



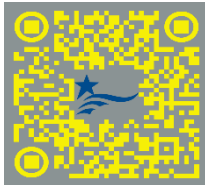
PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, December 16, 2021 at 6:00 PM

All materials presented at public meetings become property of the City of Meridian. Anyone desiring accommodation for disabilities should contact the City Clerk's Office at 208-888-4433 at least 48 hours prior to the public meeting.

Agenda

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



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

To join the meeting online: <https://us02web.zoom.us/j/87146927915>

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

Webinar ID: 871 4692 7915

ROLL-CALL ATTENDANCE

- Nate Wheeler Andrew Seal Bill Cassinelli
- Nick Grove Maria Lorcher Steven Yearsley
- Rhonda McCarvel, Chairperson

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of the November 18, 2021 Planning and Zoning Commission Regular Meeting](#)
2. [Approve Minutes of the December 16, 2021 Planning and Zoning Commission](#)
3. [Findings of Fact, Conclusions of Law for Inglewood Coffee Shop Drive-Through \(H-2021-0073\) by Gold Stream Holdings, LLC, Located at 3330 E. Victory Rd.](#)

- 4. [Findings of Fact, Conclusions of Law for Fire Station 8 and Police Substation \(H-2021-0078\) by City of Meridian, Located at 4250 N. Owyhee Storm Ave.](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

- 5. [Public Hearing Continued from November 4, 2021 for Moshava Village Subdivision \(H-2021-0067\) by JUB Engineers, Inc., Located at 4540 W. Franklin Rd. and 4490 W. Franklin Rd.](#)

Applicant Requests Continuance

[A. Request: Annexation of 5.14 acres of land with the R-15 zoning district.](#)

[B. Request: Preliminary Plat consisting of a total of 30 single-family residential building lots and 3 common lots on 6.48 acres of land.](#)

- 6. [Public Hearing for Verona Live/Work \(H-2021-0080\) by J-U-B Engineers, Inc., Located at 3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd. and McMillan Rd.](#)

[A. Request: A Conditional Use Permit for 16 vertically integrated residential units within four \(4\) buildings on 1.75 acres in the L-O zoning district.](#)

- 7. [Public Hearing for Apex East Subdivision \(H-2021-0086\) by Brighton Development, Inc., Located on Parcel S1405120902, South of E. Lake Hazel Rd. Between S. Locust Grove Rd. and S. Eagle Rd., in a Portion of Government Lot 2 and a Portion of the SW ¼ of the NE ¼ of Section 5, Township 2N, Range 1E.](#)

[A. Request: Rezone of 32.21 acres of land from the R-4 to the R-8 zoning district.](#)

[B. Request: Development Agreement Modification to allow the proposed development plan.](#)

[C. Request: Preliminary Plat consisting of 97 building lots and 14 common lots.](#)

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the November 18, 2021 Planning and Zoning Commission Regular Meeting

Meridian Planning and Zoning Meeting

November 18, 2021.

Meeting of the Meridian Planning and Zoning Commission of November 18, 2021, was called to order at 6:00 p.m. by Chairman Rhonda McCarvel.

Members Present: Chairman Rhonda McCarvel, Commissioner Andrew Seal, Commissioner Nick Grove, Commissioner Steven Yearsley and Commissioner Maria Lorcher.

Members Absent: Commissioner Bill Cassinelli and Commissioner Nate Wheeler.

Others Present: Adrienne Weatherly, Kurt Starman, Bill Parsons, Alan Tiefenbach and Dean Willis.

ROLL-CALL ATTENDANCE

<input type="checkbox"/> Nate Wheeler	<input checked="" type="checkbox"/> Maria Lorcher
<input checked="" type="checkbox"/> Andrew Seal	<input checked="" type="checkbox"/> Nick Grove
<input checked="" type="checkbox"/> Steven Yearsley	<input type="checkbox"/> Bill Cassinelli
<input checked="" type="checkbox"/> Rhonda McCarvel - Chairman	

McCarvel: Good evening and welcome to the Planning and Zoning Commission meeting for November 18th, 2022. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting, however, your ability to be seen on screen and talk will be muted. During the public testimony of the meeting you will be unmuted and be able -- and be able to comment. Please note that we cannot take questions until the public testimony portion. If you have a process question during the meeting, please, e-mail cityclerk@meridiancity.org and they will reply to you as quickly as possible. Let's begin with roll call.

ADOPTION OF AGENDA

McCarvel: Thank you. First item on the agenda is the adoption of the agenda. This evening Lennon Pointe Community, H-2021-0071 will be opened for the sole purpose of continuing this item to the regularly scheduled meeting of December 2nd. It will open only for that purpose, so if there is anyone here tonight to testify on that particular application we will not be taking testimony this evening. So, can I get a motion to adopt the agenda as amended?

Seal: So moved.

Yearsley: Second.

McCarvel: It has been moved and seconded to adopt the agenda. All those in favor say

aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

1. Findings of Fact, Conclusions of Law for Meridian Swim School (H-2021-0069) by CSHQA, Located at 2730 E. State Ave.

McCarvel: Next item on the agenda is the Consent Agenda and we only have one item on the Consent Agenda this evening. It's Findings of Fact, Conclusions of Law for Meridian Swim School, H-2021-0069. Could I get a motion to accept the Consent Agenda as presented?

Seal: So moved.

Grove: Second.

McCarvel: It has been moved and seconded to adopt the Consent Agenda. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

McCarvel: At this time I will briefly explained the public hearing process. We will open each item individually and begin with the staff report. The staff will report their findings on how an item adheres to our Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant has finished we will open the floor to public testimony. Each person will be called on only once during the public testimony. The Clerk will call names individually of those who have signed up on our website and advanced to testify. If you are here in person, please, come forward. If you are on Zoom you will be unmuted. Please state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or presentation for the meeting it will be displayed on the screen and our Clerk will run the presentation. After all those who have signed up in advance have spoken, we will invite others who may wish to testify. If you wish to speak on a topic you may press the raise hand button on the Zoom app or if you are only listening on the phone, please, press -- press star nine and wait for your name to be called. If you are listening on multiple devices, a computer and a phone, for example, please be sure and mute those extra devices, so we do not experience feedback and can hear you clearly. When you are finished if the Commission does not have questions for you, you will no longer have the ability to speak. Please remember that we will not call on you a second time. After all testimony has been heard, the applicant will be given another ten minutes to come back and respond. When the applicant has finished

responding to questions and concerns, we will close the public hearing and the Commissioners will have the opportunity to discuss and, hopefully, be able to make final decisions or recommendations to the City Council as needed.

ACTION ITEMS

- 2. Public Hearing for Lennon Pointe Community (H-2021-0071) by DG Group Architecture, PLLC, Located at 1515 W. Ustick Rd.**
 - A. Request: Annexation of 10.41 acres of land with a request for C-C (2.01 acres) and R-15 (8.3 acres) zoning districts.
 - B. Request: A Preliminary Plat consisting of 43 building lots, 1 commercial building lot, and 2 common lots on 8.8 acres of land in the proposed C-C and R15 zoning districts.
 - C. Request: A Conditional Use Permit for a multi-family development consisting of a total of 18 units on 1.18 acres in the proposed R-15 zoning district.

McCarvel: So, at this time we would like to open the public hearing for H-2021-0071, Lennon Pointe Community, to be continued to December 2nd due to a description noticing error. Does staff have anything they would like to add to that or -- okay. Can I get a motion to continue H-2021-0071 to December 2nd?

Lorcher: So moved.

Seal: Second.

McCarvel: It has been moved and seconded to continue H-2021-0071. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

- 3. Public Hearing for K1 Speed (H-2021-0077) by Josh Shiverick of Cushing Terrell, Located at 1075 N. Hickory Ave. on the northwest corner of E. State Ave. and H. Hickory Ave.**
 - A. Request: Conditional Use Permit for an approximate 50,000 square-foot indoor recreation facility for the purpose of an indoor electric go-kart track, concession area, meeting rooms, and associated spaces for K1 Speed on a portion of 9.88 acres of land in the I-L zoning district.

McCarvel: Next item on the agenda is H-2021-0077 and we will begin with the staff report.

Parsons: Thank you, Madam Chair, Members of the Commission. I'm filling in for Joe Dodson this evening. Give him a break from his long City Council hearing on Tuesday night. So, if you would indulge me a little bit this evening. So, the first application before you this evening is the K1 Speed conditional use permit. The site consists of 9.88 acres of land, currently zoned I-L in the city limits and this property -- the physical address of the property is 1075 North Hickory Avenue. Back in 2020 the city did approve a certificate of zoning compliance to develop the property with an approximately 204,000 square foot industrial warehouse building that you see here in front of you. This is the approved site plan. You can see here that the applicant is proposing to take up approximately 50,000 square feet of that existing structure located on the south end of the building. Typically with I-L zoning the required parking in that zone is one stall for every 2,000 square feet of gross floor area. In this particular case, based on the square footage, the applicant would have to have over one hundred stalls to serve the proposed use. In this particular case there is well over 200 plus stalls on this particular site, which is consistent and exceeds UDC standards. Staff also finds that the proposed indoor arts and entertainment use meets the specific use standards in Chapter 4 of the code as well. Again, here is some -- the approved landscape plan. So, really, all the applicant is going to need after their CUP approval has come forward with what we call a tenant improvement with the building department and do only interior finishes. Everything regarding the exterior of the building and the site have been approved with the previous certificate of zoning compliance, which was done at a -- at an administrative level by staff. You can see here that the proposed development has two access points -- or, excuse me, four access points that were approved with that certificate of zoning compliance. So, the one thing to note on this particular application is since the applicant is on the south end of the building and this is more of a commercial use than an industrial use, the patrons that come to this will have adequate access to get to the site and not interfere with the additional tenant that is operating on the north side of the building. If you had a chance to look at the staff report, Joe did note that there is a cabinet maker that is operating on the north end of this building, approximately 30,000 square feet. So, if you can see how the site's been developed, it's been situated so that if there is truck traffic for any additional tenant spaces, they could come in or off of Hickory Way here along the north boundary -- or east boundary and circle around and get to the loading docks on the back here and still not interfere with that potential -- the proposed commercial activity that's within this tenant space as well. We also noted in the -- in the staff report the hours of operation are from 10:00 a.m. to 11:00 p.m., which is, again, consistent with code. I would mention to the Commission that there is quite a bit of residential that is developing in the area, not only multi-family, but also single family to the west. So, staff feels that this would be a beneficial residential use in the area to serve the area. On tonight's agenda you just approved an aquatic swim center just a little bit to the east of this site. So, you can see although this area is I-L zoned, the PUD that was approved in 1991 allows for all non-residential uses to incur in this area. Here is the rendering of the proposed elevations of the building and, again, you can see my cursor here, this is where K1 Speed is proposing to go. Typically staff would be concerned with a note -- the noise and odor with this associated use, but if you also noted in the staff report these are electrical -- electric go-carts, not your typical gas powered equipment. So, staff finds that this is compatible with the adjacent uses in the surrounding area and we are recommending approval with the conditions in the staff report. I will

stand for any questions you may have.

McCarvel: Thank you. Would the applicant like to come forward?

Hersel: Josh Hersel with Cushing Terrell, 800 West Main Street, Suite 800, Boise, Idaho. 83702. We are in full agreement with the staff report. Noise could be a concern. It's also in a concrete tilt up building that's insulated sandwich panels. It does have loading docks that face the residential, but they will not be used, other than for deliveries of the carts. They will never be opened during operation hours. Again, their hours meet what the city code requires. We are over on parking requirements. So, we are in complete conclusion that it should be fine and work through with the staff's recommendation. Any questions?

McCarvel: Any questions for staff or the applicant? Okay. Thank you. Madam Clerk, do we have anyone signed up to testify on this application?

Weatherly: Madam Chair, we do not.

McCarvel: Okay. With that being said, is there anyone in the room or online that would like to testify on this application? Okay. I'm assuming the applicant has no further comment. With that could I get a motion to close the public hearing for H-2021-0077?

Grove: So moved.

Lorcher: Second.

McCarvel: It has been moved and seconded, very quietly, to close the public hearing on H-2021-0077. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I will need to recuse myself from this, because my employer owns the building that this will be in.

McCarvel: Perfect. We will chat with you in a minute. Any opening comments, motions?

Grove: Make a motion.

McCarvel: Okay.

Grove: Seeing as we have staff and applicant in agreement and no public testimony against, I move -- let's see. After considering all staff, applicant, and public testimony, I move to approve file number H-2021-0077 as presented in the staff report for the hearing

date of November 18th, 2021, with no modifications.

Yearsley: Second.

McCarvel: It has been moved and seconded to approve H-2021-0077. All those in favor aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

4. Public Hearing Continued from November 4, 2021 for Black Cat Industrial Project (H-2021-0064) by Will Goede of Sawtooth Development Group, LLC, Located at 350, 745, 935, and 955 S. Black Cat Rd. and Parcel S1216131860.

- A. Request: Annexation of 130.19 acres of land with R-15 and I-L zoning districts.

McCarvel: Welcome back, Commissioner Seal. Next item on the agenda is continuing H-2021-0064, Black Cat Industrial Project, originally opened on the hearing date of November 4th and we will begin with the staff report.

Tiefenbach: Greetings, Madam Chair, Members of the Planning Commission. Alan Tiefenbach, associate planner with the City of Meridian. This is a request for an annexation of 130 acres with the I-L and the R-15 zone district. So, the majority of the property is on the west side of Black cat Road. This is about 129 acres. There is also a very small -- not quite one acre piece of property that is -- where is my -- there it is. That's right there that is the -- on the east side of Black Cat. Just a quick history. Staff and the applicant have met numerous times on this project. We have expressed many concerns. These include the lack of the compliance with the Ten Mile plan, both in use and design. Potential traffic impacts, probability of low job generation and whether or not the timing is actually right for -- for a development of this magnitude when there is other properties to the east that have yet to be developed. So, again, the applicant proposes to annex and rezone a little bit less than one acre of property to the east as R-15. The applicant proposes to annex 129 acres of property to the west as I-L. I want to quickly talk about the Ten Mile plan. So, the Ten Mile plan -- the purpose of this was to ensure that land use and transportation planning are integrated. It states that the city knows that these are one of the last remaining large contiguous areas of highly visible land, meaning the property that I'm referring to. The Ten Mile plan talks about how this area is intended to look, feel, and function differently than a typical commercial area or a residential subdivision and it goes on to talk about that unlike a lot of commercial and employment districts, the intent here is that the Ten Mile plan wouldn't empty out at 5:00 p.m., it would be sort of a live-work situation with a lot of employment. This is the land use map for the Ten Mile plan and so the property is what you see in the -- in the dotted yellow line. This over here is the one acre property that's being proposed to be rezoned to R -- to be -- excuse me -- annexed and zoned to R-15. That is surrounded by property that's all recommended as medium density residential. On the west side of Black Cat Road, about

one-third of this, maybe a little bit more, is recommended as low density employment. The rest that you see here in gray, this is all recommended for mixed use employment. So, low density -- low density employment, according to the plan, talks about that the purpose of this is to provide low rise office and specialized employment uses, a variety of flexible sites for professional offices and similar businesses, and it also should be designed to provide convenient circulation. One of the things about that circulation is that it's recommended to be designed with elements of traditional neighborhood design. So, that's slower streets, traffic calming, wide sidewalks, more walkable, buildings that front towards the street and buildings in low density employment areas are supposed to range in height between one and three stories. Typically smaller square footage and land use types talk about corporate and business offices, research facilities and laboratories. If you look at the bottom here there is some pictures out of the Ten Mile plan that sort of give examples of what low density employment could look like. The other land use recommendation, again, which is the majority of it, is mixed employment and this is to encourage the diversity of compatible land uses, include -- which includes a mixture of office, research, and specialized employment areas. It also says that what could be appropriate there is light industrial, including manufacturing and assembly and I will talk about that shortly. It should provide for a variety of flexible sites, for small and local start-up businesses, as well as large national or regional enterprises. It's intended to accommodate a wide variety of employers and serve as a primary gateway and all of the -- and as an example, all of the professional office uses along with the -- the restaurant and retail uses, ancillary uses that you see at the Ten Mile and I-84, the example of mixed use employment and that's the type of uses that are proposed in this area as well. So, the applicant's proposal -- and this is the concept plan. Is for seven buildings ranging in size between 6,800 and 33,000 square feet. So, that's what you see directly adjacent to Black Cat. This includes, according to the applicant, flex incubator buildings, which can be divided into spaces and also it includes a future fire station, which is what you see here. This also includes nine large buildings. These range in size from 131 square -- 131,000 square foot to almost 330,000 square foot, with the entire project being somewhat more than two million square feet. This concept plan that you are looking at it shows multiple loading bays. I don't know if you can see it here, but there is loading bays here. They are pretty much inside of all of the buildings. The concept plan that you see here shows a wide collector street, which I will talk about, and this is designed to accommodate large truck traffic and the applicant request is to rezone this entire area to I-L, which would be light industrial. Again, this is still part of the proposals. The narrative states that the Black Cat business center would provide in demand manufacturing, heavier office build out, flex industrial and ancillary retail, warehousing and distribution. It mentions that the mixed use employment designation does allow light industrial as one of the appropriate uses. The narrative notes that the City of Meridian has less than a one percent vacancy rate for industrial business uses and the Treasure Valley as a whole lags behind its peer markets. So, staff believes that the mixed employment zoning is more appropriate for this location, not I-L, to follow what the Ten Mile plan designates. The Ten Mile plan does mention light industrial as one of the appropriate uses in mixed employment. However, light industrial is defined by this plan as manufacturing and assembly. Also the Unified Development Code also has a definition of light industrial, which talks about a use engaged in the manufacture, processing, fabrication, assembly,

Item 1.

treatment -- blah, blah, blah, predominantly from previously prepared materials. So, this would be where your elves would create your widgets and they do the research on the widgets and they bring them to the warehouse and they -- they could store the widgets and trucks can come and get the widgets, but the whole point is the building and the making and the research and the development of the widgets and, then, the widgets can be taken somewhere else. Now, these definitions that I described are very different than what will be allowed in the light industrial zone district. Two different things. The definition of light industrial versus the light industrial zone district are very different. In that particular zone district warehousing, distribution, self storage and other industrial uses are allowed. But these uses are actually specifically mentioned in the Ten Mile plan as being in the industrial area, which is further west of the property directly adjacent to McMillan. I have put this comparison on just to help clarify, because it is a little confusing, but on the left would be mixed employment. These are the kind of uses that are recommended by the Ten Mile plan. They pretty much are exactly in sync what the plan recommends. On the right is what you see as light industrial zone district. This zone district allows numerous uses, which includes by right, warehouse, indoor and outdoor storage, car sales, contractor's yard, equipment rental, sales, and service and all these other types of uses as well. One of one of the major intentions of the Ten Mile plan is to improve the jobs-housing balance and there is some information that I have here. What you see on the -- on the right there, those numbers, what that all is is talking about what the existing jobs-housing balance is in this area. Basically ideal -- in an ideal world you would have one job to one house is what you are looking for. Anything less than that is less of the jobs-housing balance. Anything higher than that means you have more jobs than people. The existing jobs here is that this balance is presently about .2 and, like I said, one is the ideal one. The intended jobs of the Ten Mile plan talks about 20,000 and this -- the intent of this, especially with these employment centers, is intended to promote a reverse commute. As you know to the east there is many subdivisions that are building out now, hundreds of lots, multi-family over the Ten Mile and Franklin and is also like the Ten Mile-Meridian, the gateway, numerous types of mixed use and residential projects. This is a quick list to show you just typically what the typical jobs per acre is. So, for retail you get Ten Jobs, down to like warehousing, which would be five jobs per acre and self storage is very few, one or two per facility if that. West Franklin Road presently is two lanes with no curb or gutter. That's what you see here. Sorry. It's covered by that legend. And it narrows to one lane west of Black Cat. Black Cat Road, which you see here, is presently two lanes with no curb, gutter, or sidewalk. Black Cat Road is to be widened to five lanes between 2036 and 2040. West Franklin Road is planned to be widened to five lanes between 2026 and 2030 and the West Franklin Road over here is eventually to be signalized for State Highway 16, which is eventually going in just west of McMillan. So, the -- the Ten Mile plan, ACHD, both require north-south collectors and a local street. So, one of these collectors you can see purple here, this was provided by ACHD. Another one of the collectors is shown to run through the middle of the property here. Also ACHD is showing a collector running along the northern side of the property along the Rosenlof Drain. It's important to notice that there is actually another local street, which is shown on the land use map of the Ten Mile plan that's not, however, shown on the transportation plats on the ACHD. However, the -- the intent of this local street, obviously, is to connect between these two these two collectors. Staff has mentioned to the applicant that there

Item 1.

should be some sort of northern south connection through the middle of this property. The concept plan that's provided doesn't show this connection. It basically dead ends here at parking. So, although the immediate area -- area is mostly undeveloped, meaning directly to the east and, then, to the north and to the west is also still unincorporated Ada county, there is a significant amount of development that's already been built out or is entitled to that, like I talked about. 330 single family lots and 240 apartments in the Bayara Baraya Subdivision, which is to the east. There is a large amount of commercial and residential occurring at Meridian, Vanguard Village, Ten Mile Crossing and TM Creek crossing. Staff believes that the impacts of two million square feet of new commercial uses could have significant impacts on the surrounding neighborhood. Now, annexation -- annexations do not require a traffic study, but staff does believe just because of the size of this this is one of the things that the applicant should provide and it's one of the things we can look at to see if it's in the best interest of the city. We believe that the uses proposed would generate also a large amount of truck traffic. If you look at what's being proposed, the -- the numerous large buildings and the wide collector, even in our narrative it talks about to provide unimpeded access for trucks. So, you are going to get a lot of trucks going up and down these two lane roads on Black Cat and Franklin or trying to turn and go into Ten Mile. The Ten Mile plan has design requirements regarding the road network, streets sections, walkability and architecture. So, in general there is a Section C, which is sold on the Ten Mile plan, and that is what you see on the left here, this bottom. Collectors here are supposed to be multi-modal, meaning walking, biking, and driving with on-street parking and wide sidewalks and buildings that are brought up to the street. In addition, there is other design standards, such as variation in building height, ground floor transparency, three different elements to buildings. What you see here this little section, there is different sections provided in the Ten Mile plan trying to get an idea of what the building massing and the building height in each area is. What you see here on the right is showing the mixed use employment area that I'm actually referring to and, then, there is -- there is numerous pictures of the types of businesses that would be reflective of that. So, the concept plan that you see here reflects the east-west connector -- collector bisecting the property and being 60 feet wide. So, again, the -- the collectors are supposed to be 33 and that's to slow traffic and to make them more walkable, but what you have here is a 60 foot wide collector. This is easy truck access. There is no on-street parking. There are detached parkways, but all the landscaping is outside of this right of way and you can see much of the parking is along the collector. And, then, the buildings here -- what you see here are they maintain large setbacks. The large buildings don't contain the kind of ground floor transparency that's talked about in this plan to make it interesting and pedestrian oriented. They don't address the public realm and they are all one story in height, even though they are sort of designed to kind of look like two stories and and the Ten Mile plan, again, is recommending that there is different building heights, not just all one story. Now, the applicant's narrative states that due to security and visibility that the industrial uses of these buildings do not support windows across the entire frontage and certainly we understand that. As an alternative they propose enhanced glazing at every -- at the corner elements. So, staff believes that there could be design revisions that could improve the final product, especially some of the buildings that you see along Black Cat, the smaller ones. We think those could probably be reconfigured, reoriented and some additional things done to make those

closer to what the Ten Mile plan recommends. However, it's important to note that given the use that's being proposed, especially with the western part, the majority of it, we don't think that the applicant could design in the type of design that's being recommended by the plan, not -- not as an employment center. I think sort of the point that I'm making here is the Planning Commission should decide whether warehousing, distribution, and storage is appropriate in this location, because that's what I-L would allow. If they do believe that those kinds of uses are appropriate in this location, then, staff would still recommend that M-E would be the -- would be the -- the appropriate zone district and, again, some of those warehousing uses are allowed as part of M-E, they just can't be a standalone use, they have to be part of a larger operation. The applicant proposes to annex and zone the area to I-L, whereas M-E zoning would be more consistent with the plan. The applicant also proposes to annex about a one acre lot with the R-15 zone district just to achieve the contiguity to be eligible for annexation. There is a potential for significant loss of employment generating activity, monotonous architecture, and building massive street design, which is not consistent with what the Ten Mile plan shows. In addition, the traffic impacts of nearly two million square feet of new commercial on the local network have not been analyzed and staff wonders really if this is about time -- if this is time, as much of the -- the development to the east has not yet been developed, the roads aren't ready, and much of the infrastructure isn't in place. The plan says that the city knows -- like we mentioned as one of the remaining last large contiguous pieces of highly visible land within the city's area of impact. With that staff finds the application is not in the best interest of the city. Staff recommends denial and with that I will conclude my presentation.

