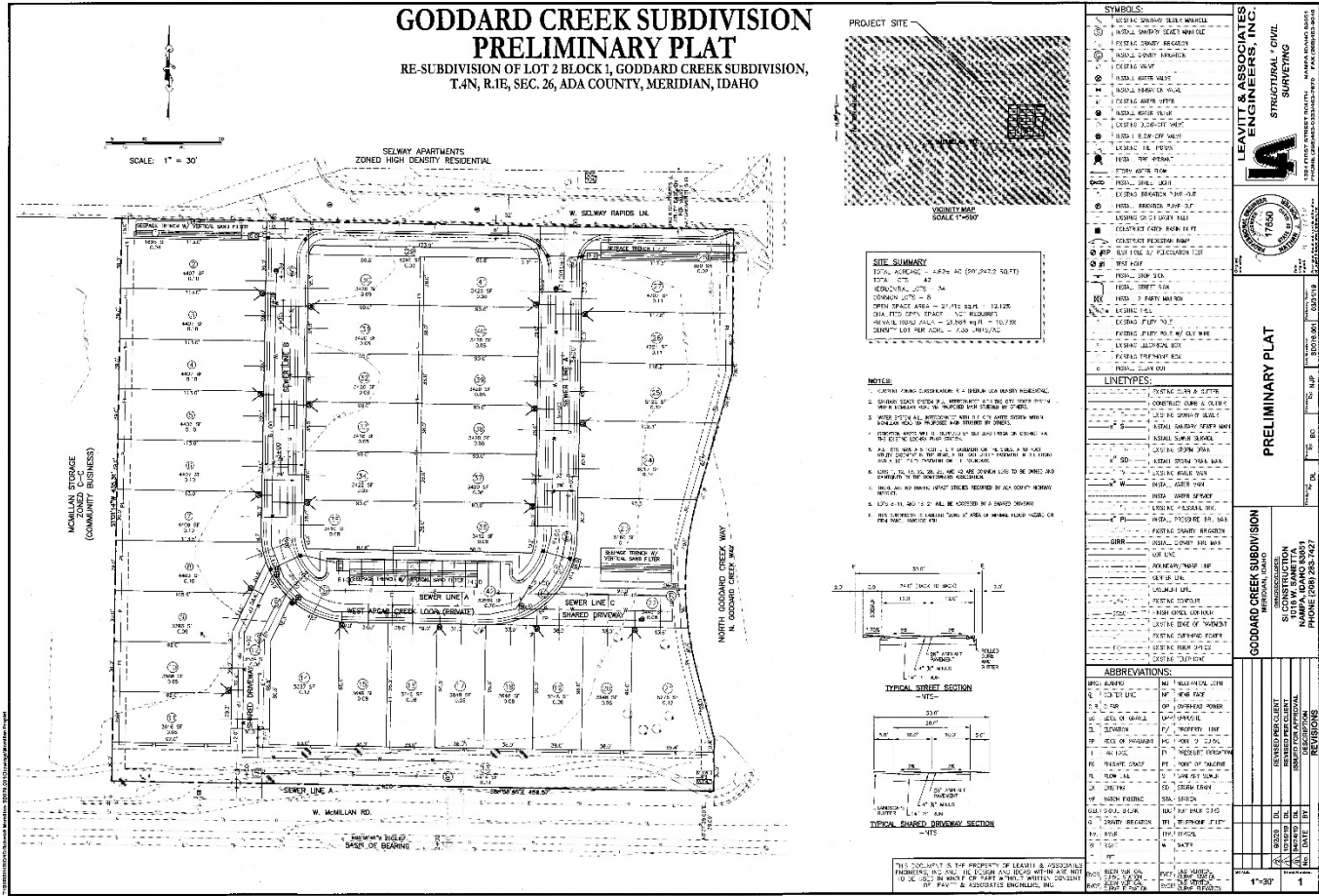
thence along said South boundary line North 88°58'46" West, 468.83 feet;

thence leaving said South Boundary line and along the West boundary line of said Lot 2 and the southerly extension thereof North 01°01'14" East, 473.31 feet to the **POINT OF BEGINNING**. Containing 5.03 acres, more or less.