McCarvel: Thank you. Would the applicant like to come forward?

Tiefenbach: I think we are -- I think we are fighting over the mouse. Hold on sec, Deb.

Nelson: Okay.

Tiefenbach: Okay. There you go.

Nelson: Okay. Madam Chair, Members of the Commission, my name is Deborah Nelson. My address is 601 West Bannock Street. I'm here on behalf of the applicant. So, you can tell from Alan's presentation we actually have met with staff for a long while. We are disappointed we have not been able to get staff support, but at this point we feel we have done as much as we can do to work through these concerns and we need to move forward with this application. I mean fundamentally -- and I think Alan said this as well -- this is a decision about what use can go here and staff's vision for this area is an office park. They asked us to look at El Dorado and Silverstone, instead of this industrial flex park. So, my presentation is really going to focus on how the light industrial zone and a modern business park with modular industrial spaces for businesses of all sizes is actually compatible with your Ten Mile plan and your annexation criteria. Tim Wolfe with A-T Industrial is going to follow me with some information about the market need and support for the proposed industrial flex used in this location. Little project evolution. On the left is our initial concept. Following the pre-app we made some significant changes. We

rotated the buildings to shield the views of the loading docks from the freeway and the collector. We enhanced the entrance and added this central amenity area. At significant expense we purchased and incorporated two outlier parcels along Black Cat to address staff's concerns that they may be isolated as rural residential in the county. We continued through discussions to evolve the site. We changed the majority of the buildings to single loaded and pulled them up to the street to minimize parking at the frontage. We divided the Black Cat frontage buildings into smaller flex incubator spaces. Added walking paths throughout. Improved the collector street east-west to match the plan and we added this fire station site, which we are in discussions with fire about. Here you can see the flex incubator spaces on Black Cat that will serve those small local and start-up businesses with adaptable office like space and here is the outdoor amenity space providing that attractive entry and also serving that as -- as that gathering hub for employees. So, a couple of key points about what the plan provides. Alan mentioned that the majority of our site is mixed employment under your Comprehensive Plan where you have the majority of one designation and mixed designations that calls -- that it's appropriate to use the majority designation, which we have done here with mixed employment. In the zoning compatibility matrix within the Ten Mile plan it specifically identifies light industrial as an allowed zone. All of the uses that we propose are allowed within that light industrial zone. The Ten Mile plan also calls for uses within the mixed employment area to provide a variety of flexible sites for small local or start-up businesses, as well as sites for large national or regional enterprises. We do this in a couple of ways. We have got the variety of building sizes that go all the way from 17,000 feet for the flex buildings up to what we have shown here as approximately 350,000 feet. That is well within the range in your plan for mixed employment areas that calls for buildings that range from 10,000 square feet to one million square feet. The other way we do it is we have demisable buildings. These are all -- demisable down to 2,500 square feet in the small, 18,000 or 25,000 in the larger buildings. This allows tenants to come in a variety of sizes of businesses and then when they grow they can grow into larger space. Ten Mile plan also talks about how one of its goals is to provide for industrial opportunities and consideration of the future improvements to Highway 16. Well, at that time that was long in the future and now it is immediately upon us. The land has now been acquired. This is a priority for the governor and this is expected to be built out in the next two to three years. The east-west collector through our site will provide us a direct connection over to McDermott and 16 as the property to our west develops. There is a lot of details. We don't have enough time to respond to everything that Alan just raised. I will just try to highlight a few things. He talked about how we didn't meet the -- the street section. In fact, we do. He said that we didn't meet it for one reason, because it calls for on-site parking, but, in fact, Street Section C doesn't call for on-street parking. We do have bike lanes. We should have delineated them better. The one addition we have is a turn lane in the center of this, but every other aspect is the same, parkway, hardscape, sidewalks detached. Again, a lot of details about design. Just to highlight a few. Alan talked about the building heights in his staff report. He says you have got to be two to four stories. In fact, for mixed employment it's one to four. We have one and two stories, but our building heights range up to the four story height in there. We also meet the setbacks. The picture illustrates this well. This was also in Alan's presentation. The picture on the left is straight out of the Ten Mile plan. This is our building -- this is from our larger building onset. This is -- our architectural

Item 1.

features are the same. I would say more attractive and you have got the same delineation, the same glazing shown. We meet all of the criteria for annexation. We have services at our site. Public Works has confirmed they have capacity to serve sewer and water here within the existing trunk lines. The area to our east is building out. Everything is either got a development application pending or it's owned by developer land. This area is quickly developing and appropriate for development now. In the end with all of these points, the city certainly can choose to approve light industrial zoning in this location and the industrial and flex project based on the guidelines in the plan and the Comprehensive Plan if this is a use that you determine is appropriate here. With that I'm going to turn it over to Tim Wolfe.

Wolfe: Hi. Tim Wolfe. 675 Sun Valley Road, Ketchum, Idaho. 83340. What I wanted to do is just -- we were -- staff -- we have heard repeatedly from staff that office is a more appropriate use for this location and what I want to do is just take a minute to talk about what the context was when the specific plan was adopted in 2007, what the context is today, how that has changed and how the two uses have changed pretty dramatically over that period of time. So, what's happened is that behavior has fundamentally changed the way both office and industrial use are used in America. Office space per employee has been cut in half since the Ten Mile plan was adopted. So, it means that for every square foot of office you have twice as many employees in it today as you did when that was adopted. E-commerce growth has more than tripled over the intervening period of time and it's had a pretty significant impact on the need for local industrial infrastructure. I'm going to -- I'm going to lay out a whole bunch of things here. You will get the slides. I'm not going to go through a bunch of details, but in the detail we have kind of laid out 2007 and '19 what happened. Obviously, we had an event -- a pandemic event in 2020 and, then, going forward, you know, what does that mean? What does it mean for office? What does it mean for industrial? How should you as a city plan going forward to address the ongoing needs. So, there is a lot of supply chain things that have happened and you will be able to read this. There is a couple of interesting points down at the bottom here that I'm going to pop up. In 2007 when the plan was adopted e-commerce was four percent of total retail sales. 2013 it was 5.8. 2020 it was 14. And it's very close to 20 percent now. So, it's quadrupled, online sales have, and that channel is all going through an industrial channel. On the flip side of that what's happened is that office square footage per employee in 2007 was 396 square feet. 2020 was 196 square feet and now what's happening is with people working from home more and more, that number is continuing to go down. So, the amount of land necessary to meet an office requirement for a number of employees has been cut in half and it's continuing to go down. So, what does that mean for office land in Meridian? More office land is not needed. Obviously, changing maybe forever and there is some things about studies by Price Waterhouse, Coopers and others about how that's happening. So, if you actually go look at the office in Meridian currently there is greater than a 70 year supply of office land that is currently on the market. Office that is existing and built in vacant or office that is in planning process right now. This town ignoring land that's zoned that's not on the market right now that there is also a significant amount of -- has more than 70 years of supply of office. So, we are confused about why office is being pushed on this site. So, what we did is looked at what's the average absorption of the last five years of object of office in this town and it's

about 200,000 square feet and that includes pre-pandemic when the office uses started to decline. Office space available for lease is about two point years -- two years of supply. Office projects in planning and process is another 3.2 years of supply. Office land listed as available for sale just in the City of Meridian is 415 acres, which is a 67 year supply of office. So, you know, why -- why we would build office in a market that where there is 73 years of supply of current land available didn't make sense to us. So, how does Meridian sit relative to its peers. And we shared this with staff. So, Meridian right now has a 14 percent office vacancy and Boise is eight percent. So, about half of what Meridian is. So, relative to Boise it has more office than it needs. But .09 percent industrial vacancy. So, there is zero industrial availability and what that means is people are leaving Meridian. Existing businesses right now -- we talked -- we talked to a business a day that doesn't have room to grow, doesn't have anyplace to go and talked to two businesses this week that are industrial tenants that are leaving your city because they have nowhere to go and Meridian compared to peer cities, it's 40 percent behind Boise in terms of total industrial square footage, 66 behind Spokane and it -- you know, Meridian is the second largest city in the state of Idaho, so it's -- our feeling is the city should be thinking of itself as a city and -- and from a planning perspective behaving that way as well and to -- I -- our feeling is it shouldn't be a badge of honor to be 60 percent below your peers in terms of the amount of industrial space you have available. So, there is almost no current inventory of land available for industrial. There is no vacancy. There is no room to grow. Future land is many years out. There is a significant amount of infrastructure that's got to deliver that future land and staff itself has said that that is a long ways out. As I mentioned, we have been talking to existing businesses. I spoke with eight this week. They are all growing, they all want to stay here, they all have nowhere to grow. Two of them are leading that I spoke with this week. In addition, we have other tenants that want to be in this location that are high paying jobs and high density jobs relative to the industrial space and so I think -- and I just want to leave with a couple of questions for everybody to think about, which is, you know, are we planning for a diverse and resilient economy by providing all the needed space for the second largest city in Idaho to grow? Are we intelligently responding to the escalating need for -- that e-commerce is driving and that the supply chain issues are driving? And are we really thinking about the declining need for office space, because it has declined pre-COVID and nobody knows what this means post-COVID, other than the fact that more and more people are going to work from home and do we want to force businesses and employees that are successful out of this community? Because that's happening today. That's it.

McCarvel: Okay. Thank you. Any questions for the applicant or staff?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Question for the applicant. Out of the -- all the folks that you talked to did any of them submit any kind of written testimony to the fact that they are leaving the community?

Wolfe: No, but I'm happy to get that -- provide it.

Seal: That would be a good piece of information to have.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: What -- you said that the -- the companies moving out are moving out because of space. What -- what are the space needs in terms of general square foot per business and what does that look like?

Wolfe: So, the eight that I spoke with this week there was a total of just under 300,000 square feet that they occupied with those eight tenants. So, it's, you know, an average of 35,000 feet or so apiece and they ranged from as low as 4a ,000 foot tenant up to as high as 50,000 foot tenant and the employee count for those 300,000 feet was about 300 employees. So, about one per -- it was actually higher employment per acre than what was shown here by about double. So, there is a lot of variability in that employment and the two that were leaving -- one has 30 employees, one has 20 employees. They both really want to stay in Meridian. One of them has already signed a lease to move out -- outside of this town and I'm sure he would write a letter saying why. He grew his business here and wanted to stay here, but at the time there is nowhere to go.

Lorcher: Madam Chair?

Simison: Commissioner Lorcher.

Lorcher: Knowing that the infrastructure for this particular area, Black Cat and Franklin, are not even available yet with, Black Cat not even being widened until 2036 to 2040, why now to change it to light industrial?

Wolfe: Well, there is -- there is need and as I mentioned, you know, you are going to have existing businesses leave, let alone new businesses. Actually, the intersection at Black Cat and Franklin is a fully developed intersection, so it's built to handle the five lanes that are going to go along Franklin. So, the intersection itself can handle the traffic and we have a traffic study that is well along the way and staff has communicated a little bit with ACHD on that and there will be a traffic study that will be complete prior to any building permit issued on this site. It's our -- we acknowledge and understand that traffic has to be resolved, so -- and part of our intent is to enhance Black Cat from the site up to Franklin.

Lorcher: And the three homesteads that are currently there you purchased?

Wolfe: We purchased the two that are -- that end up squaring up our frontage on Black Cat.

Lorcher: And the one across the street?

Wolfe: The one across the street is just part of the annexation.

Lorcher: So, that home will remain for now?

Wolfe: Correct.

Lorcher: But the other two will be removed?

Wolfe: Yes.

Lorcher: Thank you.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I have a question for Bill. Since you are probably the only one here that was involved with the Ten Mile plan initially, was State Highway 16 even considered in the plan as part of this Ten Mile specific plan?

Parsons: Yeah. Commission, Commissioner Yearsley, I wasn't part of that charrette when that came through, so I don't really have a definitive answer for you, but what I can tell you is M-E zone wasn't in play when that plan got adopted and so the matrix that the applicant brought up showing industrial and, then, all the different commercial zones that were in there as an appropriate fit, M-E did not exist and we have amended the code since, then, to -- to accommodate M-E zone to go along with that land use and that's why staff was pushing or felt that M-E was the more appropriate zoning for this particular property. But we can certainly look through the plan a little bit and dig into that and see if we can circle back on that discussion for you.

Yearsley: Okay. I was just kind of curious with that, just because the -- the use of this area kind of has a potential change based on access to the interstate just a mile away.

Parsons: Well, if you look at the -- the land uses that -- as you transition farther to the west and connect to Nampa, you see we do go from more of a business park setting to an industrial area around that interchange. So, one would -- would presume that it did contemplate highway -- or State Highway 16 happening, so that you could get that truck -- truck traffic happening and try and avoid that conflict with what's occurring as you transition to Ten Mile.

Yearsley: Okay. Thank you.

McCarvel: Any other questions for staff or applicant?

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: So, if you were proposing -- because I wasn't here for the Ten Mile interchange either conversation. So, if you were proposing this to be more office space off of Black Cat, if a company wanted to do light industrial or manufacturing, where do you -- where were you envisioning to go in the City of Meridian?

Tiefenbach: So, Alan Tiefenbach, associate planner. I was just kind of going through the Ten Mile plan. It does actually talk about Highway 16 in the future improvements and how this employment district was supposed to be buffering and residential from the industrial that was supposed to be directly adjacent to McDermott. So, if you look at the -- the land use plan, which I think I have here, on all of the industrial -- what you will see there is to the west and that's intended to be directly adjacent to McDermott and eventually to Highway 16. The mixed employment area is supposed to, first of all, provide a buffer and, secondly, to provide jobs to help the job balance from the numerous different residential subdivisions that are building out to the east.

McCarvel: Any other questions for staff or applicant? Okay. Thank you. Madam Clerk, do we have anyone signed up to testify on this application?

Weatherly: Madam Chair, we have one. Corinne Caddis. Madam Chair --

McCarvel: Sir, did you want to come forward? And, please, speak right into the microphone and state your name and address for the record.

Eggers: Yes. Thank you very much. I'm Drew Eggers at 2256 North Waggle Place, Meridian, Idaho. 83646. I apologize I got here a little late, so I wasn't able to sign up. So, thank you for giving me this opportunity to speak. I'm a fourth generation Idaho farmer and I grew up on that property and the past 25 years farmed it for my mother and the family and saw over the years the changes that have come around that property. Well, it started back when -- in the early '60s when the freeway went through that property and so I have seen a lot of changes over the years. I -- we accept the Comprehensive Plan that has been overlaid on this property by the area of the City of Meridian or the powers to be and with the growth happening in this area it's bound to -- bound to fulfill or come to fruition, I believe. Light industrial -- this property every year is becoming harder and harder to farm. It was farmed last year. I farmed it prior to that for 25 years. With the growth in this valley machinery going down the road, all the obstacles from farming we were -- stopped aerial application because of population growth. So, I mean I could talk a half an hour on that and I won't, but -- but the -- the Comprehensive Plan for the way things are growing I believe is acceptable to my -- our family and -- and a-- nd the way it's being planned. My family has been involved in Meridian before my life, being a fourth generation farmer. My grandparents came to Black Cat Road in 1921. It wasn't Black Cat Road then. It was changed to Black Cat Road in the '30s when my father -- grandfather named his farm the Black Cat farm for selling registered Holstein cattle and, then, in the '50s everybody called it Black Cat Road because of the sign and so they put Black Cat road up, the county did, instead of Post Road. So, that shows the history we

have out there. I can remember in the '50s Black Cat Road being gravel. We have also been involved in the community over the years. Myself going to the Meridian schools. All community functions. Being involved in the church in this area is part of what my family has done for multiple generations. So, at this point you see we do have a willing buyer to come and do what the Comprehensive Plan wants and so this is why I'm here today to ask for -- for approval of this project. If there is any questions I would be happy to answer them.

McCarvel: Any questions? Thank you.

Eggers: Thank you very much.

McCarvel: Madam Clerk, anybody else that was signed up?

Weatherly: Madam Chair, no one else was signed in to testify.

McCarvel: Okay. Then let's move on to the raised hands. Sir. In the brown jacket.

Goldthorpe: I wasn't going to do this. My name is Kent Goldthorpe. I live at 1355 South Black Cat Road, just above the proposed annexation and rezone. Number one, I'm fully supportive of anything that you decide to do, but I would like to give you a little bit of the rest of the story. I'm giving testimony today as a private citizen, but you probably already know that's not necessarily what my day job is. We have talked about -- a little bit about Highway 16. The Ada County Highway District has absolutely no plans to connect to Highway 16. We don't have any money for it. When the legislature in their great wisdom passed the extension and funded it, they left a 34 million dollar unfunded mandate for those of us living in -- in Ada county to fund to get the loose ends tied up. Right now one of our biggest -- the biggest sense of urgency we have about Highway 16 is to try and convince the legislature to do the right thing and fund the rest of it, so that you don't have to and I don't have to, because it would just be taking money away from every other entity in this -- in this county that we are already ten to 15 years behind on our infrastructure improvements in Ada county and you have probably heard that many times. Black Cat Road, you know, what -- what our plans are as far as when it might be -- might be extended or expanded or improved. That will all be based on whether or not we have the funds and right now we are -- are deferring, we are delaying and we are erasing a lot of projects in our Comprehensive Plan because of the funding that we no longer have. The inflation that has hit the construction industry and in particular building roads, it's almost doubled the cost of building roads in the last four years and that's a lot higher inflation than you see in the general economy. I'm only saying this because you might as well know that whether you rezone this to mixed employment, which I think would be just absolutely spectacular, or light industrial, which, according to the Ten Mile plan and your staff report, isn't necessary -- we will support whatever you do, we just might not be able to afford any of the improvements. Thank you very much. Do you have any questions?

McCarvel: Thank you. There in the back.

Bottles: Madam Chair and Members, Mark Bottles, real estate broker. 839 -- 839 Bridgeway Place, Eagle, Idaho. I almost forgot my address. Good evening. I have been a broker in the community a long time and have worked with a lot of our tenants in the valley and -- local tenants and companies that have built up and grown. The one thing that I hear all the time from our development people at the city, for expansion is calling me saying, hey, we got to save industrial ground, we need more industrial ground, and I hear it all the time. We have a knife -- a business that they manufacture custom knives in Eagle -- I mean in -- excuse me -- in Meridian by Pine 43, looking for space, looked for years, going to have to leave the area and they are manufacturers, good paying jobs, can't find suitable industrial space. Silverstone and El Dorado Business Park -- I have been around a long time, thirty years in this valley, big, parks still not built out with office. Silverstone. We started selling apartment ground in there now. The dirt's converted to apartment ground, because we can't get enough office space and that what I'm stressing here is we need office space. But we have so much of it that's not getting built out and that's not what is needed and I'm fine with the zoning of the apartment ground, but in that business park you have UPS, because distribution in Garden City, we need it right close to our houses where it's coming and not running, you know, all the fuel and all the people running clear across town. So, they are in the business park, as you probably know, in Silverstone in big buildings with parking those trucks inside those buildings, need to be in there, because there is not enough space in a traditional what I call industrial park. Gemtech, which is owned by Smith and Wesson, they make gun supplies is in Silverstone Business Park and it's really an industrial use, but it has gone in there and so they came in and -- out of Eagle -- again, Eagle didn't have enough space and moved out there. I say this is -- and even in the back of El -- excuse me -- El Dorado Business Park, we put apartments in the back of that trying to fill up that park and do some things. Great business park. I understand we got to be and move the way the markets move in that, but the industrial market, which the economic development in Meridian keeps telling me we can't give up space, we need more space. We don't have places. We are the second largest city and we don't have enough ground for that and where they want to be is by the freeway. They don't want to be in the middle of the town, they want to be seen by the freeway distribution. That's the center of the valley. When you have Ten Mile interchange, when you have the McDermott interchange, which there is a push -- I know that from the state level. I'm behind it. They have been making their acquisitions as we speak and -- and they are moving very fast through there and as we say, it's never fast enough, but there is a press to get it done. All I say that is just representing tenants in the valley being in the valley, we need -- we need space like that here. We need it for jobs for our kids, for another folks in here. So, anyway, thank you for the time.

McCarvel: Thank you. And do I see another hand over here?

Cleary: Thank you, Madam Chair, Commissioners. Tori Cleary, economic development administrator. From an economic development perspective I would say that staff does prefer zoning that's consistent with the Ten Mile plan, which ensures that balance of the jobs to housing ratio, which was provided for in the comp plan. The comp plan was a several month long process that included significant community engagement. Apparently they felt that mixed employment and low density employment was appropriate for this

area and they look at the city as a whole to ensure that we do have that jobs to housing ratio that's appropriate. The COMPASS development review that's in your packet estimate 620 jobs for this 129 -- excuse me -- acres. Again, that's 0.2 is the ratio and the COMPASS desired ratio is one to 1.5. Along with Mr. Bottles I will be the first to admit that we -- yes, we really do need industrial. We have worked with three different companies in the past few months to find spaces to accommodate their expansion here in Meridian and I'm happy to talk to any other industrial business who wants to expand and we will do whatever we can to find a spot for them. We do have a lot of in-fill sites that might be appropriate and as Alan said, the mixed employment zoning does allow for light industrial uses that are ancillary to other operations, much like I guess you could say the Scentsy property. Regarding specifically the Ten Mile area plan, I think the vision of that was a mixed use area that would provide jobs and living spaces. As a comparison, although the zoning is different, at Ten Mile Crossing when they were built out with ten buildings -- this was almost a year ago -- that 50 acres that has been developed to date provides over 3,600 jobs, with an average salary of almost 50,000 dollars a year. Let's see. So, the comp plan, yes, not only do we need a -- an appropriate mix of sectors within our commercial use zone properties, that being industrial, commercial, mixed employment, we also need to ensure that we have a mix of uses within each sector. So, manufacturing -- we have got advanced manufacturers. We have got technology manufacturers. Right now, yes, e-commerce is huge. We have significant distribution facilities currently on Franklin in the Ten Mile area, just to the east of Ten Mile, we have got FedEx and we have got 140,000 square foot Amazon last mile facility that will open later this year. There is more industrial coming up, but like Mr. Bottles pointed out, it's not ready today. The infrastructure is not in place. There is more, as Alan pointed out, to the west of this site. There is some to the north and there is also -- there are also properties in The Fields area in the city's northwest quadrant. But, yes, that will require infrastructure in the future. So, I will stand for any questions if you have anything for me. Okay. Thank you.

McCarvel: Thank you. Yes, Alan.

Tiefenbach: Alan Tiefenbach, associate planner. Just -- just a point of clarification. I want to mention the -- the discussion about the knife manufacturing and the gun manufacturing would be allowed under M-E. That would be manufacturing and processing. This is why I put the comparisons. What wouldn't be allowed in manufacturing and processing would be warehouses as a primary use, outdoor storage and distribution. But all these making and developing and shipping things -- parts of guns or knives would all be allowed in the mixed use employment and office is not the only allowed use there. There has been a lot of focus on office, but if you look what's on the left there is a lot of different uses that are allowed in M-E that would be allowed under the Ten Mile plan.

McCarvel: Thank you. Anyone else wish to testify on this application? Anyone online, Madam Clerk, that you see?

Weatherly: Not I see, Madam Chair.

McCarvel: With that would the applicant like to come back.

Nelson: Thank you, Members of the Commission. Deborah Nelson again. A few points in response to Mr. Goldthorpe, just -- just to be clear. In ACHD's report they do note that Franklin is funded to be widened to five lanes in 2026 and that will connect directly to the planned improvements for Highway 16 and was -- as was noted Black Cat and Franklin are already built out to its full configuration to accommodate that widening. The Fields industrial area -- I guess just to touch on a few comments from Tori Cleary. The Fields industrial area is a long way off, not just from time, but also from millions of dollars in infrastructure that is going to be needed. It is a great plan for the future and it's great to see Meridian planning for the future, but not at the expense of avoiding the use of the land that you do have available for industrial now and you are going to need that, as well as The Fields area, really, to accommodate this demand that is already higher than your supplies available. She also talked about how -- you know, the vision of the Ten Mile plan was really to accommodate this -- this living, with jobs all in one area and that's true, there are areas within the Ten Mile plan that that is called for together, but in the -- in the mixed employment area that's not the case. In fact, even retail is discouraged within that area. It's really another opportunity for creating space for businesses, so those employees can live near the commercial and the residential that it's just across the street. So, it creates that integration within the larger area, but it's not intended to be all integrated within one site. I think that the -- the information we try to communicate to you tonight and sorry if it's kind of rushed, there is a lot to respond to -- was that within the plan there is flexibility and you guys know well that comprehensive plans are guidelines, not code. There is always within any designation multiple zones that can be appropriate. Certainly office, certainly M-E is an appropriate zone, as well as the light industrial that is specifically delineated within your plan as one of the appropriate zones. You have a user that's in front of you that is responding to market demand and they are presenting an industrial park that is consistent with the zoning that's called for in your plan. They have laid out details about how they will meet the design elements that are appropriate for that facility and will provide the jobs, the business variety -- the variety of businesses that will be served all for the greater good of Meridian and in the vision of the Ten Mile plan. We ask that you consider that. We do know that you don't have findings before you for recommending approval. We recognize the situation we are in that given what's been recommended to you that we may just be on a course of going to Council with a denial, but we did want to present to you why we are pursuing this, the justification for the application and hope that you may be able to weigh in with the Council in your recommendation about whether this is an appropriate use here and with that I stand for questions, unless there is somebody else wants to add to that.

McCarvel: Anymore questions for the applicant?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Quick question. I'm -- I mean we have -- there has been a lot of examples of exactly

what wouldn't be -- what you wouldn't be able to do with M-E, instead of light industrial, but the other side of that is what -- what is it about the mixed employment that he would not be able to do -- that this applicant wants to do?

Nelson: Madam Chair, Commissioner Seal, it creates additional conditional uses and so if you have some smaller tenants that want to expand and, then, they, for example, trigger into the distribution, then, they would suddenly need to get into a conditional use permit. We need to provide that variety right from the get go to have the flexibility to allow all of those uses and, again, I think that is called for with your Ten Mile plan where they talk about all the way down from the smaller local businesses up to the large national scale businesses and that's more accommodated by your industrial -- light industrial zone. So, those are the -- that's the -- the business plan we want to put together that accommodates that entire range.

Seal: Okay. And, then, you made the statement that you have proven that you will be able to provide the jobs, but the COMPASS report basically says you won't. I mean the -- the footprint of this is going to supply about 620 jobs. I think they are looking for more like 3,000.

Nelson: Chair -- Madam Chair and Commissioner Seal, a lot of what COMPASS is looking at, too, is the existing development with residential versus what jobs are there. However, you have got large areas within the Ten Mile plan that are already designated for M-E and if you want to go into this detail we have actually analyzed it in that time to get to it. All of the jobs that are available already -- even not counting this site within the Ten Mile plan will greatly exceed the 20,000 jobs within that -- that's the goal of the plan. We also will have more jobs than COMPASS estimates and I think just the examples that were given tonight by Tim, talking about the businesses that he's been visiting within Meridian that are -- have these employees that don't have places to go is already at a greater ratio than that number reflects. I think we would also like to be able to attract the type of large employers that are coming and looking for this type of site, but don't have it ready and they need something that's already available to them. They make decisions too fast to wait for it to be developed, something like The Fields area.

Seal: Thank you.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I understand where Commissioner Goldthorpe is coming from with not having the infrastructure and what they are not funding with this -- State Highway 16, but was there supposed to be an interchange at Franklin with the State Highway 16? Do you know if that's the case or what -- what was planned at that -- because I know that there were some intersections that were supposed to be interchanges and some were supposed to be just overpasses and I wanted to confirm that that is an interchange and is planned to be constructed with the State Highway 16.

Nelson: Madam Chair, Commissioner Yearsley, that's the case.

Yearsley: Okay.

Nelson: The McDermott line that comes down there and where Franklin comes in it will connect.

Yearsley: Okay. Thank you.

McCarvel: Okay. Any other questions for the applicant? Okay. Thank you.

Nelson: Thank you.

McCarvel: With that can I get a motion to close the public hearing on H-2021-0064?

Lorcher: So moved.

Seal: Second.

McCarvel: It has been moved and seconded to closed public testimony on H-2021-0064. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: You know, my first look at this I was kind of like, wow, that's a lot of space, but -- but as you start to think about this -- I mean State Highway 16 is coming like fast and it's going to come hard and fast and this is a great area to provide some good large industrial space for businesses. With my job I look and see what's happening throughout the valley and as I drive out of the -- out of Boise going towards Twin Falls area I have seen several industrial complexes go up within the last year to two years where no house is round and so what you are doing is you are causing all this industrial employees having to go travel long distances to get to work. I think with State Highway 16 here I -- I would support that whole mile from Franklin to Black Cat, from -- to be all industrial or at least some -- a good portion of it, because I think there is a huge area of Meridian that we don't have industrial land identified that I think we could stand to use some -- some large employers to come in. So, that being said, I kind of was swayed that I think this would be a good opportunity for -- for some industrial space. I like the way they have oriented the buildings. I look at what -- what Amazon did and with that building paralleling the Interstate is just -- it's just this huge eyesore sticking out, so -- I don't know about an eyesore, but it's just the mass of that is just monstrous and so I think with making it perpendicular to the interstate will break it up and make it not look nearly as bad. So, I would support that -- this application.

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: I wanted to be clear on what -- what we are voting on tonight. We are voting on annexation and an I-L or just an annexation?

McCarvel: Yes. They are bringing -- the annexation is coming in with the I-L and that R-15 is just that one little -- under an acre on the east side on Black Cat. And that was kind of my question too, Commissioner Seal, is what is it -- so special about the I-L? What is -- because it seems like when they -- the applicant was talking about the project it seemed like almost everything they wanted was fitting in the M-E as far as the vision of what it was. I'm like you, I'm like what it -- what was the big hang up? And I did -- I -- keeping -- getting more land for industrial use I think is -- is appropriate. We seem to be losing it in a lot of -- I know we are trying to protect it every chance we get, but I don't know that there is enough of it the way the markets have changed since we did -- since this was originated.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I'm a little torn on this one, to be honest, so I -- you know, when I first looked at this, because this was continued, I just breezed over it and I was like, okay, cool, we are going to put in something that's not houses. Perfect. You know. But I mean looking at it more, as far as the Ten Mile plan -- I mean if we go too far outside of that, then, that just sets the precedent for everybody else to kind of come along and try and do the same thing. So, I -- I trust that staff is looking at that and they are scrutinizing it, as well they should be, because we are trying to do this -- do it once, do it right and make sure it fits for, you know, all of Meridian for a really long time. Hopefully for a long time after we are done doing this as individuals. Some of the things that concern me on this is there is no traffic study. So, it seems like this got here a little prematurely. I know the connectivity of the State Highway 16 will start in 2026. This will, obviously, be completed long before then. So, with no traffic study and the connectivity to the State Highway 16 not coming for a while and somewhat in question on some things, I think it's a little rushed, maybe. Too early. The mixed employment, instead of light industrial, to me that kind of comes down to control. I understand that you want tenants to be able to expand on -- on a whim, but at the same time I don't think applying for a conditional use permit is something that's going to be -- is going to sway anybody from doing so in a building that's going to allow them to do it. So, I think as a -- if I were a business owner and that was one of my choices were to move or to apply for a conditional use permit, I would be filing the paperwork. I am concerned about the jobs piece of it. I mean Meridian simply needs more jobs, period, and a story. So, the fact that this would bring jobs is a really good thing. The fact that it is industrial, we do need industrial. Also very advantageous. The fact that it's not going to bring in as many jobs as we think it's going to bring in -- or that's the opinion of staff and -- and others, that's very concerning. I mean Meridian is -- you know, we are -- we

are kind of suffering from being too successful, basically, so -- I mean we have a lot of houses that are very expensive. We have a lot of businesses that are aching for people to go to work for them. So, that's -- that's a problem. We need to create as many jobs as we possibly can in Meridian in order to keep the people that live in Meridian working in Meridian, which will feed -- can feed into itself. So, all that being said, I mean personally I would be more inclined to give this a continuance, just so we could get a traffic study in. The one thing that I will say that did bother me about this was the -- the little sliver of land that's being done in order to annex the greater property. That seems like you are kind of slipping wanting to get away with it myself. So, that's just my personal feeling on it. I don't -- I think that, basically, the idea is to develop land as it becomes contiguous, not to make it contiguous by a technicality in order to bring in something this large. So, I personally think a continuance might be in order in order to get a traffic study in, to get more solid information on the connectivity to State Highway 16, to understand a little bit more about what the employment would look like in something like this. I mean I understand the flexibility that would be -- that the applicant is wanting in this space, but I think they could provide that and still stay within the mixed employment designation.

McCarvel: Yeah. I'm curious as well as to -- I know there was a comment made about -- that they are going to be assisting in the improvements in Blackhat, but I would like to know exactly what that was and maybe see more of that. Commissioner Grove.

Grove: Thanks, Madam Chair.

McCarvel: Sorry.

Grove: I -- I agree with a lot of what's been said so far by my fellow Commissioners. I have probably a slightly different take on a few things, but I don't -- I wouldn't be in favor of a continuance just for the fact that it sounds like they have gone back and forth with staff enough that at this point for -- for the sake of staff and for the sake of the applicant, I think either approval or denial is probably a better course of action, just because I don't know that we are going to get to -- I don't know that more information will necessarily sway my opinion on this at least and so, you know, I -- I think leaning on the expertise of the staff, of our other community agencies, I would be in favor of denial for the simple fact that I -- I think that as we zoom out of this area and look at what the light industrial for this hard corner -- or close to this hard corner is compared to what mixed employment is, I think we need to be thinking a little bit more for the long term health of the community versus the short term needs of what's being told to us right now from a planning standpoint and so I have a hard time -- I think we do need a lot more industrial, but it -- also don't want to sacrifice an opportunity to get higher employment and kind of look at this a little bit different. Also I think the thing that I'm was worried about the most is what does this look like from the freeway just in terms of -- if we have light industrial and all of a sudden we have just warehouse storage facilities, what does that -- what does that do to the look and character of that general area? So, just kind of being cognizant of that as we go forward. You know, I think Commissioner Yearsley mentioned the giant Amazon facility that's down the road. I don't want to see, you know, a monstrosity like that right off the freeway leading into all these homes, so I -- I can't get behind this one, unfortunately.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I forgot to mention -- so, our company is -- is having to move offices. You know, we are a professional office, but -- and so we have looked -- we are -- we are needing about 15,000 square feet of office space and that size of office space is really hard to find, except there is -- there is a lot of office space right there off of Eagle Road and we have debated on it. It's beautiful office space, but my -- my employers have decided to go off of Vista, because they are afraid of -- they don't like the traffic on Eagle Road, especially with Eagle Road not even being built out yet. So, I think the -- one of the big drawbacks for Silverstone and those areas are people -- they are great areas, but people don't want to go there, because traffic is so bad that they don't want to have to fight that traffic and it's just going to get worse. I know Ten Mile right now is really bad, because we are putting so much traffic out there. They want a lot of jobs in this area, which is going to cause more traffic, so I don't know, it's a -- it's a hard one to manage with jobs and traffic and where do you put things and so my feel was this being a light industrial may not have the - the intense use of jobs, but it is a good spot for -- for that. So, that's my take.

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: I agree with Commissioner Yearsley that, you know, Highway 16 and -- and eventually this would become possibly -- you know, whether it says mixed employment or light industrial, but I think the biggest complaint that I hear among my peers is that the infrastructure in Meridian does not support the businesses that we already have and that why can't we put the infrastructure first and the business second and I know it's a circle; right? You need the people to be able to have it and all of that at the same time. But I -- I don't have a problem with the idea of light industrial being here, but I think we are too soon and, you know, I understand that the intersection of Franklin and Black Cat is already built out, but Black Cat as a street is not and if you have ever gone to Compass Elementary School between the hours of, you know, 8:00 and 9:00 and 3:00 and 4:00, you will understand -- you will understand why and adding more industrial to this area when the infrastructure is not there is probably not in the best interest of our city. So, I don't mind the project, but I think we are too soon.

McCarvel: Okay. Comments? Motions?

Seal: Madam Chair?

McCarvel: Commssioner Seal.

Seal: I will throw a motion out there and -- I mean at this point I'm going to trust staff and that's -- you know, for the most part I can see good and bad from either side of it. That

said, I mean when I'm highly in doubt or conflicted on something I generally tend to back staff. I mean they do this -- you know, this is their job, this is what they are paid to do, and I think they do a pretty good job of it. It would be nice if we could control the roads, we could control the infrastructure, things would probably be a lot different, but we don't. So, with that, after considering all staff, applicant, and public testimony, I move to recommend denial to City Council a file number H-2021-0064 as presented during the hearing on November 18th, 2021, for the following reasons: That mixed employment is a better use than the light industrial that the applicant is asking for. The jobs -- the amount of jobs that this will generate will likely not meet what COMPASS is looking for. The COMPASS study is looking for. The Black Cat Road is likely not going to be able to support the uses that are defined in here and we won't know that, because there is no traffic -- traffic study at this point.

Grove: Second.

McCarvel: It has been moved and seconded to recommend denial of H-2021-0064. All those in favor of denial say aye. Opposed?

Yearsley: Nay.

McCarvel: Recommendation of denial passes.

MOTION CARRIED: FOUR AYES. ONE NAY. TWO ABSENT.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: Before we start the next one can we do a little bathroom break?

McCarvel: Absolutely.

Yearsley: Thank you.

(Recess: 7:30 p.m. to 7:37 p.m.)

5. Public Hearing for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.

- A. Request: Annexation and Zoning of 80 acres of land with a R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 294 building lots and 25 common lots.

McCarvel: Okay. All right. Next item on the agenda is H-2021-0074, Jamestown Ranch Subdivision and we will begin with the staff report.

Tiefenbach: Alan Tiefenbach, associate planner with City of Meridian. I'm rifling through my work here. Be right with you. Okay. This is a proposal to annex proximately eight acres with the R-8 zoning district and this would include a preliminary plat for 294 building lots. So, the property, again, is 80 acres. It's zoned RUT presently in the county. It's located at the southeast corner of North Black cat and West McMillan. So, the Comprehensive Plan recommends medium density residential for this property, which is eight to 12 dwelling units per acre. This would, again, allow 295 building lots, which would be -- this was just a tweak more than three dwelling units per acre. So, on the low side of this. There are presently two single family residences on the property. Both of those are going to go. The proposed project density, like I said, has about three and a half dwelling units per acre, which would meet the requirements. Minimum lot size -- the smallest ones would be 4,900 square feet. These are comparable sizes to the adjacent subdivisions. This development proposes five points of access. So, there would be one on McMillan here. There would be one here off a Black Cat. There is two stubs here to the south and, then, there is one stub there to the east. The primary access would be a collector off of West McMillan, which is what you can see here. It's got this strange little S curve here. This is about midway and, like I said, there is an S curve here, which I will talk about just in a second. The other three accesses would be local streets. So, this would be a local -- all of these would be local streets. This would be the collector running through the property. One thing to note -- and this has really been the only issue, if you want to call it, that we have worked through with this one, would be North Grand Lakes Way and that, again, is this main collector. The -- the ACHD master street map actually shows this collector aligning with Joy Street, which is here. It's actually over here. The -- the applicant proposes to shift this whole access about 900 feet to the west, so it doesn't actually align with Joy Street. According to the applicant -- they can probably go into more detail about this -- this is because there is existing utility poles obstructing the -- the alignment. We talked to ACHD -- we haven't gotten a traffic study from them yet, but we have had a lot of correspondence with ACHD sort of informally in e-mail and they have already told me what the -- what the issue is, if any, are going to be, so there aren't any surprises, but ACHD does support the shifting of this alignment. There was some discussion from Brighton, who is the one that's developing the property to the south. Originally they weren't sure if they were in favor of this. After talking to the applicant and ACHD they are now in favor of this. The only other comment I have heard is the property owners that live directly here to the north, they will have that access directly in front of their house, so they are not in favor of that, they would have preferred it to shift to the east. This proposes ten foot wide pathways along the north, which would be along here. Sorry. Along the top here. And along this collector. This would actually be a five foot wide sidewalk and that's because all the rest of the subdivisions to the south also have five foot sidewalks, so they would tie into the same size. This came in before our new regulatory changes and based on that they were still required to only provide ten percent open space. In this particular case they are proposing 14.5. It's actually a little more than that. This is the open space exhibit that they provided to us. One thing to note is what you see in yellow there, the collect -- or, excuse me, are the arterioles and based on our

regulations they can actually credit one half of the arterial buffers for qualified open space. They did not do that in their calculations here. So, based on the calculations that they gave us, which, again, come out slightly less, they are at about 14 and a half percent. There are required for this development are four amenities and what the applicant proposes are two large parks -- so, park number one and park number two, and each park has a clubhouse and a pool. These parks exceed the additional 20,000 square foot that is required for -- to be called an amenity. So, these parks and those club houses, those would count as four and, then, the additional land would actually count as two more amenities. So, that's six. In addition to that they have got a pickleball court that is shown here, which is what you see here. There are additional pocket parks shown here. There is a pocket park here. There is another one, but not -- I can't do it on the fly. There is also additional pathways that were not required and the way that the code reads you can count a pathway as an amenity if it is not a required pathway. So, in this particular case they are showing additional pathways. So, there is significantly more amenities than are required and they are providing quite a bit more open space than they would be required. Again, the only thing I have had comments about was about that alignment of the collector. With that staff recommends approval and would stand for any questions or comments.

McCarvel: Thank you. Would the applicant like to come forward?