### B. Preliminary Plat (date: 9/2/2020)





Item 3.

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C. Landscape Plan (date: 9/2/2020)

NO TREES SHALL BE LOCATED WITHIN 5 FEET OF ANY STORY CORNER STRUCTURE

70% 3' (10") DENSITY RESIDENTIAL

PROVIDE ROOT BARRIER SOIL SIDES OF TREES ALONG WALKWAY AND SOUTH SIDE OF THE BUILDING

MIN. LINEAR FEET OF TOTAL TREES REQUIRED = 150' 8" TREES PROPOSED

W. McMILLAN RD.

N. GODDARD CREEK WAY

LANDSCAPE PLAN  
SCALE: 1"=10'-0"

OWNER: SUEVA TERRY REMOVAL TRUST  
100 S. 500 E.  
BOISE, ID 83708

DEVELOPER: C. GORDON & ASSOCIATES  
1018 W. 5000TH ST  
IDAHO, ID 83701

ENGINEER: ERIC J. ROBERTS  
1324 W. 1300TH ST  
BOISE, ID 83701

**PLANT SCHEDULE**

KEY	BOTANICAL NAME	PLANTING SIZE	MATURE SIZE	CLASS
AC	ACER (PRAIRIE) COLORADO SPRINGS	1" 6" DB	40' Hg. x 20' wide	CLASS II
AD	ACER (PRAIRIE) COLORADO SPRINGS	7" 6" DB	50' Hg. x 30' wide	CLASS I
AS	ACER (PRAIRIE) COLORADO SPRINGS	7" 6" DB	50' Hg. x 30' wide	CLASS I
BE	BETULA			
BT	BETULA (SWAMP) COLORADO SPRINGS	1" 6" DB	27' Hg. x 12' wide	
CD	CORNUS (SILVER) COLORADO SPRINGS	9" DB	6' Hg. x 6' wide	
CH	CHENOPODIUM (SILVER) COLORADO SPRINGS	2" DB	6' Hg. x 4' wide	
CI	CHENOPODIUM (SILVER) COLORADO SPRINGS	3" DB	7' Hg. x 4' wide	
CR	CORYLUS (SILVER) COLORADO SPRINGS	9" DB	3' Hg. x 4' wide	
GC	GEORGINA (SILVER) COLORADO SPRINGS	2" DB	3' Hg. x 2' wide	
GL	GEORGINA (SILVER) COLORADO SPRINGS	3" DB	3' Hg. x 2' wide	
GR	GEORGINA (SILVER) COLORADO SPRINGS	2" DB	3' Hg. x 2' wide	

**CITY REQUIREMENTS PRE-PLAT**

- ROADWAY LANDSCAPE BUFFER:
  - 15' 6" FEET BUFFER
  - 1448 FEET OF STREET BUFFER
  - 12 TREES REQUIRED
  - STREET TREES = 150' = 3 TREES EXISTING
- SEMIWAY LANDSCAPE BUFFER:
  - 15' 6" FEET BUFFER
  - 12 TREES REQUIRED
  - STREET TREES = 150' = 1 TREES EXISTING
- PROPERTY BOUNDARIES:
  - ALL PROPERTY LINES ADJ. ROADWAYS OR COMMERCIAL PROPERTY
- RESIDENTIAL SUBDIVISION:
  - NEEDS = 1/4"
- ACCESS TO DEVELOPER:
  - APPROPRIATE TOTAL ACRES: 13,262 SF
  - (DOES NOT INCLUDE IN THE ROAD)
- CONTROL AREAS PROPOSED NUMBER OF TREES:
  - 1. RESERVING OF CONTROL OPEN SPACE
  - 3 REQUIRED = 3 PROPOSED (3 USED TO "BET" NORTH BOUNDARY REQUIREMENTS)
  - (NOTE DOES NOT INCLUDE TREES NECESSARY FOR ROAD BUFFER AREAS OR PATHWAY TREES)
- PATHWAY TREES:
  - 1/4"
- MITIGATION FOR REMOVAL OF EXISTING TREES:
  - 6" CAL. TREE REMOVAL, CONFLICT WITH EMERGENCY ACCESS - TREES IN POOR CONDITION AND NOT FIT FOR GATED FOR