Jantz: Good evening, Madam Chair, Commissioners. My name is Josh Jantz with KM Engineering 5725 North Discovery Way, Boise. I'm here on behalf of the Walsh Group. We are pleased to present the Jamestown Ranch Subdivision, a single family residential community, with an age restricted component at the southeast corner of Black Cat and McMillan. The approximately 80 acre site is near existing and planned single family residential subdivisions and commercial uses. Consistent with the City of Meridian's Comprehensive Plan, Jameson Ranch proposes single family residential housing styles, including traditional detached and alley loaded homes and an age restricted component. Jamestown Ranch features enhance walkability and pedestrian connectivity throughout and the surrounding subdivisions and services in the area and desired amenities for residential residents, including two clubhouses, pickleball court, and a pond. Applications for this project include annexation and rezoning -- or zoning to the R-8 zoning district with a preliminary plat. We have held one neighborhood meeting, participants in various discussions with city staff -- participated in various discussions with city staff and ACHD and have researched adjacent properties and recent approvals. Approximately five neighbors attended the neighborhood meeting and discussion centered on the number and the density of homes, proposed amenities and open space, proposed access points, McMillan and Black Cat, and other subdivisions being constructed in the area and the rate of growth and the area in general. The property is approximately 80 acres. It is located at the southeast corner of McMillan and Black Cat Roads and it's currently zoned RUT, rural -- rural urban transition in Ada county. Jamestown Ranch is compatible with existing and planned land uses surrounding the property. The property is bounded by north -- to the north by McMillan Road, an arterial roadway, and Daphne Square Subdivision, zoned R-15 and single family homes in the county zoned RUT to the west, by Black Cat Road, an arterial roadway, and Oak Creek Subdivision, zoned R-8, and to

the east by Volterra Heights Subdivision, aka also known as Bridgewater or Bridgetower, zoned R-8, and to the south by the Quartet Subdivision, zoned R-8. Jameson Ranch will connect with several stub streets provided by adjacent subdivisions to the east and south and will complete vehicular and pedestrian connectivity planned in the area. Jamestown Ranch aligns with the intent of the Meridian Comprehensive Plan future land use designation of medium density residential by providing a premier community at a gross density at the low end of the three to eight target density range. As this community proposes to provide age restricted component, as well as traditional market rate residential lots for various kinds of families, objective 2.01.01 is fulfilled by offering housing options suitable for different household sizes and lifestyle preferences. Goal 2.02.00 supported through the community with the provision of various open space areas and amenities that will support varied lifestyle choices. We propose to annex and zone the approximately 80 acre property to the R-8 medium density residential district to accommodate a mixed -- a mix of single family detached homes, including an alley loaded product within the west part of the site, and an age restricted component within the east part of the site. Although R-8 zoning district is requested for the entire project, the differing housing products proposed will support goals 2.01.00 in the Comprehensive Plan, while avoiding the concentration of one housing type in the area. This community will provide the opportunity for residents to age in place as they transition from standard single family residential lots to smaller footprints with less ground to maintain in the age restricted portions. The preliminary plat encompasses approximately 3.3 acres and consists of 294 single family detached residential lots, 25 common open space lots and 15 common access lots, totaling 334 lots overall. The age restricted component of the project will consist of 65 buildable lots, where -- whereas the market driven standard single family lots will consist of 229 buildable lots. An existing home adjacent to McMillan Road at the northeast part of this site is proposed to remain. The home's existing access point to McMillan will be eliminated and access to the home will be provided via an internal connection within the subdivision. The property has been included within the preliminary plat and will connect to city services, along with the Jamestown Ranch Subdivision, upon annexation. Residential lot sizes range from approximately 4,952 square feet to about 10,500 square feet to provide a variety of housing types within the development consistent with the Comprehensive Plan. The average lot size, excluding the existing home, was approximately 7,064 square feet. The existing home will remain on approximately 76,888 square feet or 1.77 acres. In alignment with the Comprehensive Plan future land use map designation, the gross density of James -- Jamestown Ranch is 3.66 units the acre. The Creason Lateral is located along the northwest frontage of the property adjacent to McMillan and bisects the site. Traveling to the southeast and through the Quartet Subdivision. The Lemp Canal adjoins with the Creason Lateral along the property's frontage adjacent to McMillan and continues to travel south along Black Cat Road. We would like to request an exemption of Section 4 of the staff staff analysis, Item O of the staff report, from tiling the Lemp Canal along McMillan Road due to the size of the facility. The Lemp Canal would require at least a six -- excuse me -- a 60 inch pipe to contain it. City Council has regularly -- regularly granted -- granted waivers of this requirement to tile the Lemp Canal, which is consistent with the neighboring Bridgetower West Subdivision. In addition, ACHD has confirmed that we will not be required to relocate the Lemp Lateral from within their right of way and the Lemp Canal will remain

in its current position. We have coordinated with city staff and they are okay with this request. For these reasons we are requesting that the Lemp Canal remain open along McMillan Road. In accord with city code, Jamestown Ranch will utilize city services upon annexation. Water and sewer will be extended from McMillan Road south via the proposed main entrance of the development. We will coordinate with the Public Works Department to ensure that adequate public facilities are available to accommodate future development of the property. The property is within walking distance to the area's commercial center, including a Walmart, various restaurants, a hair salon -- hair and nail salon, a future convenience store, a preschool, bank, and professional offices, among other uses. The future Owyhee High School is located a little over a mile and a half to the west and Ponderosa Elementary School is about a mile to the south and Sawtooth Middle School is under two miles to the east. Recently the City of Meridian City Council adopted a 2022 fiscal year proposed budget, which included funds for the construction of Fire Station No. 8 to serve the northwest Meridian. The fire station will be built near a Owyhee high School and will provide another point in which emergency services will be sourced for the area. Exact timing of the design and construction of the fire station is to be determined, but should coincide with the proposed construction timeline of Jamestown Ranch. Currently Fire Station No. 2 is approximately one and a half miles to the southeast off Ten Mile between Ustick and Cherry Lane. With two potential fire stations available to serve the area, Jamestown Ranch Subdivision will appropriately -- will be appropriately situated should emergency services be required. The primary entrance road for the subdivision will be Grand Lakes Way, a collector roadway that will connect with the Quartet Subdivision to the south. The alignment and design of Grand Lakes Way has been coordinated and approved by ACHD in its current location. A second access point to Black Cat Road will align with an access point to Oak Creek Subdivision to the west. Three stub streets will be connected from adjacent subdivisions, two to the south and one to the east. Grand Lakes will connect with the collector proposed through the Quartet Subdivision, while Sunnyside will connect through the center of the subdivision. This street will be connected from the east to connect to Wheel Horse Street. We are proposing permeable pavers on the interior streets, except for the two collectors, West Grand Lakes and Quintel Street. Pavers will not only help to alleviate some of the challenges associated with the high ground groundwater present in the area, but will foster an exclusive high quality charm for the future residents. Local streets are proposed throughout the subdivision and will be improved to City of Meridian and ACHD standards. We would like -- we would also like to note that Item G under section four of the staff analysis, which states: ACHD is still -- is still discussing whether they will support this alternative. Since this application has been filed we have been coordinating with and are expecting approval on this proposal from ACHD shortly and we actually got that approval this afternoon. Jamestown Ranch will connect existing neighborhoods with planned transit corridors and will aid in increasing and safety and efficiency of pedestrian and vehicular traffic in the area. The project includes multiple pedestrian connectivity connections and pathways with the community and enhanced walkability residents. The city's ten foot wide multi-use path will be constructed along the project's frontage on McMillan Road and will continue to the subdivision adjacent to Grand Lakes Way. Jamestown Ranch offers an opportunity to connect adjacent existing neighborhoods to the east-west and pedestrian walkways and will connect north and south to planned and

currently developed subdivisions. Pedestrian connections will enhance walkability in the entire area and will contribute -- contribute toward fulfilling Meridian Comprehensive Plan Objective 2.02.01 by enhancing the quality of the connectivity by -- of residential planning in the area by linking subdivisions together and promoting -- promoting neighborhood connectivity. A traffic study -- or a traffic impact study has been submitted to Ada County Highway District and is currently under their review. Jamestown Ranch will be constructed in two phases as depicted on this exhibit here. The first phase will include the construction of a portion -- of a portion of the market rate standard residential lots and the entirety of the age restricted lots. An open space lot with age restricted portion, including clubhouse -- excuse me -- pool and pickleball court, a market rate open space lot, including clubhouse, pool, and a play area, access points to McMillan and Black Cat Road and a portion of Grand Lakes Way. The second phase will connect Grand Lakes Way and another stub street to Quartet Subdivision to the south, will connect a stub street to Bridgetower Subdivision to the east and will include the remaining market rate standard residential lots. development will be market driven. However, we anticipate construction to commence in 2022 and be completed in 2024. As mentioned, Jamestown Ranch will include an age restricted housing style community in the northeast part of the site and market rate standard residential lots for the remainder of the community. The age restricted portion of the community has been designed to cater a smaller house footprint with communal open space and a loop road to facilitate -- facilitate walkability and pedestrian scale. This part of the community includes five -- or, excuse me, ten alley loaded homes that will front on green space and we have opted to develop an age restricted portion of the community without a gate to integrate this area with the -- with the Jamestown Ranch community to ensure easy access for residents and visitors. The market rate standard residential lots vary in size and style throughout the remainder of the development. The majority of the standard residential lots are located on the west or south side of Grand Lakes Way, which creates a natural buffer between the age restricted community and the standard lots without any physical barriers. This will allow both sections to interact with one another, while maintaining an individual sense of place. Lots within Jamestown Ranch have been designed to complement the transition well to abutting homes and adjacent neighborhoods to ensure a cohesive community overall. As mentioned, connectivity will be continued through the subdivision with the completion of transportation networks as pedestrian pathways -- and pedestrian pathways. Jamestown Ranch will be an asset to the northwest Meridian by completing this undeveloped section with a consistent product type and neighborhood that will meld well with existing homes. Overall Jamestown Ranch contains 11.63 acres or 14 and a half percent of qualified open space as shown here. Each of the proposed areas within the development are detailed in our open space exhibit and demonstrate compliance with the city code. Two central parks have been included as focal points, gathering places for residents within the age restricted parts of the community and the standard residential lots. Both open space lots will include pools, clubhouse, seating areas and age restricted space will include pickleball courts. Pedestrian walkways are included within the central open space and throughout the development to allow for interconnectivity and easy access to amenities. Several pocket parks are included throughout the development in different phases to provide a variety of places for residents to re -- excuse me -- recreate or gather. All common space will be owned and maintained by the homeowners association. These

next few slides here are just typical elevations for your single family residential traditional type homes. There is a couple of the contemporary style, some farmhouse. The market rate standard residence lots within Jamestown Ranch will incorporate a variety of building materials and architectural styles. Homes will be complementary to the age restricted homes proposed in the northeast portion of the site and those can be shown here. the Walsh Group has -- excuse me. The Walsh Group -- I'm almost there. The Walsh Group will be designing and building homes in age restricted portion of Jamestown Ranch. The Walsh Group's flagship 55 plus active adult subdivision, the Village at Bungalows is located in Meridian with 74 single family homes on 12 acres. Luxury homes are mostly single level craftsman style homes with front porches, extra wide hallways, nine to ten foot ceilings, roll in showers, fireplaces, and a butler's pantry. The community features a clubhouse with a full kitchen, fitness center, and a yoga room. A central park and walkway path. The Walsh Group designed this neighborhood with community connections in mind and had a focus on maintenance free lifestyle with all yard, snow removal, sprinkler maintenance covered by the HOA. So, in conclusion we believe that the proposed zoning, preliminary plat -- annexation, preliminary plat, and zoning as conditioned with the exceptions previously -- previously mentioned, Items G and O under Section 4 of the staff analysis, will complement surrounding uses, fulfill the intent of the Comprehensive -- Comprehensive Plan and provide a unique combination of housing opportunities in northwest Meridian. We appreciate the time Alan and staff members have spent with us to help understand the steps needed to accomplish this project. Thank you for your time. I will stand for any questions. We also have members from the Walsh Group here that may help answer any that I'm not able to.

McCarvel: Okay. Thank you. Do we have any questions for the staff or applicant?

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: So, I may have missed it and I apologize if I did. How many homes are in the age restricted area do you know off the top of your head?

Jantz: Not off the top of my head.

Yearsley: Sixty-five? Okay. So, will the nonrestricted people -- homes be allowed to play in the pickleball and the pool area of the age restricted homes?

Jantz: That I'm not sure, but, like I said, I have the Walsh Group here that can probably help out with that question.

Yearsley: Okay. I would be interested to find that out.

Jantz: Yeah.

McCarvel: Do you have somebody here that --

Jantz: Yes.

Walsh: Madam Chair, Members of the Commission, my name is Ron Walsh. I live at 1485 North Eagle Creek Way in Eagle, Idaho. My son Nick and I comprise the Walsh Group. We will have a clubhouse and possibly a pool in the non-age restricted area, but our clubhouse, pool, and pickleball court will be limited just to the age restricted residents.

Yearsley: Okay. Thank you.

Walsh: As long as I'm up here, if you don't mind, I will give you a little pitch. We appreciate all the work that staff and all the city agencies have done in the -- certainly appreciate their approval of our plat. This is our second age restricted project and we will -- my son and I will do that, build those and market those and I wanted to tell you that through working through our -- our Village Bungalows on Ustick Road near Eagle we learned a lot of lessons with the help of Bill and staff and the city building department and we made a lot of changes in this -- this plat to accommodate those things. We learned side yard setbacks are wider. Lot widths are wider. Lot depths are deeper. Street widths are wider. We limited our alley load lots down and we built in the pickleball court. One thing Josh mentioned that I just wanted to clear up was the open ditch where Josh asked for a waiver, but we -- at the time that the staff report was done -- since, then, we have got word from ACHD that the ditches do not need to be moved and, then, we got a memo from -- staff city staff that they were in support of us not being required to tile those, because there is -- no one's tiled them all the way along here, we would be the first, and, then, the other one is the staff would recommend after the -- the report that we participate in micro paths throughout the plat and we have no problem with that. It was a great idea. We kind of had it implemented into our plat, but not to the degree staff would like to see. And the final thing is that roadway arterial with the S curve, that was a -- kind of a concept that we wanted to stick with, because coming out of Quartet is a much larger subdivision than ours, but coming out of there and going straight through us to -- up to McMillan we felt like it would just be a race track and probably not be healthy for our residents in there. So, I just want to thank you guys and appreciate staff's support. Any questions?

McCarvel: Any other questions for staff or the applicant?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: The groundwater issues were one of the things that were mentioned in there and it looks like there is a pretty large collection area in the middle. Is that something that -- is that something that's going to be full year around or -- my concern here is if there is groundwater issues that's going to be stagnant water and we are going to have --

Walsh: Yeah. That's actually a -- there will be some overflow in that, but that's predominantly to fill out for pressurized irrigation, the pond, and all the groundwater is stored in -- under the pavers in the streets. So, it's just similar to Bridgetower to our east

and ACHD supported that and I think we actually have more capacity for groundwater than -- or for surface retention than we needed, because we went back and took the arterial out at the request of ACHD.

Seal: Okay. Thank you.

McCarvel: Any other questions for staff or the applicant? Okay.

Walsh: Thanks.

McCarvel: Madam Clerk, do we have anyone signed up to testify on this application?

Weatherly: We do not, Madam Chair.

McCarvel: That being said, is there anyone in the room or online who wishes to testify in this, but did not sign up? Come forward.

Watts: Yes. My name is Rachelle Watts and address is 4676 West McMillan Road and we are directly across the street from this development. I don't have problems with the zoning. What we have problems with is where the collector road is coming out. There have been several comments made about why that is. One of them said that the -- the resident preferred -- which is -- if you will notice up in the right-hand corner, the yellow there, that preferred to keep that property, if that connected through it would come very close to the shop that is located there, but it would connect. Another thing that was said was that they were conferring and asked the Ada County Highway District to ask for a variance, so that the collector road could be moved down further, because of multiple power and utility lines. There is one large power pole that is located there and I did submit -- I don't know if you guys can see it, but I submitted a written letter, along with some pictures. I don't know if you loaded that or -- no? But those pictures I took were from Google and it clearly shows the one power pole that is there. It does come very close to the edge of what the road would be to connect. The other thing they mentioned was the calming of the traffic. There are other ways I think that that could be done to curve through there, as far as the calming, and I know when the Quartet Subdivision was looked at it was specific that that Joy Street would go through and connect up with the collector on North Joy Street, which would be directly -- I wish I had a picture of it. But it would run very close behind that shop that's right there in the yellow. Okay? And it would connect through. And when I look at it, that does not totally obstruct Joy Street. It would be -- that one power pole would be on the edge of that road, but all the way down McMillan, when they put in those power poles, which we were living there when they put that in. We have been there 30 years. They have maneuvered around those. There are ways to do that to connect. Now as that growth continues, which if you look at, there is Daphne, there is Brody Square, there is now Pera Place -- those are all the ones that are surrounding us. Bridgetower West. I think It's Sunset connected in with that. That now flows on to the corner of Daphne and Joy Street and runs out to there. That traffic has increased. At some point that traffic will probably increase dramatically, particularly when you are talking about that many homes coming out onto the road. That is directly across the street

from our house and I have some real safety concerns with even getting out of our driveway where that subdivision is the only -- that -- that was the one entrance onto McMillan where they could go. They are not going to go down -- they could go up Black Cat, but they are not going to go down -- all the way down to connect into Bridgetower West, because that's the far distance. The majority of these are going to funnel out directly in front of our house onto that road. Now, also, I noticed in the information that was on the the public -- on your -- on the website for this hearing that there are things that are missing. I didn't see a traffic study. I didn't see the report from Ada County Highway District, stating that there was multiple, in their words, at least as far as the e-mails, that were between Alan and Bill that I saw in regards to the gal at the Ada County Highway District. I know I'm running out of time. So, that's why I knew it would take some more to do that. But those pictures to me convey that there -- that that connect collector street can be extended to Joy into the correct -- into the Joy that exists now on North Joy and eventually there is probably going to have to be a light there, you know. There is directly across from that home -- I think the reason that they want to keep this is they want to keep that home, they want -- that the main reason for this is they do not want that collector street running directly behind that property. Now, that property was owned by the James family and he passed away. It is unoccupied. It was stated that he wanted to -- Mr. James wanted to keep the son, who inherited, wanted to keep that as his residence. He does not live there. Nobody has occupied that since August of 2020 when Mr. James passed away. Now, he may intend to live there or one of his kids, which is probably why they want to keep that. I understand that. But, again, when we look at the growth all around us and what is happening, I didn't -- I think that that collector street where it comes out is not appropriate and I know that they are talking -- there is going to be a roundabout at the corner of Black Cat and McMillan, that that will -- and I will also tell you -- I know if traffic studies have been done, but as soon as Owyhee school opens -- massive increase in traffic. And Cole Valley Christian School is supposed to be going in down on the north side of McMillan also on the other side of McDermott. So, there will be increased traffic there. I just would like you to take into consideration what the Ada County Highway master plan states in regards to -- and not deviate from that. That I believe that that collector road for Joy Street can be maintained to connect with the other North Joy Street on the north side of McMillan. Okay?

Watts: Thank you.

McCarvel: Thank you. Anyone else in the room or online that wishes to testify?

Pachner: My name is Joe Pachner. I'm an engineer with KM Engineering. Sorry, I was a little bit late to the meeting. Highway 55 just got closed down. My address is 5725 North Discovery Way. I might be able to shed a little bit more light on the -- this road alignment. The first initial one was -- we have -- we have met with ACHD on numerous occasions to discuss their master plan, which shows a dashed line going up to Joy. One of the things that we are looking at with that is what's Joy's future development, because it kind of veers off. One of the biggest things that they came back with is when -- it's not a power pole, it is one of the power towers. It's one of the monster towers going up through there. Then we started looking at the separation between Black Cat, this

proposed collector, San Vito and the separations and what we are looking to do is get a more even distribution through there, so that we didn't -- if we moved it over to Joy the separation between San Vito and Joy is not that significant and it's -- you know, you get more -- you are -- what ACHD came back with is, you know, we are looking at about a thousand feet in between each one of these collectors, so it better fits the traffic movements and the traffic study proves that up. I just wanted to bring that to your attention and -- anything else?

McCarvel: Okay. Thank you. Anyone else in the room or online that wishes to testify? Okay. Would the applicant like to come back? No comments on anything? In that case can I get a motion to close the public hearing on H-2021-0074.

Lorcher: So moved.

Seal: Second.

McCarvel: It's been moved and seconded to close the public testimony on H-2021-0074. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Thoughts? Concerns?

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: I think McMillan has some challenges because of those large power towers and being able to work around them. I understand the homeowner's concern for things kind of connecting perfectly aligned, but I mean without -- we don't have a picture of -- we just had a picture of the Jamestown Subdivision, so it's hard to see what's going on across the street. Like she had said, we just approved Pera Subdivision. I think Brody is going in there. It's going to be just more of the same. ACHD is going to have to do something in regard to traffic, because McMillan is still only, what, two lanes each way and you are introducing 294 new homes on top of for other subdivisions that are all going in at the same time.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: While I'm looking at the two areas and knowing that the age -- age restriction area has basically exclusive rights to the -- to that area and they there was a clubhouse and pool that's good -- that makes more sense as to why there is two of them. One of the things the applicant might want to consider is putting in a water park or a water feature, instead of a pool. I know there is mixed feelings on pools out there. So, they tend to be

good for some things, bad for others, and I think long term, you know, something of a water park, water feature, is going to last a lot better than a pool. One of the things I will say about the application is I think you have won the contest if you were trying to have one for common driveways. I think there is 12 of them in here. So, just for your information it's something that most people up here don't like to see in there and -- or to have it minimized. So, I would love to see this, if you go forward into City Council, it would be nice to see if you could get a little more creative and eliminate some of those, especially in that age restricted area. That's a smaller street, you got quite a few of them hanging off the end of that thing and, you know, we see the service trucks and anything that's going through those -- or trying to navigate those common driveways, it becomes a big hassle and kind of a pain to deal with for anybody trying to navigate those, much less with a service vehicle. On the canal, hopefully, with the -- I mean it sounds like the staff is in agreement with not tiling the canal. Hopefully you will take care to make sure that that -- since you didn't have to tile it maybe spend a little bit of that money that would have went towards that to beautify it, make it more of a walking path, more of something, you know, that people are going to be happy to be living out and, you know, that little bit of nature that's left out there. Other than that I mean it looks like a whole lot of houses in a little tiny area on some of the maps, but looking at the density and how it's just barely above the three per acre, I mean it is what it is, so -- but I think it's pretty well planned out. I wish the infrastructure was more built out to handle it, but, again, we don't control that. As far as the -- the intersection right there being moved on McMillan Road, you know, looked at some of the -- the frontage property there for the -- the residence that's to the -- to the south of this where the road will be coming out and I guess if the house was right on the road or something like that or there wasn't a lot of vegetation in there to mitigate, my main thing would be noise and lights especially. You wouldn't want light shining in your living room all day and night from coming in and out of here and it looks like there is a lot of vegetation in there that's going to mitigate that on its own.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I'm pretty in favor of this project. I think the -- the issue with the collector actually might -- might help a little bit just in terms of offsetting where those congestion points are along McMillan, especially with it not being, you know, all the way built out perhaps. One of the things looking at -- from a usability standpoint for residents on the far east side is looking at possibly putting in a pathway -- micro pathway to be able to get to the amenities a little bit easier than having to walk to the south piece of -- you know, if you are in that cul-de-sac up by the yellow area and you have to walk all the way down and around, especially since the age restricted as its own, you are going quite a ways away to get to the amenity. So, if you can find a better cut path through there that would probably be something to look at doing. I think overall, you know, having as many amenities as you have and lining things up with the -- the other subdivisions that are going in and being able to work through that with them versus against them, it sounds like you all have worked through whatever issues needed to be done. So, I appreciate that and I would be okay with moving this forward.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: All I can say is I'm sure glad I don't live in that area and I -- it's not -- not you guys. I think ACHD kind of really messed up with that area. You have got four collector -- or are going to end up with four collector streets hitting McMillan and none of them are in the right location for a roundabout or some sort of a signal, so it's going to be a disaster through there, especially with the canal right next against the road. I just -- yeah. I would prefer to see Joy -- the collector tie into Joy and make that an area for a roundabout. I think that's -- you know, yes, you have to add in probably two extra towers to make that fit, but I think long term I think that would be a better fit. You are starting to see development hit Daphne Street, which is the one just above it and so you are going to have people wanting to dump out there to get to McMillan. So, I see Joy getting busier, because we just approved a subdivision just to the north of there that's dumping traffic out onto Daphne, so -- and, then, the other concern that I have is -- I actually feel that the nonrestricted age area is being underserved with open space. Yes, you are showing one subdivision, but you have got -- are you one pool -- but you have got one pool and a pickleball court for 65 homes, but yet you have got one pool and an open area for 229 homes. I think that's -- you are favoring the age restricted homes for -- over the others and so I think we should -- I think we should -- there should be more open space or more amenities on the 229 home spots. So, as Commissioner Seal mentioned, it's a lot of homes and a little space and so I would be in favor of adding a little bit more open space to the non-age restricted area.

McCarvel: I guess my -- that was the first thing I noticed about it, Commissioners, was the amount of common driveways and I know it takes out a lot, but I mean charge more for -- it makes a couple of nice big corner lots in there somewhere. I mean it -- that's a lot of backing up for the service vehicles and trash day, it's just on every corner -- it's just -- common driveways I thought were originally allowed to be more the exception than the rule. It just I just don't see how it creates for good neighbors. So, I just -- I -- I think that would be my biggest suggestion and I do agree, I mean with as many amenities that are here it is underserved a little in the nonrestricted and I'm not a traffic expert, but I will yield to those on the panel that are and I guess it would make more sense and more connectivity later on to be able to have that intersection line up with Joy. I'm not sure where that really leaves us for --

Lorcher: I know. Madam Chair. So, if truly a roundabout is going to be planned for Black Cat and McMillan -- I'm assuming ACHD approved your -- your collector streets off of McMillan already, knowing that that was going to happen, so they have -- they have to know that there is enough room to be able to make it there; right? Unless they think that's just a problem for another day.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: Kind of to answer some of that question, so, you know, right now I think McMillan and Black Cat is supposed to be a roundabout, but if you go just a half a mile to the west of there at the midblock they actually have a roundabout there already built and I think what they are trying to do is do roundabouts at the main, but also have a mid -- midblock round about and I think with moving the collector road over and not tying it into Joy, which one of those four collector roads that tie into McMillan do you put a roundabout and, you know, I just -- because I think -- I think Joy is going to end up being a collector street, as all that land gets pressured to redevelop. I mean you have got a lot of five acre parcels there that are going to redevelop because the development pressure is going to be big enough they would be stupid not to sell, you know. So, that's my only concern is -- is which one of those do you put a -- does ACHD put a roundabout on. So, that's why I like having to tie into Joy Street and -- and having that be a roundabout, so you actually have some decent access out on the McMillan.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I hadn't considered the roundabout aspect and the -- the way the traffic patterns are tied in there and Commissioner Yearsley brings up some good points, because we did just approve, you know, subdivisions that we will be using that as they spill out on onto there and I live very close to this myself, so I don't -- I don't kid myself in any way to think that Black Cat or McMillan are ready to handle anything along these lines of -- of the amount of traffic that's coming their way before they are even slated to be improved. I think probably taking into consideration anything we can do to improve that when they get developed is something that we should probably take serious consideration of. So, I would be more inclined to either continue it or deny it based on trying to get that Joy to line up the way that it, you know, honestly should, as well as some of the age restricted area. Like I said, the common driveway and there is just -- the instant I saw that it just looks like trouble. I mean there could be some creative ways to provide the micro path through -- like Commissioner Grove had brought up by eliminating that common drive -- the lot at the end of that driveway or eliminating that all together, shifting the whole thing over, whatever you would want to do in order to provide for Joy Street to line up with that subdivision. So, with that I'm -- I'm at a point of either supporting a denial or a continuance.

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: Well, one of the reasons why we denied one of the first ones we did today was because of the lack of infrastructure before, you know, more goes in. I think I would be interested in hearing more what ACHD has -- I mean if the street of McMilan and Black Cat aren't going to be approved for, you know, five or ten years, then, putting 294 houses, even with age restrictions in, and along with the four or five other subdivisions at Brighton already is working on in that same area, it's just -- I mean McMillan is going to be a parking

lot, whether you go to a school or or any other businesses going on there. I don't know anything about -- what did you call them? Common driveways? I don't think I have ever seen one, so maybe I need to get out a little bit more, but --

Grove: Madam Chair?

Lorcher: -- I have no comment on that.

McCarvel: Commissioner Grove.

Grove: I understand what Commissioner Lorcher is saying. I think the infrastructure piece for me is kind of apples and oranges on this one compared to the other one, just in terms of how much has already been approved in what's being planned and how it's being planned and what -- you know, where it's at in its lifecycle with -- in terms of development. I think we are -- we are completely different places. I would be probably in favor of doing a continuance and -- and having it conditioned around the redevelopment of being able to connect to Joy and I think as a few of you have pointed out, the amenities are great overall, but when we are looking at them for who they are intended for and where they are at, I think there is some room for improvement and I think if we are talking about realignment of the street that it's going to have to be addressed anyway, so kind of making sure that it is understood what we are looking for, so that we -- we give some direction on that.

McCarvel: And I guess I would add fewer -- way fewer common driveways.

Grove: Yes. Always.

Seal: Madam Chair, quick -- quick question for -- quick question --

McCarvel: I -- it sounded like your voice, but it sounds like it's coming from --

Seal: It's my ventriloquist act. Question for staff on the ACHD report that we are waiting on, is that a two-way communication that we can have with them as far as the concerns that we have as a the city, you know, looking at that intersection and how it aligns with Joy, so that they can take that into consideration into their report?

Tiefenbach: I can certainly e-mail Paige, who is the one that's working on this, and tell them what your concerns are?

Seal: Okay. I think that would be -- I mean if we do a continuation here I think that would be probably relevant to the report, because, again, I think Commissioner Yearsley brings up a really good point, so if they can speak to that in their report that's going to make, you know, a continuance worthwhile I think.

Parsons: Yeah. Madam Chair, Members of the Commission, more than likely won't get a roundabout. There is not one showing on the master street map that I have in front of

me. But alignment is always the preferred route for -- for staff and ACHD when it makes sense. So, certainly whatever you do this evening, Alan and I just request that whatever changes you want made to the -- to the plat make sure the applicant knows what those are and, then, brings back what you want to see.

McCarvel: You seem to have a line on --

Yearsley: So, I guess the big question is when do we want to have this date continued to I think is going to be the big question, because what we are asking is has all significant change and -- you know, I don't want to push it to next week or two weeks and not have enough time to at least address the issues in a perfect manner. Will we need to open it back up?

McCarvel: Alan?

Tiefenbach: Alan Tiefenbach, associate planner. Yeah. I agree. I mean we are talking about having to get a -- some pretty big design changes and having achd weigh in on them, so, you know, the next Planning Commission meeting isn't going to work. We are talking month or six weeks. I can't control -- and I can't control how quickly ACHD turns around the traffic part, especially based on some changes. So, it won't be -- it won't be quick.

McCarvel: I would say January 6th or 20th then.

Tiefenbach: January 20 would definitely give us enough time.

Yearsley: With the holidays in the middle of all that I -- I would almost recommend January 20th.

Tiefenbach: Yeah. We are going to lose -- we are going to lose a lot of time because of people being out and everything else, including staff, so --

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I move to continue file number 2021-0074 to the hearing date of January 20th, 2022, for the following reasons: So, that we can get a final ACHD report and that the city has time to communicate our concerns to ACHD and that we -- and that the alignment of the collector to Joy Street be something that can -- that they look out for -- yeah -- future growth and that we want to see a reduction or even possibly an elimination of the common driveways.

Yearsley: Madam Chair? Point of order. Can we -- do we need to reopen the public hearing first?

Seal: Oh, you're right.

McCarvel: Oh, yeah.

Yearsley: I apologize. It was a great motion, by the way.

Seal: Thank you. I will just rewind. Good point.

McCarvel: Do you want the motion to open as well or do we want --

Yearsley: I will motion to open the public hearing on this application.

Grove: Second.

McCarvel: It has been moved and seconded to reopen the public hearing on H-2021-0074. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Commissioner Seal.

Seal: Okay. I move to continue file number H-2021-0074 to the hearing date of January 20th, 2022, for the following reasons: So, that they can get the final ACHD report and they have a chance to hear our input from the city planning staff. The alignment of the collector to Joy be strongly considered for the reasons presented in the Commission hearing this evening and that we see a reduction or possible elimination of the common driveways.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: Could we add in a condition for the open space and amenities to be better distributed through the non-age restricted areas?

Seal: And what Commissioner Grove said.

Yearsley: I will second that.

McCarvel: It has been moved and seconded to continue H-2021-0074 to the hearing date of January 20th. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

6. Public Hearing for UDC Text Amendment - Collector Street Setbacks in Residential Districts and Landscape Buffers Along Streets (ZOA-

2021-0003) by Brighton Development, Inc.

- A. Request: Request to Amend the text of the City's Unified Development Code (UDC) pertaining to the Dimensional Standards for the Residential Districts in Chapter 2 and Landscape Buffer along Streets Standards in Chapter 3

McCarvel: Last item on the agenda is Item ZOA-2021-0003, UDC Text Amendment, and we will begin with the staff report.

Parsons: Let me pull that up real quick again. There we go. Let's finish strong this evening. Last item on the agenda tonight is UDC Text Amendment. This one actually comes from an applicant, so it's not really city initiated, and we are -- we are here tonight to really discuss cleaning up some code conflicts with you. We have been working with the applicant here for several months on trying to solve this puzzle for them. So, over the last year or so this -- this body has been seeing more and more homes that are fronting on collector streets and the purpose of that is, one, we want to have these walkable, livable communities. We call it a traditional neighborhood design where you have on-street parking, tree lined streets, detached sidewalks and, then, homes that provide connectivity to those walking paths and what we realized is through some of those approvals that we have done we have realized that our residential districts don't align with that design concept and what I mean is in order to achieve what we are talking about this evening an applicant would need to go through the alternative compliance to do it and so by us working with the applicant and bringing forth this code change we are eliminating some steps in the process and trying to get the code to align to allow these types of things, which is actually more consistent with our traditional neighborhood zoning districts. We have two. We have traditional neighborhood commercial districts and we have traditional -- traditional neighborhood residential districts and if you were to compare these side by side in the TN-R zone person could do what the applicant's proposing this evening under that zone by -- and all they would have to provide is the on-street parking, parallel parking is typically what we see, a six foot parkway, a five foot sidewalk and an eight foot setback to the living area. But that's, essentially, what we are doing here and you would not have to provide that in a common lot. So, currently the -- the two code -- two code sections that we are trying to amend tonight is, one, the residential districts in Chapter 2 and, then, also the requirements for landscape buffers that they are allowed to either be in a common lot or a landscape easement and addressing the maintenance of that and how that would be addressed. So, that's what I really want to hit on tonight. If the applicant wants to go into some of the ACHD requirements and all of that, I will let him do that, but I'm not going to do that tonight. I'm just trying to lay the context for you that we have a conflict, we are trying to align with other sections of the code, and, hopefully, this makes it better for others to do the same thing and we get more variety in the city -- allow people to do this throughout our community and start getting shorter block lengths and more walkable communities, particularly in our mixed use areas. So, the graphic that I have before you this evening is really just one snippet of the changes. So, this really does affect all of our districts from R-2 all the way to R-40, but the language is consistent throughout. So, essentially, what the applicant is doing is adding a footnote -- or modifying the footnote to

say that when you have -- front the homes on collector roads and you are having alley access or local street access to that you are able to take advantage of a buffer easement, rather than a common lot. You do a minimum -- eight foot on-street parking, eight foot tree-lined streets, five foot sidewalks and, then, your setback will be ten feet, for a total setback of 23 feet. At the end of the presentation there is a nice little illustrative graphic that the applicant's put together to show you how all this is tied together. But, essentially, under the TN-R zone, to put it simply, they can have a 19 foot is all that's required for the building to be from the back of curb. This scenario 23 feet. So, again, the goal is to get the building set back from the street, but not so far back that it's defeating the purpose of what we are trying to achieve here. So, again, after the revision of the staff report the applicant came up with some of this language, but you can see as Today I see that through logic some common sense approach took place and we decided -- he decided to provide a preferred language. Staff looked at that and said it makes a lot more sense to combine it into one cohesive sentence. The only thing that staff would ask to the preferred language highlighted below is that you add the word homeowners as part of that sentence. So, it would say maintained by the property owner or a homeowner or a business owners association, because it's going to be either residential or commercial and, then, I will go ahead and transition to the graphic here to show you how this will all work. So, essentially, like I described to you, there is the planner strip. There is the parking. the parallel parking. Bike lanes. Sidewalk. And, then, overall setback of 23 feet while still maintaining the required parking standards. So, I also mentioned to you that this does comply with a lot of ACHD's templates as well. So, again, we are only -- we are cleaning up a conflict. We are trying to align with what ACHD will allow as well and try to eliminate future, you know, add greater flexibility to code. So, with that I will conclude my presentation and stand for any questions you may have.

McCarvel: Okay. Why don't we hear from the applicant first.

Wardle: Madam Chair, Commission Members, Mike Wartell, Brighton Corporation. 2929 West Navigator in Meridian. It is unique that we are here as an applicant, because this is actually something that would apply to and benefit any such developments in the community. I'm going to ask Bill -- just so that you can kind of understand a little bit more background of what it is that we are proposing to do and why and it's not really that complicated, but particularly in our Pinnacle project or Apex Subdivision out in south -- south Meridian we have some alley loaded lots and in the phase that's coming before you soon to the west of that we have some local street loaded lots that would face -- these homes would all face onto that residential collector and the -- the graphic to the right simply shows that there will still be the 20 foot landscape easement. It will be maintained by the homeowners in this particular case, but at least we don't deviate from the anticipated benefits of the spacing and the type of tree canopies and so forth that would be desired in a more traditional neighborhood. There are two graphics that I just want to show you from ACHD's livable street design guide. This first one is actually the residential collector with front loaded housing and the reason that I have circled this is to simply illustrate that that's exactly the street that we would be proposing to construct in this Pinnacle project where you have the five foot detached sidewalk, eight foot plantar strip, the -- the parking bay that will be just as it depicts here, will have elements of the -- the

corners that will identify that, then, bike lanes and, then, the part -- the travel lanes. They do have the -- the second graphic in their manual shows a rear or alley loaded product in this particular case, though, they don't show the bike lanes that we have on the street. So, I just wanted to show that they -- they have provided both possibilities for a residential collector street in their street design guide. We go for the -- the bigger and more appropriate and, then, Bill showed you this where we actually maintain the parking off the alley or the local streets, so there is no -- you know, no limit to the off-street parking behind the garages and, of course, the -- the green outlined landscape buffer and, then, the ten foot from back of sidewalk set back to -- a minimum ten feet to the face of the homes. Bill mentioned the traditional neighborhood zoning. That goes down to eight feet, but in this case we are saying a minimum of ten. Now, Bill showed you this particular item and the footnote simply states that it has to be alley or rear loaded, has to be on a collector that has the landscape buffers and a minimum of ten foot setback and it applies -- just this footnote -- modification applies to all. When we were going through this process -- and it's been actually over the course of the last three or four months, my original recommendation was the top part of this was kind of trying to finesse something that was really unclear, but, then, staff came back with the recommendation -- the or and we agreed with that is the better way to go, because it clarifies it in much simpler language and we certainly don't have any issue at all with the inclusion of homeowner maintenance. So, obviously, we encourage you to -- to do this. But one of the reasons that we are doing it is based on our own experience. We developed -- beginning about 22 years ago a project -- and this photograph actually is from September of 2006 -- of the Mill District at Harris Ranch and I have two photographs. The one -- the first one will be the one looking to the west down -- I can't remember the street name, but this shows what character we are trying to achieve. Interestingly enough in this particular case, even though this is kind of the collector street going out to Eggart Road, we would actually have a little bit -- well, a wider sidewalk, wider planting strip, the on-street parking, plus, then, the bike lanes. The homes depicted in this particular photograph range from about 78 to 85 feet separation from face to face as you go down the street and there is articulation, because not all of them are, you know, set to a rigid standard. There are some closer, some a little bit further apart. The next view is looking to the east and, again, it shows kind of how those -- those homes are relatively close to the street. But in this particular case, again, the sidewalk is new standards a little bit wider. The planter strip is three feet wider. There are bike lanes on the street and so we -- we provide actually a better scenario than this and looking down that street the closest separation that I saw on this one when we measured it was about 78. Now, the reason for it is that we could land a Boeing 737 Max under the current standards, because it would be -- under the way it's -- your current code works that's exactly 113 feet face to face across the street, which in a traditional kind of a feel is a big separation. If we go to the proposed amendments it actually drops 20 feet out of that, goes back to about 93 feet of separation. But it gives you, then, a streetscape that provides the type of living environment that I think we all want for the community. So, it only applies where there is a collector -- a residential collector street. Has to have on-street parking. It may or may not have bike lanes, but in our particular project it would and, of course, now that the standards are the eight foot planter strips and the five foot sidewalks and, then, a minimum ten feet from the back of sidewalk to the face of the home, it gives us the canopy, it gives us the separation, it gives us all the elements of a

livable street and accomplishes something that in this particular case is fairly small, because it's -- some of the conversation that we had with staff we noted that if -- and I think Bill alluded to it -- we would only have to have about three and a half acres of T-N zoning in there to accomplish at all, but it just didn't seem appropriate to throw a little bit of a T-N into a project and we could do this and we agreed with staff that alternative compliance was really not the best way to do it, because that leaves so much subjectivity in the process. So, amendment is the proposed and preferred way to accomplish it. Be happy to answer any questions that you have, but we ask for your recommendation to the Council that these amendments be approved.

McCarvel: Thank you. Any questions for staff or the applicant?

Yearsley: Madam Chair?

Wardle: Semi applicant.

McCarvel: Commissioner Yearsley.

Yearsley: So, I'm just trying to get a feel around this. So, we are talking about a residential collector. Are we talking like the mid-block collector road or is this -- I'm not quite sure what -- what type of -- what road we are actually referring to as a residential collector.

Wardle: You mean specifically here or in any circumstance?

Yearsley: Well, in this circumstances, you know, because when I -- when we -- well, just as an example, we have just looked at that last subdivision that came through, they have that -- pretty much that main mid-block collector. Is that -- that section of road that you are referring to would that be applied to that piece?

Wardle: Yes. Madam Chair and Commissioner Yearsley, those mid-mile collectors that ACHD has in their master street plan is that type of roadway.

Yearsley: Okay.

Wardle: Now, let me just go back to the illustration that's on the screen. This particular road system -- you will see that the ones to the right are not a collector, but because of the way that the -- the grid works there is a draining -- you know, a collection kind of a thing that's occurring and this particular roadway just happens to have a wider requirement from ACHD than we would do for our local streets, but, you are correct, any of those mid-mile collectors would be a residential collector and could use this type of standard if they chose to design that way.

Yearsley: Okay. And, then, with that ACHD shows on those mid-mile collectors access to homes off of that collector. Is that what we are proposing or is this mostly just alley -- we are only allowing alley loaded facing those homes?

Wardle: I was surprised, frankly, when this -- I was searching through ACHD's information and found this particular illustration where they have a front-on -- you know, front loaded.

Yearsley: Yeah.

Wardle: Obviously, in their planning they anticipated that that could occur. I don't know that I have seen one that would be -- at least in recent approvals. Certainly there would be streets from older designs in older subdivisions that would be that particular case, but they may not have, you know, the -- the type of parking and the bike lanes and so forth that we would have in the modern standards. So, this was the one that -- that we are looking at, frankly, is -- it would either have to be an alley -- could be a common drive. Kind of a nasty term. Or it could be a local street and it will be unique in this particular one, because the -- the homes will be, essentially, the same -- looking across the street one will be served by an alley, the other will have a local street and so on that local street people will be looking at the rear of the homes for about ten or 12 lots versus the front that they would typically see, but the streetscape going into the project on the residential collector would have a consistent design and relationship -- functional relationship would be consistent all the way through.

Yearsley: Okay. And that's what I was just curious about, because I -- I don't know if I -- actually, this is -- I don't think that this is a bad proposal for an alley loaded home to bring them a little closer, but I was really concerned that we were going to start allowing access onto those collectors, which is not what we were -- not what I have typically seen or --

Wardle: Yeah.

Yearsley: -- I think we don't typically want. So, that's what I was just wanting to clarify.

Wardle: Well, Madam Chair, I agree with that and I don't think you are going to see a lot of it. I think it will only happen when you are designing a traditional type of product, rather than a conventional lot. I just don't see conventional lots coming forward, because -- and this is the other item that -- that we worked through with staff. Under the current code technically that 20 foot landscape buffer would have to be a common lot. Well, in this particular case, going back to -- it would mean that the lots on the east side of that collector, if they had a common lot, the alley could not be public, it would have to be private, because now ACHD has this strange requirement that if the -- if the lot doesn't directly have frontage you can't have a public alley.

Yearsley: I see.

Wardle: So, we are just trying to solve a number of little interesting twists and turns in the city's code and ACHD's requirements and we think that, again, it's -- it's not a dramatic thing, but it accomplishes an objective that I think will foster good design and --

Yearsley: I agree. I think anything we can do to get rid of private roads in a subdivision

like that is beneficial, so --

Wardle: I appreciate your time and just ask that you pass it along with an affirmative recommendation.

McCarvel: Any other questions? Okay. Thank you. Madam Clerk, did we have anybody signed up to testify on this application?

Weatherly: Madam Chair, we do not.

McCarvel: Okay. I'm assuming no more comments from staff or the semi-applicant. With that could I get a motion to close the public hearing on H-2021 --

Grove: It's not H.

McCarvel: Oh, ZOA. Sorry. ZOA -- there we go -- 2021-0003.

Seal: So moved.

Lorcher: Second.

Grove: Second.

McCarvel: It has been moved and seconded to close the public hearing ZOA-2021-0003. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Staff and everybody agrees and -- insert -- add the homeowners association in their for them.

Seal: Actually, quick question on that. Madam Chair, for staff, is homeowners or homeowners association?

McCarvel: I think he said property owner --

Parsons: We make it grammatically correct.

Seal: Okay.

Yearsley: So, what you are asking for is a modification to change property owner to homeowner in the motion; is that correct -- what I'm hearing?

Lorcher: I think he's adding it. Property owner might not be the homeowner.

Parsons: No. I want to make it clear that if it's a common lot that's maintained by a

homeowner's association, but if it's an easement, then, it will be owned by the property owner -- or maintained by the property owner, unless --

McCarvel: So, property owner or homeowners association or business owners association. You want all three of them in there.

Yearsley: Oh. Okay.

McCarvel: Yeah.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number ZOA-2021-0003 as presented in the staff report for the hearing date of November 18th, 2021, with the following modifications: That the language submitted by the applicant be added and the w-- ith the inclusion of the word homeowners being added to the text.

Yearsley: Second.

McCarvel: It has been moved and seconded to approve -- recommend approval of ZOA -2021-0003. All those in favor -- with modifications. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I move we adjourn.

Seal: I second.

McCarvel: It has been moved and seconded to adjourn. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 8:58 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

RHONDA MCCARVEL - CHAIRMAN
ATTEST:

_____|_____|_____
DATE APPROVED

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the December 16, 2021 Planning and Zoning Commission

Meridian Planning and Zoning Meeting December 2, 2021.

Meeting of the Meridian Planning and Zoning Commission of December 2, 2021, was called to order at 6:02 p.m. by Chairman Rhonda McCarvel.

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

Members Absent: Commissioner Maria Lorcher and Commissioner Nate Wheeler.

Others Present: Adrienne Weatherly, Kurt Starman, Bill Parsons, Sonya Allen, Joe Dodson, Alan Tiefenbach and Dean Willis.

ROLL-CALL ATTENDANCE

_____ Nate Wheeler	_____ Maria Lorcher
<u> X </u> Andrew Seal	<u> X </u> Nick Grove
<u> X </u> Steven Yearsley	<u> X </u> Bill Cassinelli
<u> X </u> Rhonda McCarvel - Chairman	

McCarvel: Good evening. Welcome to the Planning and Zoning Commission meeting for December 2nd, 2021. If you are joining us on Zoom this evening you can see that we are here -- or we can see that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note we cannot take questions until the public testimony portion. If you have a process question during the meeting, please, e-mail cityclerk@meridianscity.org and they will reply as soon as possible. Let's begin with roll call.