**SITE DEVELOPMENT FEATURES**

TOTAL ACRES = 4.621 AC (20,241,500 FT<sup>2</sup>)

TOTAL LOTS = 41

RESIDENTIAL LOTS = 34

COMMERCIAL LOTS = 8

OPEN SPACE AREA = 13,262 SQ FT = 144%

QUALIFIED OPEN SPACE = 10,248 SQ FT = 104%

PRIVATE ROAD AREA = 23,800 SQ FT = 146%

DENSITY LOT PER ACRE = 1.58 UNITS/AC

**LEGEND**

- LAN AREA - Duery Turf Type Tall Fescue
- 6" 1/2" UPGRADE IRON FENCING (SEE DETAIL 4, L2/D)
- 6" 1/2" SOLID VINY. FENCING (SEE DETAIL 3, L2/D)

VICINITY MAP

DATE: 9/2/2020

PRE-PLAT LANDSCAPE PLAN  
Goddard Creek Subdivision  
IDAH0  
MERIDIAN

OWNED BY: C.J.R.  
CREATED BY: C.J.R.  
PROJECT NUMBER:  
SHEET:

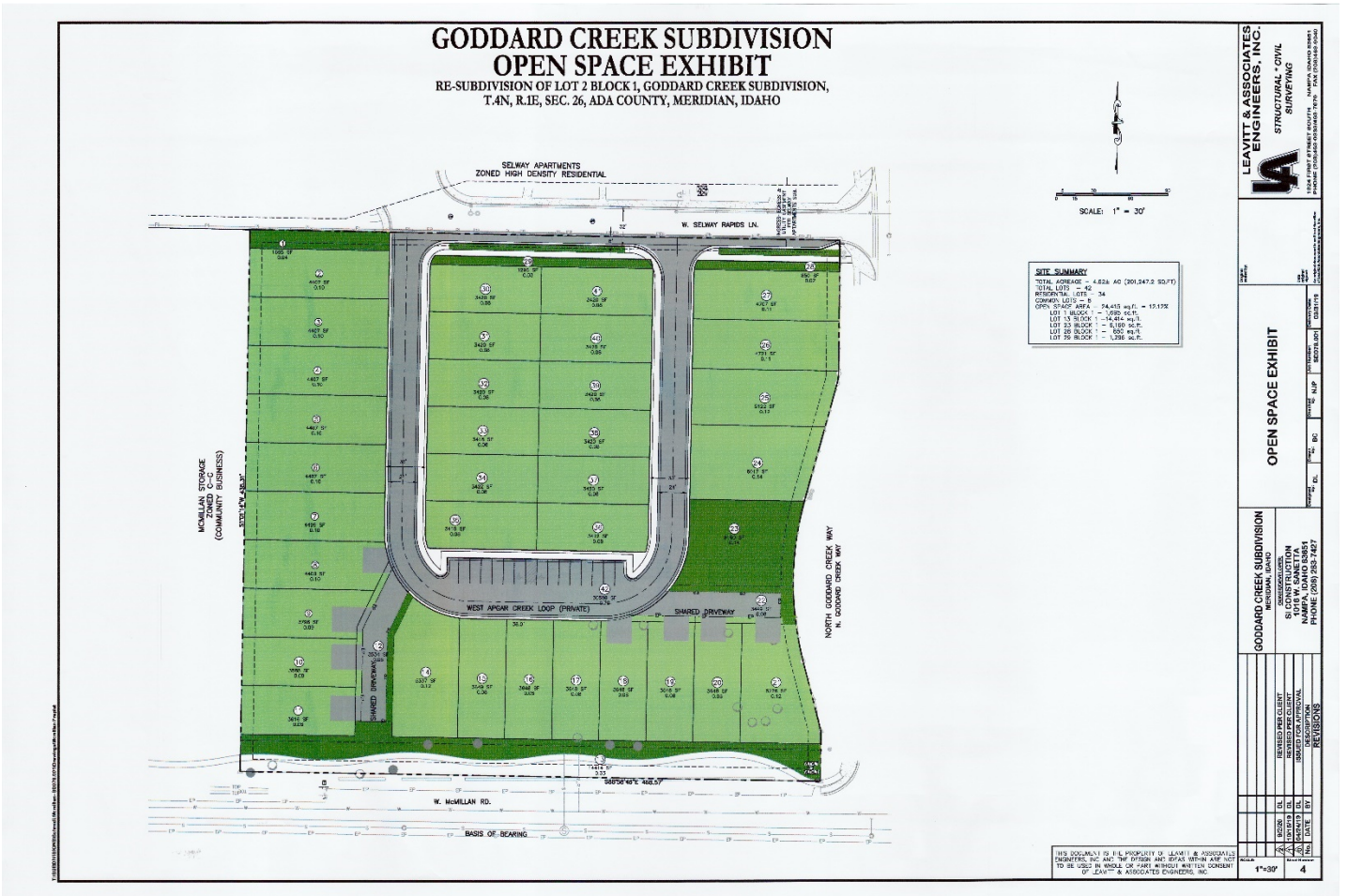
**L1.0**

Page 15

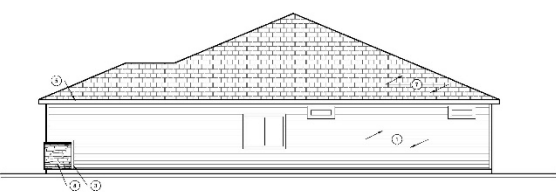




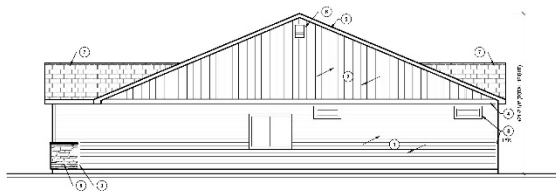
D. Open Space Exhibit



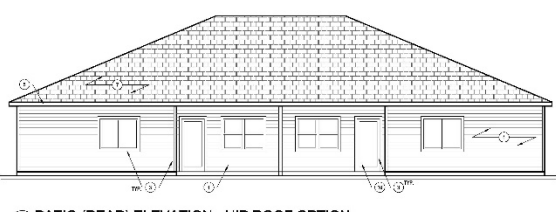




3B SIDE ELEVATION TYP. - HIP ROOF OPTION  
SCALE: 1/8" = 1'-0"



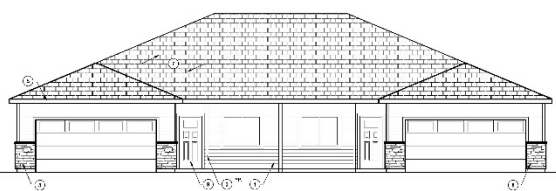
3A SIDE ELEVATION TYP. - GABLE ROOF OPTION  
SCALE: 1/8" = 1'-0"



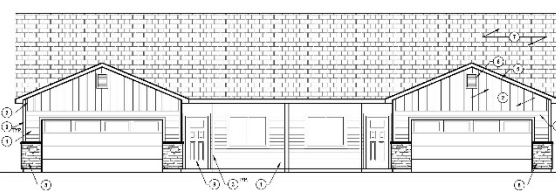
2B PATIO (REAR) ELEVATION - HIP ROOF OPTION  
SCALE: 3/8" = 1'-0"



2A PATIO (REAR) ELEVATION - GABLE ROOF OPTION  
SCALE: 3/8" = 1'-0"



1B ENTRY (FRONT) ELEVATION - HIP ROOF OPTION  
SCALE: 1/8" = 1'-0"



1A ENTRY (FRONT) ELEVATION - GABLE ROOF OPTION  
SCALE: 1/8" = 1'-0"