ADOPTION OF AGENDA

McCarvel: Thank you. The first item on the agenda is the adoption of the agenda. There are no changes this evening, so could I get a motion to adopt the agenda as presented?

Seal: So moved.

Cassinelli: Second.

McCarvel: It has been moved and seconded to adopt the agenda. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

1. Findings of Fact, Conclusions of Law for K1 Speed (H-2021-0077) by Josh Shiverick of Cushing Terrell, Located at 1075 N. Hickory Ave. on the Northwest Corner of E. State Ave. and N. Hickory Ave

McCarvel: We have just one item on the Consent Agenda this evening. Findings of Fact and Conclusions of Law for K1 Speed, H-2021-0077. Can I get a motion to accept the Consent Agenda as presented?

Seal: So moved.

Cassinelli: Second.

McCarvel: It has been moved and seconded to adopt the Consent Agenda. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

McCarvel: At this time I would like to briefly explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant has finished we will open the floor to public testimony. Each person will be called on only once to provide public testimony. The Clerk will call the names individually of those who have signed up on the website in advance to testify. If you are here in person, please, come forward. If you are on Zoom you will be unmuted. Please state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures for a presentation for the meeting it will be displayed on the screen and our Clerk will run the presentation. After all those who have signed up in advance have spoken we will invite any others who may wish to testify. If you wish to speak on a topic you may press raise hand button on the Zoom app or if you are listening on the phone, please, press star nine and wait for your name to be called. If you are listening on multiple devices, a computer and a phone -- computer and phone, for example, please, be sure and mute the extra devices, so we don't experience feedback and we can hear you clearly. When you are finished if the Commission does not have questions for you, you will no longer have the ability to speak. Please remember we cannot call on you a second time. After all testimony has been heard the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to questions and concerns we will close the public hearing and the Commissioners will have the opportunity to discuss and, hopefully, be able to make final decisions or recommendations to the City Council as needed.

ACTION ITEMS

2. Public Hearing for Fire Station 8 and Police Substation (H-2021-0078) by City of Meridian, Located at 4250 N. Owyhee Storm Ave.

- A. Request: A Conditional Use Permit to develop the property with two (2) public/quasi-public uses, an 11,560 square-foot police station and an 11,637 square-foot fire station on approximately 3.60 acres of land in the R-8 zoning district.

McCarvel: So, at this time we will open public hearing for item number H-21-0078 and we will begin with the staff report.

Tiefenbach: Greeting, Madam Chair, Members of the Planning Commission. Alan Tiefenbach, associate planner with the City of Meridian. This is a proposal for Fire Station 8 and Police Substation and it's a conditional use permit. The site consists of about three and a half acres of land, zoned R-8, located on Owyhee Storm. Basically it's on the southwest corner. It's close to McMillan and McDermott, just north of the new high school. So, this property was transferred to the city as part of the Gander Creek South final plat in 2019 and this property is specifically designated for a fire station and the police substation by the future land use map. This property was actually transferred to the city for that reason. This use of quasi-public use is allowed by R-8 as a conditional use. So, again, the applicant proposes a conditional use for the construction of an 11,600 square foot fire station and an 11,500 square foot police substation. A significant -- a significant amount of land around this area has already been annexed and platted in the surrounding area. This includes the Owyhee High School, Gander Creek Subdivision, the Oaks North and South Subdivision, Chukar Ridge and Jump Creek Subdivisions. The proposed fire station and police substation will increase the response times and the tentative developments, they were approved during the -- during the analysis this fire station was taken into account as serving these subdivisions. The site plan that you see here -- I'm sorry, it's kind of tricky to see it, just because it's not very dark. The Gander Creek Subdivision contains a plat note which prohibits direct lot access to North Owyhee Storm Avenue. That's what you see here. That's a collector. But it does have an exception for this particular property. There is actually a specific note that says that this property can have direct access. This is to allow expeditious and unimpeded emergency access without having to travel through the adjacent neighborhoods. So, the site plan proposes one point of access for Grand Rapids Road, which is what you see here, and two points of access from North Owyhee Storm Drive. The southern northern Owyhee Storm access was what you see here, this would be the main access. This would provide access to both, as well as to the public. The northern accesses that you see here -- this is only access for the fire station. The access that you see here -- this is just for employee parking. The landscape plan indicates a buffer of at least 50 feet in width along North Owyhee Storm Avenue, which -- whereas 20 feet is required. There is several large landscaped areas at the north, which you see here and one of the east, which would serve for employee recreations -- will benefit the employees. This landscaping plan exceeds the minimum requirements. However, as noted in the staff report, the city

arborist had a comment that the maples and the ash trees, the types that were proposed, were actually an invasive species and he gave us a list of recommended trees that should be planted instead. That's one of our conditions of approval that you will see in the staff report is these two particular trees that were listed don't be planted. The Gander Creek Subdivision No. 1 provides a ten foot wide detached pathway that's already existing. That's what you see here. There is also a sidewalk already existing along the road to the north and to the east of the property. That would be West Black Butte and West Grand Rapids Drive. There is a wrought iron fencing of up to eight feet indicated on the site plan. That is shown along here and that fencing is to provide security for the police vehicles. Eight feet is actually higher than is allowed, it's actually restricted to six foot, so they would have to do alternative compliance. However, there was a discussion this morning -- the applicant called us and actually proposed instead of wrought iron fencing they wanted to do chain link fencing. Staff mentioned that this is not our preference, chain link fencing, but they could discuss this with the Planning Commission and at the very minimum we would recommend that if they did do chain link fencing it would at least be vinyl covered, maybe black and not galvanized type. The last thing would just be the building elevations in general. I don't want to get into the weeds on these, because this will be discussed -- this will be discussed with the CZC. This is very similar, if not exactly the same as the -- the plans that you saw for the Meridian South Fire Station at East Lake Hazel. The -- the fill materials that are shown here are showing smooth face CMU and metal paneling. It's important to mention that our ASM, our Architectural Standards Manual, actually says those can't be used as field materials, unless there is two other qualifying field materials. I only mentioned this just in the public hearing, so the -- so that it's known that there is probably going to have to be some additional work done to these buildings or they will have to apply for a design exception. With that we recommend approval with the conditions as listed in the staff report.

McCarvel: Thank you. Would the applicant like to come forward?

Gladics: Yes. Hi, Commissioners. Can you hear me?

McCarvel: Yes.

Gladics: Thank you to staff for the report and Commissioners. My name is Gunnar Gladics, I'm an architect with Rice Fergus Miller and my address is 11400 Olympus Way, Gig Harbor, Washington. And the design team and the fire department and the police department agree with nearly all of the conditions and, in part, really actually agree with Item 7 and thank you, Alan, for bringing that up. We actually have a discussion -- I would like to discuss the fencing a little further. We understand that chain link fencing is not desired and on the existing east side of the property the developer of the Gander Creek Subdivision already has a solid vinyl fence that is six feet in height and we actually are proposing to continue that fencing on the east and south side of the sites to match with what the development already has and, then, continue using the metal picket fence or wrought iron fences, as Alan put it, along the north and along the -- the east -- or, sorry, the west sides of the site and so that would be the only difference from what we have submitted in the report. Other than that we agree. And the building materials on the

outside, we are updating those to remove the smooth face block and comply with that on both this northwest side and south side, so -- for the CZC. With that I would take any questions that the Commissioners have.

McCarvel: I do have one question. The staff mentioned that you were considering a chain link fence, so that's no longer part of your request at all, no chain link?

Gladics: Correct.

McCarvel: Okay.

Gladics: We have -- we have talked with the Police Department and Public Works and we -- we don't think that's the right thing to do and we would like to try to match with what the developer is doing, as well as provide the higher quality level at the front part of the station and use the picket fence as -- as described.

McCarvel: Thank you. Any other questions for staff or the applicant? Okay. Madam Clerk, do we have anyone signed up to testify on this application?

Weatherly: Madam Chair, we do not.

McCarvel: Okay. That being said is there anyone in the room or on Zoom that wishes to testify on this application? Okay. And I'm assuming you don't have any further comment then?

Yearsley: Madam Chair?

McCarvel: Oh. Commissioner Yearsley.

Yearsley: Can I ask a question?

McCarvel: Sure.

Yearsley: So, how come you don't want to use the wrought iron fence along the sidewalk piece of your property? Can I ask?

Gladics: That's along the border on the east side with Gander Creek?

Yearsley: Yeah.

Gladics: We would -- the -- actually one of the intents that the police had when we were originally planning it was to try to block out views into the backside of the police station for safety reasons and so after talking with them about not doing chain link fencing, the solid vinyl fencing actually fulfilled that purpose in keeping people from having visibility into their kind of operations area and their workout area and that was -- that was what we landed on thinking -- and our thinking that the vinyl fencing matching that would be the

best option.

Yearsley: Okay. Thank you.

McCarvel: Any other questions? Okay. With that can I get a motion to close the public hearing on H-2021-0078?

Seal: So moved.

Grove: Second.

Cassinelli: Second.

McCarvel: It's been moved and seconded to close the public hearing on H-2021-0078. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Any other thoughts, comments, or motions to be made?

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: Who doesn't like a police station and a fire station? No. I guess my only concern -- and, you know, if we are trying to make the -- the back area secure, I'm a little concerned about a -- how secure the -- a vinyl fence would be. I would actually more lean to -- if they were trying to make it more secured, allowing -- I know it's not popular, but the chain link fence, the option, but I will concede to the vinyl fence, but that was my only thought.

McCarvel: I guess my thought on that is probably moving more towards either vinyl or the wrought iron, but I can see their desire to have that a little more private back there.

Yearsley: Yeah.

McCarvel: So, I'm good with their proposed vinyl.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: After considering all staff, applicant, and public testimony, I move to approve -- approve file number H-2021-0078 as presented in the staff report for the hearing date of December 2nd, 2021, with the following modification: That we allow the vinyl fence along the east side of the property.

Seal: Second.

Grove: Second.

McCarvel: It's been moved and seconded to recommend approval for H-2021-0078 with modifications. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

3. Public Hearing Continued from November 18, 2021 for Lennon Pointe Community (H-2021-0071) by DG Group Architecture, PLLC, Located at 1515 W. Ustick Rd.

- A. Request: Annexation of 10.41 acres of land with a request for C-C (2.01 acres) and R-15 (8.3 acres) zoning districts.
- B. Request: Preliminary Plat consisting of 44 building lots (43 single-family residential and 1 multi-family residential), 1 commercial building lot, and 2 common lots on 8.8 acres of land in the proposed C-C and R-15 zoning districts.
- C. Request: A Conditional Use Permit for a multi-family development consisting of a total of 18 units on 1.18 acres in the proposed R-15 zoning district.

McCarvel: Next item on the agenda is an item continued from November 18th, H-2021-0071, Lennon Pointe Community and we will begin with the staff report.

Dodson: Thank you, Madam Chair. Appreciate the time tonight and mine will be a little longer than the previous. I apologize. But that's just my luck here. As noted this was continued from two weeks ago, because I apparently can't count lots anymore. I just missed one. So, I do apologize for that, but we are here tonight and we will be getting this forward -- moving forward here. As noted, this is for Lennon Pointe Community. The request before you tonight are annexation and zoning, preliminary plat, and a conditional use permit. A private street application was also submitted, but that is an administrative approval. The site consists of 8.8 acres of land currently zoned RUT, located at the southeast corner of Linder and Ustick Roads. There is no permit history or hearing level history with the city at this time. The future land use map designates this property as mixed use community, which allows residential dwellings at the density of six to 15 units per acre. The annexation and zoning of this property is requested for 10.41 acres, which as you can tell is quite larger than 8.8, but that's because we require zoning to go to the centerline and when we have two arterial streets abutting your site you tend to add quite a bit of area of zoning that doesn't match the plat. So, just to let you guys know that's where the discrepancy is. It has a request for C-C zoning and that's two acres and a request for R-15, which is 8.3 acres. The preliminary plat consists of 44 residential building lots, 43 single family and one multi-family lot. One commercial lot and two

common lots on 8.8 acres of land within those proposed zoning districts. The conditional use permit for multi-family development consists of a total of 18 units on 1.18 acres in the proposed R-15 zoning district. Again, the applicant did request private street approval. The director slash staff gave approval of this application, so there is no need for Commission to act on that. The subject site does have existing -- existing City of Meridian zoning in all directions as you can see on the map on the left-hand side here. The site is directly bordered to its north and west by arterial streets, Ustick and Linder to be specific. Development of the surrounding areas are still ongoing with detached single family to the east and south, which is part of the Creason Creek Subdivision. Multiple office buildings are being constructed to the north and the C-C parcel north of Ustick and there is existing C-C zoning and an ambulance service in the C-C zoning directly to the west and across Linder Road. In addition to the existing land uses around the property, the subject site contains two major waterways, which you can see a little better on this right-hand side map. We got this Kellogg Drain here and, then, I believe this is the Creason Lateral here. The -- almost the entire site is within some form of a floodplain. Flood way, floodplain, and flood zone. There is different ones. So, it is important that the applicant deal with the waterways on the site. The applicant is proposing to pipe the Kellogg Drain and reroute it along the south boundary or near the south boundary in order to make more area of the site usable, as well as provide adequate open space and pathways in the southwest corner of the site. The proposed land uses are attached single family, townhomes, multi-family residential, and commercial. So, you have attached single family, which is here. You have the multi-family and, then, you have townhomes, which are going to be three or more, which is these here and these here and, then, you also have -- I can't count again. I said three detached single family in my staff report, but I forgot that there is a fourth detached right here. It actually has multiple residential land uses on the proposed project. These land uses are consistent with those outlined in the mixed use community future land use designation definitions when they are properly integrated, both internally and externally to the site. Overall staff does find that the proposed site integrates with -- integrates the proposed uses in appropriate manners. Specifically, the applicant has proposed multi-family residential along Ustick, as well as the commercial buildings at the hard corner at Ustick and Linder. This, therefore, places the most intense uses closest to the arterial, which the comp plan talks about in multiple ways. Therefore, the single family uses are proposed on the remaining area of the site and makes up approximately 70 percent of the site area. The applicant is proposing the single family portion of the site as all two story, except for the six unit townhomes here and here. So, nine units of the 43 are three story, the others are all proposed as two story. In addition to the site design and proposed uses, a certain density is required to be met for the residential projects within the future land use designation and, again, that is six to 15 dwelling units per acre. The proposed project is shown -- or -- with the total units as proposed originally is shown as approximately 7.35 units per acre. So, it's a very low end of the MUC designation. Therefore, it meets this requirement. Overall staff does find the project is consistent with the comp plan and the future land use designation of mixed use community. However, staff does find that some revisions to the site plan should occur to offer a better transition from the existing single family to the east into the site. Specifically the height disparity between the proposed four story multi-family along Ustick and the proposal to have alley loaded homes along the east boundary. The

existing detached single family home in Creason Creek directly adjacent to the multi-family units is a single story home with a bonus room. Obviously, that next to four stories is a big disparity. Staff has called this out. Despite the separation and has proposed that the applicant basically take the top two units off directly adjacent to Creason Creek. Therefore, there would be -- it would be two story here and two story here and, then, jump up to four story for these. In response the applicant provided revised elevations that showed the loss of one unit adjacent to the east boundary, which makes between the four story and the property line approximately 46 feet of separation between the fence line and four stories. I will leave it to the Commission to determine if they want to stick with staff's recommendation and request that they take another unit or if they are okay with that or whatever you need to do with the multi-family. Staff does recommend that the units along the east boundary -- I guess my next point these units here, staff does recommend that these become front loaded, rather than alley loaded. Staff recommends -- I did not call this out in my staff report specifically in a condition, I called it out saying that I did not think they were going to meet the setbacks and they don't currently for an alley loaded property. They are not getting the, quote, unquote, front setback on the east side of the lots. I have discussed it with the applicant and we are in agreement that we should change these two front loaded and, then, move the property lines, because they technically are ending right up along the sidewalk back here. We would remove the sidewalk and extend the property lines to this boundary and this would become the rear yard and they have the front doors on the front side as normal, which would actually -- you know, they don't have to move the homes. They can if they need to, but they will be able to maintain the rear setback of R-15, which is 12 feet. Staff made this recommendation -- or is making this recommendation, because I believe that having it front loaded will have less of a nuisance and less noise than what is being proposed currently. Having that additional foot traffic on the east boundary I think would be more of an issue for existing residents to the east than having rear yards of single family homes. And, again, to note the applicant and I are in agreement with that change. At least we were yesterday, so -- the proposed residential uses are allowed uses within the R-15 zoning district. So, again, that's -- all of the different proposed uses for residential are allowed. The caveat to that is the multi-family, which is a conditional use, which is why we have a conditional use permit before you tonight. Future commercial uses will be analyzed with future applications submitted for that area. In regards to dimensional standards, the commercial lot meets all the required dimensional standards. But, again, when we get a certificate of zoning compliance and design review in at a later date staff will analyze that in more detail. Multi-family buildings meet all of these standards, except for the height. At least originally. The applicant did revise the elevations of these buildings and they now show compliance with the 40 foot height limit of the R-15 zoning district. The single family area of the site meets all dimensional standards, except for as I noted the east setback for those homes, as well as the center lot and the three-plex is not the minimum 2,000 square foot lot. I do have a condition of approval to correct that prior to Council in my staff report already. Multi-family conditional use is -- has specific use standards that they must comply with. Each multi-family unit is proposed as a two story, with the units on levels one and two differing from those on levels three and four. So, again, it's kind of a stacked product. That's why they are four stories. The lower units provide at least 132 square feet of private open space in the form of patios and the upper

units provide at least 251 square feet of private open space per unit in the form of private patios. This vastly exceeds the requirement in code for 80 square feet per unit of private open space. Each unit is proposed as being greater than 1,200 square feet. So, per the specific use standards 350 square feet per unit of common open space is also required to be provided. Based on the original number of 18 units that equates to 6,300 square feet of common open space that should be provided to meet the specific use standards for the multi-family product. Open space for the project overall is being shared and with that -- I will discuss that very shortly, but overall the proposed open space is in excess of code requirements for both portions of the project. Staff does not have any concern with that. For 18 units a minimum of two amenities from two categories within specific standards are required as well. That applicant is proposing a shared plaza here that has some public art, which meets both amenity requirements from the quality of life and open space categories. Therefore, staff does find that the proposed multi-family project meets the specific use standards outlined in the UDC. Now, to the open space for the project. A minimum of ten percent qualified open space meeting the standards in UDC 11-3G-3 is required for the -- for the single family and the multi-family at this point. Based on the proposed plat area of 8.75 acres, a minimum of .88 acres of qualified open space should be provided. According to the applicant the revised open space exhibit, approximately 1.64 acres of qualified open space is proposed, which is approximately 18.7 percent. The majority of this open space -- this qualified open space consists of this large open space area here, as well as the large MEW in the center of the development and half of the arterial street buffer, which is allowed to count per code. Staff finds that the proposed open space is adequate, both in the amounts and its placement to satisfy all code requirements. Based on the area of the plat a minimum of one qualified amenity is also required to be provided. The applicant has proposed three qualified amenities, which I would like to note is -- the applicant corrected being they were right. I stated in my staff report that the dog park is not qualifying, but it is, in fact, qualifying. I read code wrong and they are providing waste disposal stations, so they are allowed to have that qualify as an amenity. So, the three amenities that are being proposed are the dog park area, which is located here, a ten foot multi-use pathway segment and a children's play structure, which is shown here, and those are all qualifying amenities and exceed the minimum amount. The applicant is proposing pedestrian facilities throughout the entire site that include attached sidewalks along the public road here, micro paths and the multi-use pathway segment as discussed. All these facilities connect and integrate throughout the site as seen through the landscape plan here and going through the MEW along all the private streets, which are not required per the privacy standards. It will connect to the sidewalk along Linder and Ustick, which is existing, and, again, throughout the entire site. Overall staff is very appreciative of the proposed pedestrian circulation system within the site. The project also meets all off-street parking requirements per the submitted plans. However, future building permits for the single family will verify compliance with off-street parking standards based on the number of bedrooms per unit. So, each of those single family is shown with a two car garage and a parking pad, which will meet the parking requirements if they are four bedrooms or less. So, it is assumed that that's what they will have to do. Access for the site is a little complicated, so bear with me here. There is -- again there are arterial streets adjacent to the site. So, Linder Road on the west, Ustick Road in the north. Access from those sites are proposed via two driveway connections,

one to each. They have a driveway connection here and drive a connection here. The Ustick Road driveway connection will be limited to a right-in, right-out for ACHD. This one will be a full access as I -- the staff report notes a temporary full access because the access on the west side is a full access and if ACHD limits one they have to limit the other, so they have decided to leave this as a full access at this time. Sorry. ACHD did approve both of these access points through a review of a driveway analysis made by the applicant's traffic engineer. A TIS was not required because less than one hundred units were proposed with the project. The other public access points to the site are proposed at the -- this is a little easier -- at the northeast corner and the south, because they are extending the existing public roads. You have North Zion Park Avenue, I believe, from the south, which will, then, connect to West Pebblestone, if I'm not mistaken here. And this is a public road through the site. The applicant is proposing a private street through the west portion of the site, as noted, and has received administrative approval for that, so that starts here, winds around and goes here. So, this is also private, because it's -- technically a driveway access with the drive aisle for the multi-family and drive aisle for the commercial. This is all private slash commercial or multi-family drive aisle. But the official private street, which will be an easement, is -- starts here, winds through, and ends here. That -- the private street is proposed to be at least 26 feet wide, which exceeds minimum UDC requirements and it will be within a 30 foot easement on the plat. They -- the private street and the local street are acting as alleys for a majority of the units to make them a majority of alley loaded, which presents a new product type in the area of the city. Again, the private street meets all UDC requirements. The three detached homes in the southeast corner of the site are proposed with -- I'm sorry. The detached single family are proposed off of a common drive -- or at least two of them are and per code you cannot have more than four, so this, therefore, meets UDC standards as well. There was two at least as of probably 2:00 p.m. this afternoon there were a couple pieces of public testimony. One from John and Caryn Bitler. There is concerns of the type of residential units being proposed and the fact that they differ from Creason Creek to the east. Concerns over the inclusion of multi-family, especially considering the height, and overall just the high disparity of the proposed units proposed with those to the east and as usual development there was some concern with the increase of noise and traffic with additional units in the area. Olena and Eder Santana also stated very similar concerns regarding the proposed project. I will note there was also some discussion in the public comments about what was discussed by staff a few months ago and what was discussed at the neighborhood meeting does not align with what's being proposed and that does tend to happen. Some of the discussions I had with the applicant -- I have been working with the applicant on this probably all of 2021. I can't remember at this point. We had five pre-apps on this. We have worked very diligently on this project. So, the plan has definitely changed over the last ten months or so. So, it does happen. I just don't want the Commission or the public to think that there is any kind of bait and switch or anything changing, but those kinds of things do happen. But staff does recommend approval of the subject application per the conditions in my staff report and, again, I would like to ask that the Commission add one -- one more -- recommend one more recommendation, which would be for the -- to change the units on the east boundary. I noted it right before my bullet points on my outline. It should read similar to the applicant shall revise the site plan to show those units along the east boundary, Lots 1 through 12, Block 2, to be front

loaded units and remove the shared pedestrian access along the east boundary and revise the plat to show the property lines of these lots going and touching the east boundary of the site for the rear yards of the zone. So, along that I can make it prettier for the staff, but I need -- that would have to be part of the motion if you guys would like that and agree with staff, because I did not have a condition. After that I will stand for any questions.