**GENERAL NOTES**

- CONSTRUCTION DOCUMENTS TO BE USED TO BE IN ACCORDANCE WITH ALL CITY AND STATE REQUIREMENTS AND ALL APPLICABLE CODES.
- CONSTRUCTION DOCUMENTS ARE NOT TO BE USED FOR ANY OTHER PROJECTS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

**SHEET KEYNOTES**

1. UNLESS SPECIFIED OTHERWISE, ALL DIMENSIONS SHALL BE IN FEET AND INCHES TO THE NEAREST 1/8".
2. FINISHES AND MATERIALS TO BE USED SHALL BE AS SHOWN ON THESE DRAWINGS. SEE GENERAL NOTES FOR ADDITIONAL INFORMATION.
3. ALL MATERIALS AND FINISHES SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE CODES AND STANDARDS.
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE CITY AND STATE REQUIREMENTS AND ALL APPLICABLE CODES.
6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE CITY AND STATE REQUIREMENTS AND ALL APPLICABLE CODES.
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10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE CITY AND STATE REQUIREMENTS AND ALL APPLICABLE CODES.

**FINISH LEGEND**

- ROOF: ASPHALT/FLY ASH SHINGLES
- WALLS: 1/2" GYPSUM BOARD ON 2x4 STUDS
- FLOORING: 1/2" GYPSUM BOARD ON 2x4 JOISTS
- CEILING: 1/2" GYPSUM BOARD ON 2x4 JOISTS
- DOORS: 1 3/4" SOLID CORE DOOR WITH 1 3/4" FRAME
- WINDOWS: 1 3/4" SOLID CORE WINDOW WITH 1 3/4" FRAME
- PAINT: EXTERIOR - 100% ACRYLIC EMULSION; INTERIOR - 100% ACRYLIC EMULSION

**COLOR PALETTES**

**GENERAL NOTES:**

- ALL DIMENSIONS SHALL BE IN FEET AND INCHES TO THE NEAREST 1/8".
- FINISHES AND MATERIALS TO BE USED SHALL BE AS SHOWN ON THESE DRAWINGS. SEE GENERAL NOTES FOR ADDITIONAL INFORMATION.
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- ALL WORK SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE CITY AND STATE REQUIREMENTS AND ALL APPLICABLE CODES.

**EXTERIOR ELEVATIONS**

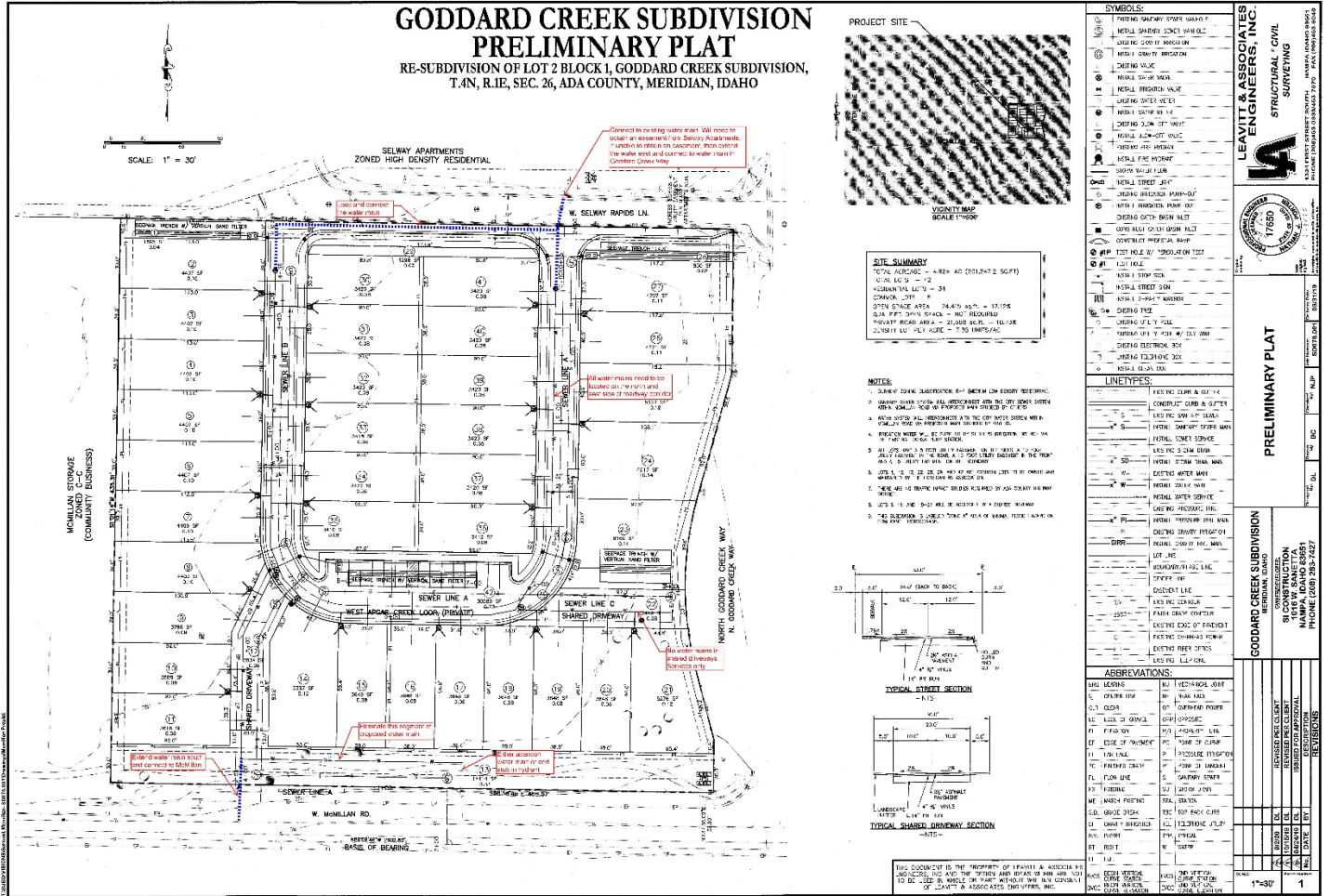
**A4.0**

NOT FOR CONSTRUCTION

GODDARD CREEK TOWNHOMES  
RAINBOW DUPLEX  
W. BIRMINGHAM RD.  
MERCER, VA

PROJECT NO.	2024-001
DATE	11/15/2023
SCALE	AS SHOWN
DESIGNED BY	J. M. SMITH
DRAWN BY	J. M. SMITH
CHECKED BY	J. M. SMITH
DATE PLOTTED	11/15/2023
SCALE	AS SHOWN
PROJECT NO.	2024-001
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DATE PLOTTED	11/15/2023
SCALE	AS SHOWN