McCarvel: Thank you. Would the applicant like to come forward?

Wheeler: Madam Chair, Members of the Commission, I will just upload my presentation here.

Dodson: I got it.

Wheeler: Oh, you got it?

Dodson: Yeah. You can't -- you can't do that. Just use the arrows. The mouse is real finicky, so I would just use the --

Wheeler: Got it.

Dodson: -- the arrow buttons.

Wheeler: Andrew Wheeler. 2923 North Arthur Circle, Boise, Idaho. 83702. Representing DG Group Architecture. And first I would like to thank staff for their diligence and efforts over the last year and a half. As Joe said, we have had five pre-apps and this has been a pretty complicated project and site to come to quality design solution and thank you all for your time and attention here to review the proposal. The site currently, as Joe mentioned, is a mixed use community zone, which is the -- which has the purpose of allocating areas where community serving uses and dwellings are seamlessly integrated into the urban fabric. As noted in the staff report comments, this site is proposed as a transitional density from the existing single family to the main arterial streets. It's a -- it's a prime opportunity to have that transition that culminates at that hard corner, which is surrounded by commercial currently. Is this picking up? Am I loud enough here?

McCarvel: Yeah. You got to get real close to it.

Wheeler: Okay. There we go. Over the past year and a half we have worked closely with staff to come up with a quality solution to the many development problems that this site has and we are excited to present with you -- to you Lennon Pointe, a mixed use community. This image is a site entrance. This would be coming into the site from West Pebblestone. This is the demarcation between the public road and the private. So, existing conditions. So, looking at the site overall at an aerial view of the site from the southeast corner at Linder and Ustick and this shows the network of local streets that connect to the site. You can see there is two connections to Ustick through this local

street network, as well as one in -- on Claire Street in the south there to Linder. So, there are other opportunities for traffic to reach those arterials, other than the ones directly adjacent to the site. North Zion to the south intersects the site and, then, West Pebblestone to the east. So, here is a survey of the site and this kind of shows the -- the challenges that Joe mentioned. So, the one main challenge is the Kellogg Drain. It really limited the development potential of this site. The site's sat there for a long time because no one's wanted to take on the challenge of how to figure it out. So, we were up for that. It also has the floodway on the southwest corner, which eats up a big portion of the site and, then, as well as the flood zone, which is about half to three-quarters of the site, so we plan on raising those pads to one foot above base flood elevation. Access to the site, as Joe went through with -- on Linder and Ustick is a little complicated to make sure that, you know, we were in compliance with ACHD. We are utilizing the existing curb cuts to provide that access and as well as bringing through that local road, which was a big design factor. The single family to the east is a critical part of this project and so we took steps to mitigate that and provide a lifetime product adjacent to the current two story and one story plus bonus on that eastern side. There is some imagery -- imagery of the existing site. This is the existing curb cut on Linder looking north. The site is to the right. Here is the connection from the Creason Lateral to the Five Mile Drain and another vision of that. That's the Creason Lateral. So, this is looking southeast. This is the Five Mile Drain culvert. This is looking south and that's the existing single family in the far distance and this is on North Zion Park Avenue looking north and, then, looking -- looking east and you can see there are two story and one and bonus room single family and also to note - - we will get into this -- the grade elevation is three foot higher on the existing single family than our proposed pads. Here is what that community current look -- currently looks like on Tumble Creek and Northwest 13th Street and this is West Pebblestone looking west that dead ends into the site currently. Here is a vision -- or an image showing that discrepancy of grade elevation of three feet higher. This is the existing single family on the northeast corner adjacent to that multi-family project and, then, this is the curb cut on Ustick looking east as well. So, site design. So, to dive into this, you know, the requirement for mixed use community and three product types, so we are proposing -- proposing the community commercial on the upper left, the multi-family upper right and the single family in the -- the main part of the site. A lot of the challenges that really drove the site -- one was extending the public road and, you know, that dictated where our driveways needed to be in and part and parcel to, you know, where the homes would be and how much distance we had between lots, as well as the floodway and flood zone areas. So, the floodway in the southwest -- so, you can see that area marked there and, then, the Kellogg Drain. So, the red is showing where we would reroute that drain underneath the hard pipe with the same outlet discharge location that it currently is at. So, we are utilizing the nonbuildable land to move that -- that drain and provide a pedestrian amenity in that same location. Arterial street access utilizing the existing curb cuts as mentioned earlier on Ustick and Linder. And let me go back into this. So, the community building -- or the commercial, excuse me, is, you know, pushing that building to the hard corner to buffer the views of the parking, as well as provide two driveways -- drive-throughs for that future use and, then, the other commercial building is adjacent to the hardscape and public art to provide that additional revenue for a commercial use and residents. The amenities, as Joe mentioned, are the public plaza and the art and, then,

that ten foot pathway in the lower left and the tot lot, as well as the dog park. The MEW throughout the center was critical to -- and we went through alley -- two alley load designs to have, you know, porches on the front, eyes on the street, have that community feel and be able to not just have -- be driveways and cars, you know, all throughout the whole site. It's unavoidable to have a complete -- it's unavoidable to have it completely throughout the site, but we did our best to, you know, try to provide that front porch feel. This shows the public -- shows the public road. Everything else would be private. And, then, the pathway plan -- this shows it a little clearer without the Kellogg Drain, the pathways throughout the entire site, so there is great connectivity through the hardscape plaza to the lower southwest path -- ten foot pathway required by the Parks Department that would connect to the existing Creason Creek pathway of Creason Creek Subdivision Two to the south. That needs to shift over west a little bit, which is a detail that we are working out. Here is the open space exhibit that highlights what we are counting as open space. 44,415 square feet required and we are providing 71,458. Here is a parking plan. This shows that in the upper left, the commercial, there is -- for 500 square foot per stall. Requires 24 stalls. We are providing 25. In the upper right on site B the orange would be surface parking, as well as three on-street parking stalls and, then, the blue is two car garages. Required are 30 -- 36 required and we are -- we are providing 44. In the single family there is 177 required and we are providing 201 and the yellow is on-street guest parking with -- the driveways that are in dark grey would be two car driveways and, then, two car garages. So, four cars per lot. This is a rendered vision of the top down view of that. So, building design, the commercial -- commercial buildings are modern in nature. We don't have a tenant for those yet, but the intent is that they have a modern aesthetic, CMU block, metal panel, concrete. This would be building the larger one on the corner and, then, this is the smaller one, which possibly a sandwich shop, something that's going to serve a use adjacent to that hardscape plaza. Similar materials. And you can see those on the right here with the TPO roofs and, then, again, a view here and there is a few other views. So, this is showing that plaza with the public art and a future commercial use and, then, that MEW to the left. Building A, the multi-family building, so this would be -- this is level one and two. This would be one unit. Stairs are not shown in here. They should be. But it would be accessed from the garage direct into the unit and, then, this would be levels three and four and due to the height limit we have more of a loft situation to that fourth level and, then, you can see on the right we are dropping -- we are losing a unit to address the single family to the east. Here are a couple of elevations of those. On that bottom left image you can see that step. And here is a section kind of showing the design of that and those stacked units and as well as -- you know, it opened up an opportunity to bring in daylight to that upper unit, provide higher ceilings, more robust unit, and a quality of space and that -- those upper units. So, here is showing an example of the two story versus the four story. You can see that it's about 43, 44 feet from the property line to the four story is what we are proposing. The 22 foot -- the small portion of the stair tower is 22 foot tall. But, again, the grade is three foot taller on the residential side existing, so that's actual 19 feet from relative to the adjacent single family and, then, we are 19 foot four to the two story from the property line of a majority part of that -- our eastern unit. So, here is the -- that shows those grades. We are 2,572 for our finished floor and the existing of that homes at 2,575. And that's what that looks like currently -- in the current design. The same -- same look and feel, just stepping it down to address

that two story unit to the east. Here is another view. This is heading into -- in -- heading west on Pebblestone -- West Pebblestone. That was Building A to your right. And, then, another view looking at that right-in, right-out on Ustick. This building is Building B on the site, which is located facing outward onto Linder facing west. Again, we wanted porches and front doors to face Linder, rather than having garages face Linder and having that aesthetic as you are driving down there. It is a three story product, level -- one story is the garage level adjacent to the street and, then, stepping up with board batten, traditional gable and horizontal siding and stone. That's what that looks like there facing Linder. This is the other three story product of a three unit building. Same materials, same design aesthetic, and this is looking at that pedestrian path connection and that's the Building C to the right and you can see it -- kind of the right middle there as well. Yeah. So, the main majority of the two unit single families -- we wanted to have some variety, so we did a D-1 and a D-2. This is calling it Building D. The main differences in those -- and you can look at the top two images. We have a shed dormer on the -- this thing skipped over. So, the D-1 we have a gable on the -- the main center portion and, then, a hip roof on the garage portion and, then, that flips to a shed dormer and a gable. So, what that ends up looking like is a variety of housing types through the area and this is that -- a view through the MEW and this is a view at that ground level with four foot vinyl fences, wrought iron gates to kind of provide privacy, but keep eyes over the fence and provide connection with neighbors and people living in the area. Here is a view looking at the hip roof of the garages versus the gable. That, again, provides a differentiation between that street. So, they are all -- they are all not the same and, then, we have a single family product, the three units to the southeast corner, which is there on the right and that's the dog park straight ahead. So, there would be the dog park stepping out of one of those single family units and that shows the single family units to the left. At the neighborhood meeting a couple concerns that were brought up that Joe mentioned. Mostly it's the four story unit at the -- four story Building A and, then, the two story adjacent townhomes and, you know, when you -- we have a similar issue here as we do on Building A with the grade differential. There is 2,575 at the grade and that's not even at the building pad of the existing home. So, likely the pad is another foot higher or a little bit higher, about 2,575. Our finished floor pads are 2,572. So, when you look at that in section -- this is a section through one of the dormer -- shed dormer models, the grade raises at the -- the right side and -- so, the overall height is of, you know, 19 feet to the -- the eave would actually be 16 feet relative to the eastern homes. So, that's what that looks like in the east side of the property and this is a view on the south looking north. This is the west side looking east. And, finally, the north side looking south. And with that I will open it for questions.

McCarvel: Okay. Thank you. Do you have any questions for staff or the applicant?

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Is the -- Andrew, the commercial, is that all single level?

Wheeler: Yeah. Ten, 12 foot. I mean it's going to be -- you know, depending on the user

that goes in there, but, you know, possibly 15 feet. No more than -- not -- not a two story.

Cassinelli: Did you -- and another question is did you look at putting similar three story product on the north side there against -- against Ustick that's over to Linder?

Wheeler: We did. The original intent was to have a larger two -- two story and, then, a step back fourth story and have a larger patio, you know, enhanced views of the mountains out there and, then, having a nice community area or private open space. With the 40 foot height limit that became a challenge to be able to make that work and so we ended up going with the -- with the square footage of the units needing to be at a certain mark. That's why we have the two stacked. So, if we do two stacked and two stacked you get to the fourth. We didn't explore a three story option in detail.

Cassinelli: So, you didn't look at putting a similar -- similar units that are on the -- that are fronting Linder to the north side?

Wheeler: We did not. You know, in the -- in the spirit of mixed use community and density, being that this is the arterial of Ustick and close to Linder, the whole area being community commercial zoned, we felt it was appropriate to have a different aesthetic that kind of matches the modern aesthetic of the commercial that transitions into the residential.

Cassinelli: Okay. Thank you.

McCarvel: Any other questions for staff or the applicant? Okay. Madam Clerk, do we have anybody signed up to testify on this application?

Weatherly: Madam Chair, we had one person sign in, but not indicating a wish to testify.

McCarvel: And with that I'm assuming the applicant has no further comments, since there is -- oh, sorry. Forgot about that. Anybody in the room that wishes to testify that did not sign up? Come forward. Pardon me? That's fine. You are here. Come on up. Okay. Please state your name and address for the record and you have -- the timer is on the screen there. You have three minutes.

Bitler: My name is Caryn Bitler. My address is 3055 Northwest 13th Street, Meridian, Idaho. 83646.

Yearsley: Can you pull the mic -- there you go.

Bitler: I don't know why I thought I should do that. Okay. So, to keep me focused and centered, I'm just going to read my e-mail, because I can go off on tangents and I don't want to do that. Okay? So, what I wrote to you guys was: Dear Planning Commission and city staff. We are concerned with the proposed development at 1515 West Ustick Road in Meridian. We understand the land consisting of eight acres has been slated for multi-use development since 2005 with designated commercial area, road entrances and

exits, having already been discussed with Fire and Police Departments for their use. We ask that you consider multi-use development in the form of designating single family detached homes for the housing portion of the development, which will best blend with our Creason Creek and surrounding communities. We are California transplants -- from New York originally, so don't hold it against me. So, we followed our family members that moved up here and they are longtime residents of the area to Boise and Meridian. Decide -- we decided to invest our hard earned money for a very nice, comfortable home in the community of Creason Creek. We were very involved with politics in California and now we are proudly registered voters with our new community of Meridian. We are very concerned about the property along Ustick Road being transferred into multi-family dwellings that will decrease our home values, thus impacting our family wealth and retirement. We request that you consider your decision to support the housing portion of this development for construction of only single family detached homes. This provides a more unified, seamless corridor and environment consistent with our community and the surrounding communities. Even as you consider density requirements for this development, it could be achieved with a proposal of six detached single family homes per acre. There is 43 by 60 square feet in an acre. So, you figure if you have six that's a little over 7,000 square foot lots for the homes. This compromise seems reasonably doable for our community. We request -- as we discuss with our community this pending development several families have decided to sell their homes instead of fight and we believe this will change our community forever. We are losing good neighbors. The proposed units we were told were ten feet from our backyard with the front doors facing us. That's not good. The builder said they would plant numerous trees -- my only question is how many acres are they building on? I know that's like an eight and a half to ten foot acre, because when I figured out what townhomes are going for now, new ones, they are going maybe in the high three hundreds and that's an overestimate. So, if you do 43 townhomes and also the apartments, the condos that they are proposing -- so, it would be more and times -- times 400,000 that's 17.2 million. If you are going to do houses -- our house is -- I mean houses are going for like 700,000 now and so if they do like 25, 30 houses instead, they are going to make more money. Thank you.

McCarvel: Thank you. Anyone else wish to testify? Certainly. Please state your name and address for the record.

Stinette: Pamela Stinette and it's 3036 Northwest 13th Street. Meridian.

McCarvel: Okay. You need to step close to the mic. You can push it up.

Stinette: Oh, I can. Okay. I'm taller than she is. It's Pamela Stinette and my address is 3036 Northwest 13th Street, Meridian, Idaho. 83646. And along with their concerns, I'm not directly impacted by neighbors looking into my backyard, so I don't have that same issue personally, although I understand for all the people that live across the street from me they are having -- going to have to deal with the same thing and I think that's a horrible thing for them. But my issues are not only is this development going in, but on the other side of Linder there is another development going in and so the traffic is going to be horrible. People trying to get out of the new neighborhood that you proposed, one of the

problems is that there is going to be a lot of people -- fast food and everything that's going in there, too, and also people trying to get out of that little development coming out on Pebblestone, driving 55 miles an hour to get to work. Already it takes me often where I -- where I use to be able to get out on the street right away, I have to sit there and so it slows me down, so I have to leave 15 minutes earlier every day. So, I'm just worried about the amount of traffic. Also the houses that are on Pebblestone have a lot of little children and so if people are hurrying trying to get to work, trying to compete with our traffic already, that is going to be dangerous. So, at least they should have speed bumps, if nothing else. If -- you know, overall I think there is way too much of a population going into that small segment, because it really isn't that big of a space and I think it's going to impact us terribly traffic wise, people walking to the park in larger numbers because of that many people there and so it's really going to impact us as far as getting in and out of the community. Also as Caryn mentioned, it really will also impact our home pricing. Even the construction of it, because nobody's going to be able to really sell their house for what it's worth during the construction phase with the trucks and everything and, you know, knowing it's going to be a combination of housing that -- you know, it's -- it's a mixed use you have different levels of housing and I think that's really going to impact the sales anyway. But even from the time of the -- you know, the -- the building portion is -- because that doesn't happen very quickly either. So, I'm concerned about the value of our homes, the quality of our lives, and the amount of people driving fast in the whole area, making it more difficult for us to go use the parks or for us to drive to go to work or for us to pick up our children easily from the schools and the impact it's going to have on the schools, too, because there is going to be a lot of children that they are going to need to put into the schools that they can't seem to build the schools fast enough to accommodate everybody. So, that's basically the main points that I have.

McCarvel: Okay. Thank you.

Stinette: Thank you.

McCarvel: Anyone else wish to testify?

Santana: Hello.

McCarvel: Hi.

Santana: My name is Olena Santana and my address is 3075 Northwest 13th Street. My concerns is -- actually is the biggest question even for you. Would you -- would like to lose the privacy of your backyard and somebody -- it's like that when we bought that property we were told never going to be developed to anything from a backyard. We have right now a beautiful view and our trees are basically our privacy. So, my concern is, you know, the amount of people in that corner and you just basically never will have your little oasis. So, that's the biggest concern I have and the traffic is going to be out of control, because development is across the street, down the street, and, you know, if we have a single family development there it will be maybe more manageable, but multi-family it's really a huge concern for me. Thank you.

McCarvel: Thank you.

Shanaberger: Hi. I'm Shelby Shanaberger. The address 3072 Northwest 13th Street. I guess the -- going last is going to sound kind of like an echo, but, basically, our concern was the same as everybody else's is. We are just worried about the traffic. I have my little one there and we see the speeders and we see the people coming through and I see the construction and it's just concerning to us. Getting out on Ustick alone right now is horrible. So, I was just wondering if there is going to be consideration of a light going in there at all just to get out. Also if they punch through there it's just going to be -- the people that live there, people are going to be driving through there -- basically for driveways, just -- and for my neighbors across the street, just having people constantly looking in their backyard. I think that the -- the proposed single family to be a better option and I just would be concerned about the traffic very much for the kids, because we already are dealing with speeders. So, if there is a way to get around that I think that that should be considered for the safety of our neighborhood, as well that we came into and proposed as someone else's oasis and someone else's neighborhood. Well, this is ours that we live in now and we don't really want people looking in on our backyards and looking in and having their wonderful views and ours is taken away from us. Thank you.

Simison: Thank you.

J.Bitler: Good evening. My name is John Bitler. I live at 3055 Northwest 13th Street. As a homeowner that has a backyard directly facing the proposed townhomes, we are concerned that the townhomes are going to be right on top of us with a setback of only 12 feet. That's from here -- from me to you. They are going to be right on top of our backyards. It's going to affect our privacy, view, and property value. We just landscaped our backyard and I don't want to go outside and sit outside and have somebody, you know, look into our yard. I propose for the townhomes facing all the homes on 13th Street west, maybe do a one story townhome. A lot of people don't want to have a two story townhome, they just want single family -- or single floor living. So, maybe that can be taken into consideration. With the traffic, just with our four homes on our side there is ten children living there. They are always playing in the street, riding bikes. You know, just don't want to see anyone get hit. We just urge you to consider maybe putting some single family homes in there just to go with the neighborhood. I know they have done a lot of work to add townhomes, but as a citizen -- sorry. It's just -- it's a lot. At least -- if you are proposing townhomes at least on our side of 13th Street just maybe make them single family -- or single level townhomes and that won't impact the homeowners on 13th Street as much. So, thank you.

McCarvel: Thank you. Anyone else in the room that would like to --

Reams: My name is Patrick Reams. 11844 Chinden Ridge Drive, Boise, Idaho. These are tough projects. I understand the position that you guys are in, especially what we just heard and I'm -- I'm for the applicant. I represent descendants of the landowners. I just want you to see a different perspective and maybe others. The descendants have had this property in their family for quite some time. They came to us about three or four years

ago with a challenge that nothing can get done. They have just been working with developers, it's fell out of contract multiple times since the last downturn. It's been going on for about 12 years. So, it's been a rough -- this gentleman over here has been working with the planner Andrew and the builder that's putting, you know, his interest on this thing and trying to get it to where -- something that would fit. It's -- I have seen multi-family lock up. I have seen all kinds of different mixed use, which has been a lot of ideas. I will have to tell you that -- that drain, that open -- you know, the Creason Lateral, all that, is a big problem. They resolved it. We are happy about that. It seems like ACHD is, you know, behind the traffic situation. I think the setbacks are -- I heard 15 feet. I think it's actually 18 to the building, but with two story and three story across the street. That's all been discussed. But if there is something that we can compromise, I think that there is some -- there is some areas that could still be worked out, but it -- the biggest issue for the seller and for the -- the developer that's moving in is to make it fit and that's the challenge and I have -- I have seen a lot of guys walk from this project. I just want to see something happen and I think the Simmons deserve that and it's a long time coming. So, with that, you know, I hope you guys make the decision here.

McCarvel: Thank you. Anybody else wish to testify?

Leach: Hi. I'm Jordan Leach. I live at 3039 Northwest 13th. I do think it's sad that we have to feel like we have to develop all of our rural farming areas just because they are there, but some of my concerns -- the traffic studies are from 2018, which doesn't reflect the amount of traffic that we have now, because there has been a lot of development since then and the other traffic study was done during 2020, which we know people were commuting less, not -- we don't have the school traffic as much during that time. The two roads going out of the community onto Ustick Road are already used by many houses. I don't know how many rental -- residential houses there, but it's kind of a mix of like three or four different neighborhoods already using those roads. Also I think that the idea that a three bedroom apartment only needs two parking spaces and one guest spot for every ten apartments just isn't realistic with our current rental market. I think the way that rental prices are compared to wages -- a lot of people have multiple families living in one apartment, maybe three or four adults. So, I think that's something that needs to be taken into account and that's it. Thanks so much.

McCarvel: Anybody else? Would the applicant like to come back?