### F. Public Works – Water Markup





## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. Within six (6) months of Council's approval of the findings for the rezone and prior to submittal of a final plat application, the developer shall sign and obtain Council approval of the development agreement with the following provisions:
  - a. Future development of this site shall comply with the preliminary plat, landscape plan, and conceptual building elevations (single-story) included in Section VII and the provisions contained herein.
  - b. The Applicant shall widen W. Apgar Creek Lane (the existing private street abutting the subject site) by eight (8) feet in order to accommodate on-street parking along the southern side of the street as shown in the proposed preliminary plat (Exhibit VII.B).
  - c. Any area of the plat where pedestrians need to cross the private street for added pedestrian connectivity shall be constructed with pavers, stamped concrete, or similar in order to clearly delineate the pedestrian pathways from the driving lane; this includes the proposed pedestrian connection that runs next to the southwest common drive (Lot 12) that connects to W. McMillan Road.
  - d. The proposed development shall be an age-restricted (55 years of age and older) development as proposed by the Applicant.
2. The preliminary plat included in Section VII.B, dated 9/2/2020 shall be revised as follows at least ten (10) days prior to the City Council hearing:
  - a. Depict zero lot lines on those lots that have shared walls.
  - b. Clearly depict all pedestrian connections within the development on the plat, specifically the pedestrian connection adjacent to the common drive/emergency access (Lot 12).
  - c. Add a sidewalk connection within Lot 1 that continues the sidewalk on the west side of N. Selway Falls Lane.
  - d. Show all pedestrian crossings as pavers, stamped concrete, or similar to clearly delineate pedestrian connections and provide Staff a pedestrian exhibit that shows this and shows a cross-section of the crosswalks.
3. The landscape plan included in Section VII.C, dated 10/18/19 shall be revised as follows:
  - a. Provide the details of the site amenities with the submittal of the final plat application.
4. Private streets within the development are required to comply with the design and construction standards listed in UDC 11-3F-4. ***Exception: Alternative Compliance was approved to UDC 11-3F-4A.6 to allow the common driveways off of the private street and to allow private streets off of an existing private street instead of a local or collector street.***
5. Applicant shall provide the common open space and amenities as proposed on the landscape plan (Exhibit VII.C).
6. The Applicant shall construct all fencing as shown on the submitted landscape plan and in accord with UDC 11-3A-7.
7. On-street parking is only allowed in the designated guest parking area as shown on the attached plans. The private streets shall be posted with "no parking" signs.

8. Off-street parking shall be provided for this site as set forth in UDC Table 11-3C-5 and 11-3C-6.
9. An exhibit shall be submitted with the final plat application for the lots accessed by the common driveway that depicts the setbacks, fencing, building envelope and orientation of the lots and structures in accord with UDC 11-6C-3D. Driveways for abutting properties that are not taking access from the common driveway(s) shall be depicted on the opposite side of the shared property line away from the common driveway. Solid fencing adjacent to common driveways is prohibited unless separated by a minimum 5-foot wide landscaped buffer.
10. Provide address signage at the street for homes on Lots 8-11 and 18-21, Block 1 accessed by the common driveway for emergency wayfinding purposes.
11. A perpetual ingress/egress easement shall be filed with the Ada County Recorder for the common driveway, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of the recorded easement shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.
12. All structures within the development are required to comply with the residential design standards listed in the Architectural Standards Manual. An administrative design review application shall be submitted to the Planning Division and approved prior to submittal of building permit applications; one design review application may be submitted for the overall development.
13. With the final plat application submittal, the Applicant shall submit an Alternative Compliance application to provide an adequate alternative to gates, as required by the private street standards in UDC 11-3F-4.

## **B. PUBLIC WORKS**

### **Site Specific Conditions of Approval**

1. Remove the water mainline from the shared driveway at the southeast, water services will need to be extended from the mainline.
2. Instead of connecting the water main to the southern stub, extend the water main south directly to McMillan to eliminate unnecessary parallel water main. The existing stub will either need to be abandoned or end in a hydrant.
3. Loop the two deadend water mains near the north boundary line and connect to existing water main in Selway Rapids Ln to create a secondary connection and eliminate two deadend mains. An easement will need to be obtained from Selway Apartments in order to connect to the water main in Selway Rapids
4. Intermediate manhole located at the intersection of W. Apgar Creek Loop and the western shared driveway needs to be relocated further into the travel way to avoid conflict with the curb and gutter.
5. Remove the sewer mainline from the eastern Shared driveway, and instead run individual services to serve the lots. Manholes are required at all mainline angle changes.

### **General Conditions of Approval**

3. 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 then alternate materials shall

be used in conformance of City of Meridian Public Works Departments Standard Specifications.

4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
  15. 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.
  16. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
  17. Developer shall coordinate mailbox locations with the Meridian Post Office.
  18. All grading of the site shall be performed in conformance with MCC 11-12-3H.
  19. 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.
  20. 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.
  21. 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.
  22. 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.
  23. 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](http://www.meridiancity.org/public_works.aspx?id=272).
  24. 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.
  25. 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.



**6. MERIDIAN FIRE DEPARTMENT (MFD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=213839&dbid=0&repo=MeridianCity>

**7. SETTLER'S IRRIGATION DISTRICT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=213917&dbid=0&repo=MeridianCity>

**8. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=214296&dbid=0&repo=MeridianCity>

**9. MERIDIAN POLICE DEPARTMENT (MPD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=214306&dbid=0&repo=MeridianCity>

**10. CENTRAL DISTRICT HEALTH (CDH)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=214496&dbid=0&repo=MeridianCity>

**11. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=215221&dbid=0&repo=MeridianCity>

**12. COMMUNITY DEVELOPMENT – SCHOOL TABLE**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=214999&dbid=0&repo=MeridianCity>

**IX. FINDINGS****A. 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 the proposed density and associated R-15 zoning designation is consistent with the applicable provisions of the Comprehensive Plan in regard to the MU-C future land use map designation for this site.*

**2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;**

*Staff finds that the proposed map amendment and subsequent development will contribute to the range of housing opportunities available in the northern portion of the City.*

- 3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;**

*Staff finds that the proposed zoning amendment will not be materially detrimental to the public health, safety, or welfare.*

- 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 zoning amendment 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.**

*Because this application is for a rezone, this finding is not applicable.*

**B. PRELIMINARY PLAT (UDC 11-6B-6)**

- 1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code;**

*Staff finds that the proposed plat is in substantial compliance with the adopted Comprehensive Plan in regard to land use, transportation, and circulation. Please see Comprehensive Plan Policies and Goals, Section VII, of the Staff 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 upon development. (See Exhibit B 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 developer 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 recommends the Commission and Council rely upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.) to determine this finding. (See Exhibit B for more detail.)*

- 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 that should be brought to the Commission or Council's attention. ACHD considers road safety issues in their analysis. Staff recommends that the Commission and Council consider any public testimony that may be presented when determining whether or not the proposed subdivision may cause health, safety or environmental problems of which Staff is unaware.*

**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.*

**C. PRIVATE STREET (UDC [11-3F-4](#))**

In order to approve the application, the Director shall find the following:

**1. The design of the private street meets the requirements of this Article;**

*The design of the proposed private streets complies with the standards listed in UDC 11-3F-4. See analysis in Section V for more information.*

**2. Granting approval of the private street would not cause damage hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and**

*Staff does not anticipate the proposed private streets would cause any hazard, nuisance or other detriment to persons, property or uses in the vicinity if they are designed as proposed and constructed in accord with the standards listed in UDC 11-3F-4B.*

**6. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.**

*The location of the private streets does not conflict with the Comprehensive Plan and/or the regional transportation plan. Both ACHD policy and the UDC prohibits access to McMillan Road if local street access is provided. With the development of the property to the north, staff finds that local street access has been provided via a private street.*

**4. The proposed residential development (if applicable) is a mew or gated development.**

*The proposed residential development does not include either a mew or proposes gates. Due to the site constraints, existing road network, and proposed use of an age-restricted development outlined in Section VII, Staff is requiring that the Applicant apply for Alternative Compliance to this requirement to in order provide an adequate alternative with the Final Plat application submittal.*

**D. ALTERNATIVE COMPLIANCE**

**In order to grant approval for alternative compliance, the director shall determine the following findings:**

**1. Strict adherence or application of the requirements is not feasible; OR**

*Access to this development is provided by a private street and the UDC restricts access to McMillan Road, an arterial street. ACHD is also restricting access to Goddard Creek way, a collector street, Because the property is not served by internal public streets, the Director finds strict adherence to the UDC is not feasible and approves the request for the common driveways to take access from the private streets as proposed.*

**2. The alternative compliance provides an equal or superior means for meeting the requirements; and**

*The Director finds the infill and age-restricted development proposed by the applicant as a whole provides an equal or superior means for meeting the requirements in that it contributes to the unique character of the area and provides diversity in housing types available within the City.*

- 3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of the surrounding properties.**

*The Director finds that the proposed alternative means will not be detrimental to the public welfare or impair the intended use/character of the surrounding properties and will actually contribute to the character and variety of housing types in this area of the City.*