Wheeler: Well, thank you for all -- everyone speaking. It's good to hear everyone's perspective and, you know, it is a challenging situation and so -- and we are very mindful, hence, why we have gone through five pre-apps to find a solution that fits -- that fits this site. To kind of piggyback off of what Pat was saying, you know, we did look at three story walk up and multiple different iterations, locations. The City of Meridian was opposed to that for -- out -- out of the gate and wanted to see a lower dense product, which is what we provide and also mentioned the density at 7.15, I believe between a range of six and eight, so we are -- we are not pushing the density of the site. A lot of that, obviously, has to do with the Kellogg Drain, the floodway, and those kind of requirements. Now, to mention a couple things that were talked about and kind of dive

into those. There was a lot of talk of existing single family and this only being single family one level, there is existing two story that we saw in those images that are in that Creason Creek Subdivision and plus single story plus a bonus room. So, it's -- we are not building up against a bunch of existing single family one story homes, there is two story homes already there. In the request for a single family detached, our community -- our community needs housing. In the last -- first that we heard providing detached single family everywhere -- I mean this is where development should go. It's where the services are. I mean if we put detached single family and spread it all over that's a burden on the city, it's a burden on police, it's a burden on fire. I mean development needs to go somewhere and on the hard corner that's already zoned community commercial all around it, to me as an urban planner and an urban plan designer, it makes sense that this is where that goes. On -- as far as losing good neighbors, well, there is also a lot more great neighbors that could come in. So, I would like to just make that point. In regards to the 17 million in profit and, you know, some of the numbers that were spoken about, I mean we -- there -- that doesn't even take into consideration any cost of the land, any cost of the construction. That's not -- this isn't a money grab. I mean, yes, people are in this industry to make a living and we are not hiding that, but it's not to just pack as many units and I hope that the Commission can see that by the efforts and the year and a half we have taken to plan a quality project. It was also mentioned out of state. I, myself, am a local here in Boise and, you know, my personal mission is to design quality spaces, to make sure that land like this gets developed in a proper way and talking on the traffic increase -- and I can pull up my slide if I need to, but I showed that slide that had the interconnected local streets. There are two access points onto Ustick and there is one access on McClaire Avenue onto Linder, so it's not that every car in this development is going to be coming out onto the nearest Northwest 12th onto Ustick. There is multiple ways to get around that. Not to mention the private drive by the multi-family directly right-in, right-out onto Ustick, as well as the access point that we are providing onto Linder. School capacity. I would like to note that in the school's staff report they approved this project. They said that they -- while it is tight there is capacity at some of the middle schools and elementary schools. I believe the middle school was at capacity, but they are -- they approved that knowing that they can meet the demand of -- I believe it was 32 students is what that staff report said. Privacy on the eastern backyards. That's certainly a big issue and one that most people here are concerned about. We do provide currently a 40 foot minimum height shade -- shade with Honeylocust. That was something that's in the landscape plan now. Originally in the current design we had that pathway with a ten foot wide utility easement that has an irrigation line to provide adequate maintenance for the -- for that landscaping for that purpose. We are open to doing an HOA requirement or something to have minimum amount of landscaping or a type of landscaping to provide additional trees and buffers on that eastern side, which I think could be a good solution to -- to make sure that people are protected and they are screening there, because I -- and I also agree with that. I also note, too, in the design there is -- it's got patios on each side and, then, there is a gable roof in the middle. So, the corners of those buildings are at a two story deck. There is not a roof or windows, you know, over there, so the overall mass is reduced and that was one of the reasons why it's designed that way. Setbacks that were mentioned. They were 12 feet. That would be the actual setback to an invisible line that doesn't mean anything, other than to the plat and planners, but the actual building

is 18 feet setback. So, that is much greater than 12 feet and, again, just to reiterate the developing rural areas. I mean development is coming and we need to provide housing and I think we all know that and can appreciate that and we are trying to put that in a quality area that's going to put the least amount of burden on the city and provide the most interactive community that we can that supports the City of Meridian planning goals and provides a quality design. That's all I got.

McCarvel: Okay. Any questions for the applicant?

Seal: Madam Chair?

McCarvel: Oh, sir. Come back. Commissioner Seal.

Seal: Yeah. Just -- so, multi-family there is -- you have garages at the lower level; is that correct?

Wheeler: Correct.

Seal: That -- we seem to be having issues with that and especially as it pertains to parking, so we ask this question to everybody that has multi-family with garages is how are you going to ensure that people are parking their cars in there and not using it for storage and parking elsewhere?

Wheeler: Yeah. And that has certainly come up on other projects I have worked on. One, having windows in the garages for one, so there can be a maintenance officer on the site that can inspect those garages and make sure that there aren't -- you know, looking in there to make sure there aren't just, you know, boxes, that people are actually parking there that is part of the HOA. You know, not an invasion of privacy, but, you know, a maintenance to have the site function as its intended to function.

Seal: Okay. Next question is the -- the ten foot path that you have running up by the lateral there, would -- would you be amenable to extending that up to the corner of Linder and Ustick to kind of match up what's on the -- kind of kitty corner from that? There is a really nice bike path that runs through there and, then, that can be crossed and provide really good access to the park without having to hit a roadway, other than going across the sidewalks.

Wheeler: Yeah. Can we pull up that presentation again, Joe? We need to look at a visual here to better understand. Okay. So, we are looking at the ten foot path and you are -- you are asking if we could extend it on the west side of that private drive parallel with Linder?

Seal: Correct. It would just basically follow Linder up to the corner, because, again, on a -- I mean on the opposite corner Linder and Ustick there is a pathway that starts there, a ten foot pathway that carries you through and it's really a nice amenity and to have it extend over here would, basically, allow people to drop right down into the park and stay

off the roads.

Wheeler: Separate from the sidewalks existing --

Seal: Correct.

Wheeler: Yeah. I don't see an issue with that. I mean currently that's the Kellogg Drain easement as it is. That would impact a little bit the landscape buffer there, but a good tradeoff I would say.

Seal: On the -- sorry. I got a lot of questions.

Wheeler: That's why I walked away so soon.

Seal: That's okay. The -- the dog park I noticed that's on the common drive right in front of one of the properties that's on that common drive. You might want to consider moving that somewhere. Even with clean -- clean-up facilities and things like that it still smells like a dog park, so I think the -- the resident that's going to be in that place off the common drive right by the dog park is -- unless they are really really dog people are probably not going to be very happy with having that right in front of them and I'm not against dog parks, I love dogs, but just might want to consider putting that somewhere where it's not as close to a residence, especially one that's kind of boxed in right there on that common drive.

Wheeler: Yeah. And we are working with Nampa-Meridian Irrigation District on, you know, their approvals and they are on board with this plan. They had a couple comments about moving landscaping that was in some of their easements, so possibly we could put that into that -- those easements and make that a part -- because we need to fence off that Creason Lateral with a wrought iron fence anyways and so if we could incorporate that somehow and I think that could be a good solution to move it to the southwest.

Seal: Okay. Last question is just on the four story, especially where it's right up against that house. I mean for good or bad just it -- that part just doesn't mesh very well where you have the -- the four story up there against it in my mind anyway. I mean have you looked into -- I think Commissioner Cassinelli asked early on if there is -- like a three story option or an option to basically drop that down over there, because it's -- to me four stories seems too high in general, especially when we are right up against that house over there. I mean if this were positioned somewhere else, you know, even over off of Linder or something like that, I think it would be less of an issue, but that's a -- that's a pretty hard transition right there. I mean as a for instance, if you flip that sideways, run it north to south, basically, we would be saying that's not a good transition, but the fact that there is only one house there is probably why staff, I would imagine, is even willing to work with it.

Wheeler: Yeah. It -- actually that neighbor came out to the neighborhood meeting and he wasn't as opposed as I assumed he would be. He wanted larger trees and there is an

existing willow that he wanted to maintain. I talked with our landscape architect on that is -- is that the right, you know, type of tree for screening and longevity, but -- so, he -- he just wants to be screened, you know, from it and to me this solves his problem and where -- with the three foot grade differential and we are at 22 feet, so we are really at 19 feet when -- you know, his roof is higher than that. Also mentioned that windows could be removed on that taller four story unit, those two windows, to provide no windows on that side if that would be a -- help to -- from a visual privacy perspective. We can certainly explore other options. I do believe that an urban core wants more density and wants to feel more urban, which is, again, kind of why we went with this design aesthetic and going with the four stories, but we are open to exploring options.

Seal: Okay. Thank you.

McCarvel: Any other questions for the applicant?

Dodson: Madam Chair?

McCarvel: Yes, Joe.

Dodson: I just did -- I want to note about the -- Commissioner Seal, your question about the pathway. There is existing sidewalk, which is shown on the master pathways plan as a -- what do they call it -- an alternative -- like -- it's in purple. I can't remember what the pathways coordinator calls it, but it's -- it's -- it's an on-street, you know, pathway technically. I don't know how ACHD and the pathways coordinator would feel about extending the ten foot in addition to it? I don't know how they would feel about that. So, if you make a motion to do that, to have that revision, just, please, give us some flexibility to work with ACHD and our pathways coordinator to work that out.

Seal: Appreciate that. And it's more of a suggestion and in -- I don't think it's anything that I would put in a motion, it's just something that I know of the area, I live in that area, I ride that bike path all the time. I go to the park there. So, to me that's just a -- you know, would be a good transition if that was something that could happen and there is kind of a template for it right on the other side of the road, because they provide the sidewalk and the ten foot path already.

Dodson: Understood.

Seal: More of a suggestion.

Wheeler: Yeah. I would agree.

Dodson: Thank you.

McCarvel: Any other questions?

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: With the commercial that's in the northwest corner, what is the primary purpose of that in terms of what type of commercial are you going to be targeting for that space?

Wheeler: For a while, you know, in the pre-app meeting, one through three, it was a gas station is what we were looking at putting in there, but that idea has been revoked for floodplain issues and also something that is a little more community based. So, possibly could be providing two drive-through lanes. I mean it could be a pharmacy, it could be a bank, it could be, you know, ICC credit union. I'm not going to name -- we are not -- yeah. It could be anything of that nature, I guess, that -- that has the drive-through requirement and then -- which is why the 9,000 square foot building has that and, then, the 3,000 square foot, you know, we vision more of a Jimmy John's, a sandwich shop, I mean it could be any kind of -- something that's -- an ice cream parlor or -- or that could also be to 1,500 square foot units that's, you know, tenant improvements and adjacent to that plaza.

Grove: Okay. Thanks. I was just curious if it was going to end up leaning more like office or retail and that answered my question, so thank you.

McCarvel: Okay. And I have a question while this picture is up here. This is the -- the sidewalk there that's going between -- right by the fence and that row of trees there, that's the sidewalk that you are thinking about losing -- no?

Wheeler: Oh, yeah. Yeah. To the left. Yeah. Yes.

McCarvel: Yeah. That -- right along there. So, that sidewalk will no longer be there and, then, those townhomes are going to be loaded the other way; right?

Wheeler: Right. So, the design of those will change to provide more of an entry point. You know, as they are now there is not really a front door that kind of shows front door. I mean you are still going to have a garage and, then, a front door around -- around the garage.

McCarvel: Right.

Wheeler: But there will be some design changes. That was done in order to provide a little bit -- that same community feel and having people -- a feeling of walking up to your front door --

McCarvel: Right.

Wheeler: -- and connected throughout -- that path connected to the dog park and throughout the whole site, but I --

McCarvel: It would be more backdoor kind of atmosphere now.

Wheeler: It would be private backyard.

McCarvel: Right.

Wheeler: Yeah.

McCarvel: Backyards meeting up to backyards for the single family homes.

Wheeler: Correct.

McCarvel: Okay.

Wheeler: With the building staying in the same location, so that it provides that --

McCarvel: Okay.

Wheeler: If I could go to that section real quick just to verify the distances there. Yeah. So, if the -- you know, we are at 17 foot ten to the front wall and, then, the patio is inset over 20 foot to that deck. So, you are 20 foot ten inches -- almost 21 feet if you are standing on that level two deck from the property line.

McCarvel: Okay. And I think -- one other question -- I think staff had recommended on that multi-family unit doing two units, instead of the one, as a -- as a transition, losing that second -- the third and fourth story on more than just the one unit; correct?

Wheeler: Yeah. That was a great recommendation as we were -- originally it was, you know -- yeah, we lost the one unit. They are recommending two. In conversation with Joe, their recommendation was to lose the other four story units. So, you would have two two stories. I would almost advocate for losing the ground floor unit here and putting in some type of additional community amenity or a public open space plaza type areas, some benches, that type of thing. I think from -- rather than having two flats -- and I think just aesthetically the backs of the building would -- would be better and provide a -- a community asset, rather than looking over TPO roof or, you know, that kind of thing when you are in that other unit that pops up to the fourth floor. Oh. Sorry. Yeah. So, rather than looking at TPO roofing, if you are in that unit that pops up to the fourth floor and, you know, you have 50 feet of roofing that you are -- it's not that aesthetically pleasing.

McCarvel: Okay. Any other questions for staff or the applicant? Okay.

Cassinelli: Madam Chair?

McCarvel: Oh. Commissioner Seal -- or, sorry, Commissioner Cassinelli.

Cassinelli: Either Andrew or -- or Joe, if you can take a crack at this one. On the -- the commercial -- if we can -- I don't know if we can get a slide up of the -- just that commercial.

Wheeler: The site plan?

Cassinelli: The -- so, right now the -- the entry off of Linder is open right now, but in the future that will be right-in, right-out; is that correct?

Dodson: Per ACHD it is a temporary full access, so I think -- because of the use on the west side I don't think there is a timeline for ACHD to restrict it, but, yes, eventually, it probably will be limited to right-in, right-out.

Cassinelli: So, I'm -- my question, concern is -- is having that -- you know, from -- with regards to the commercial up there, in looking at the traffic flow that's going to -- that's going to force -- I guess that's going to force things through that other private drive into that commercial. It's going to -- it's going to impact that commercial -- not positively down the road when that is -- you know, looking at that, did you look at the potential impacts to that commercial when that -- and that may not happen for ten years, 15 years, who knows when ACHD does that, but at some point in time they will do that and what is that going to do to the commercial, is that going to wind up being -- nobody's going to want that and it's going to be vacant forever, because you just can't access it?

Dodson: Commissioner Cassinelli, that's a great question and, unfortunately, that is driven vastly more by ACHD and part of why we and ACHD especially said no to a gas station and convenience store was access -- is the -- the requirement to have access points closer to that busy intersection and it's already fully improved to its width was just a no go. It just is not going to happen. The existing curb cut on Linder is 360 feet from that intersection already, so they are meeting all the requirements that they can meet. I don't think ACHD will allow anything closer, to be honest. Maybe the one on Linder a little closer, but I believe there is a right-hand turn lane pretty soon you can see kind of on here. You have the edge of pavement. I think that's because there is a right-hand turn lane here. I -- I would hope it wouldn't limit the viability. I think that that's why they have proposed the uses -- or the building types that they have. You know, if you put a bank on the corner it would be nice to hold the corner and generally you don't need a ton of in and out traffic for that, you know, you use it when you need it and, then, they propose the smaller commercial building to have more of a presence for the existing residences. So, hopefully, it will pick up trips from internal to this community, as well as Creason Creek and those others to the east, which I didn't discuss that as much in my staff report, but that is something I do really appreciate, because it really meets a lot of the mixed use points. I know it's a long winded answer there, but I -- I'm not too concerned with it, because you have that access off of Ustick and you have the access off of Linder both with pretty straight access into those commercial areas and I just don't see ACHD allowing anything else. If we remove the commercial altogether, which I do not recommend, I think you are going to get more residential, which, technically, has usually more trips than commercial and for most uses and, then, it's going to be harder for them to meet their mixed use policies, because you only have office across the street and ambulance to the west and the northwest corner is residential, so --

Cassinelli: Again, my concern is -- is -- when I'm looking at this layout is the access to that commercial coming in off of -- coming in off of Ustick. You have either got to go

through -- you are accessing it through a private drive or through the -- basically, the -- the driveway parking lot of -- as it stands now those apartments there.

Dodson: Right. I see what you are saying.

Cassinelli: And I -- I get the issues, I just don't know how you could replace one of the apartment units with more commercial and, then, you have less of the residential commercial flow, you know, discrepancy there. I understand that. I don't -- from a planning perspective that would be very difficult to mitigate, but I do understand the concern. I don't know if Andrew has any potential answers. You could do vertically integrated on that building. But, again, you are going to have a mix of residential and commercial traffic through there. I do know that ACHD is not allowing that curb cut on Ustick to be moved. That -- that was -- that was a hard line that they draw.

Cassinelli: On Ustick?

Dodson: Correct.

Wheeler: Yeah. I don't have anything additional to add. I think you covered it pretty well.

McCarvel: Any other questions? Okay. Thank you.

Wheeler: Thank you.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Move we close the public hearing on H-2021-0071.

Cassinelli: Second.

McCarvel: It's been moved and seconded to close the public hearing on H-2021-0071. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Further thoughts? Discussion?

Grove: Madam Chair?

McCarvel: Yes.

Grove: I will jump in if you want. I think this is always going to be -- it's always difficult when you do in-fill. I remember not too long ago we were doing the other side of Ustick and Linder and the challenges that we ran into with -- with that parcel, just -- this is an

area that has been ready to be developed for a long time and there is going to be challenges when you have in-fill. You have limitations on access. You have limitations on just how you can orient different things. I like the different housing types that they have included. It matches what we were looking for in the Comprehensive Plan for the mixed use aspect and being able to integrate multiple housing types along with the commercial. I think this is a good fit in terms of helping the overall area have different options. We don't want a sea of the exact same house throughout a single area and that's one of the big reasons for a mixed use designation. I think that they have done a good job of, you know, adding in the amenities and I think the -- the challenges that, you know, were discussed in terms of multi-family, I think I would be open to the suggestions that I'm sure a few of you are going to bring up, but I'm pretty okay with whatever direction the rest of the Commission thinks on going with that. I think changing the back yard from a sidewalk and an alley load product to a front load product will improve that -- the -- those eastern boundary units overall. Maybe not a perfect application to meet all of, you know, the neighbors' concerns, but overall I'm -- I'm in favor with how this has been laid out and presented.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I feel like we are trying to shoehorn something in here to meet a designation that we have set back in 2005. I personally am not sure if I'm in agreement with the plan using the -- the -- oh, what am I looking for -- the mixed use code in this area. I think the -- the commercial -- I think you are going to struggle to have anybody want to go in on that corner. As Commissioner Cassinelli said, you have no access and the access that's there is horrible. So, I think that corner is going to be a dead corner, because no one is going to want to build there. The other concern that I have is I don't like the transition from the single family to -- to this. It just seemed like it's just like, you know, a single family to a larger development. I would prefer to see on the eastern boundary single family development and, then, go to attached unit. I would almost just nuke the -- my recommendation would be to nuke the commercial, move the apartments to the corner and put some attached townhomes on that one corner next to the house. I think that gives it a better transition to the single family. I understand your -- your -- your concern and your loss of your views. That's a sad thing to lose. However, you know, it's -- it's -- it's unfortunate that -- you know, I do believe in property rights and that this developer -- this farmer at the time has the opportunity to develop this property and so seeing that go away is sad, but yet it's -- it's understandable, but I think there is things that we can do to help mitigate the property owners next door to it and actually make it a better development. So, those are my comments.

McCarvel: Okay.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Yeah. The property owners to the east there, you know, I understand you -- you want to be able to look out your -- you know, your backyard and see something other than a house. I have lost that view myself. So, it's the reason I'm in the house that we are in, because I don't have to worry about losing that view. That said I mean property rights are property rights. This is well within what's going to be developed and, unfortunately, this is the way things line up. So, the transition -- especially with moving things -- I mean they have conceded to make these front load. So, now you are going to be backyard to backyard, which is, you know, 90 percent of the developments that we have out there. So, hopefully, you will get good neighbors. So, yeah, the other part of it is -- I mean overall things seem tall in here. Even the three story stuff on the Linder side, it just seems like it's -- it's pretty tall for this area. It hasn't developed widely yet. It's definitely coming. This will help fill that in. I look at this kind of as -- it's a hard corner and an in-fill because of everything that's going on with the waterways that are in there. You know, I would hate to give up the commercial just because I hate to give up commercial anywhere. I think it's going to be difficult to get a business in there. I don't think it's going to be impossible and I think when the right business comes in it will -- it will be okay. I mean I would love to see a little -- something go in like the -- like what they have up in Eagle Crossing up there where they have multiple businesses that share one space. Boise Fry Company, Waffle Love is the first one that comes to my mind. You walk into one space and you can get either one of them. Something like that that's -- you know, kind of depends more on -- on foot traffic and -- and local folks coming than it does on anything else would be probably a pretty good fit in there. It would be nice to see something like that down a little closer to the park system that we have there. The -- I like the amenities, the walkways and the way that all that stuff fits in. Again, even without a ten foot pathway that goes up to the corner it's going to be a really good way to get to the park system without having to stay completely on the road, especially on the bridge on Linder Road there. But this, basically, intersects in there. That's a really dangerous place to cross, unless you are on the other side of the road. When it gets to the multi-family part of this I think four stories is probably too tall in my mind and it seems to blend well with the exception of, you know, that one house that's on the corner there, right on the eastern side of the property next to it. I kind of agree with the applicant, if they do something with it it would almost be nicer to see them remove that whole -- instead of going over another unit, just completely eliminate that and make it into a -- you know, some kind of residential use or even more parking, to be honest. Just provide a little bit more privacy for the -- for the homeowner there. I mean the fact that that homeowner isn't here to testify and has had conversations with the applicant is good. So, that's kind of where I'm at on stuff. I mean there is a whole bunch of things going on with access and everything, but, again, I look at it -- this is kind of in-fill and it's a hard corner, which are tough anyway. So, I'm -- you know, I just hate to give up that commercial to do something else with it. Without doing that you really can't move the multi-family. So, I'm a little bit stuck on that. But as far as the project, I think it's viable and something that we can take forward.

Cassinelli: Is it my turn?

McCarvel: Commissioner Cassinelli.

Cassinelli: I have got -- I have got several challenges, issues with it, and I know it's tough -- you know, I mean if they -- if the developer had 40 acres to work with on this corner, you know, we -- I don't know how many iterations we -- we went through on that property to the -- to the north. Four or five at least. And, unfortunately, I wasn't here when we finally approved that, but -- so, it's tough. And this one is even -- even harder with the laterals there and so what's happening that I'm seeing, because of that is everything is getting pushed to the -- it's like shoved up into the -- to the northeast and because I don't know how many acres are down at that -- down the southwest corner -- a couple almost. At least one and a half. So, it really limits what can be done on this -- on this property. I like the idea of having commercial, but I think it's -- it's tough to do on this. I would -- I -- I would maybe like to see it moved around a little bit. The four story unit I'm -- I can't get behind those at all. We went through mid -- mid mile down across from the Chevron station down on Ustick, what's going in there now. We had discussed -- I think the -- I can't remember exactly if we eliminated all -- the four stories in there and went all to three, but that was a big issue down there and there was more space to work with. Sightlines weren't as bad and just the fact that there is only a small handful of units there -- these will be the only four story units all along Ustick there. You are going to have a few three story apartment buildings down there across from the Chevron and, then, you have got some two stories and you get single family, one and two story all along Ustick and, then, all of a sudden you have got -- you got ten four story units and, then, back down to single story commercial. It's just -- it's out of place. That's why I asked about three story. You have got -- there is -- there is more distance, more setback off of Ustick because of the -- of the -- the -- the laterals over there. I would like to see maybe the -- more of that higher density moved over to there to where it's set back a little bit and it's -- it's not up against the -- the single family directly to the east and, then, my other comment there -- what seems really really out of place are those three three story units up against the -- the two story ones. So, I'm -- that are down in the -- at the bottom on the south end of that. So, to me it just seems like -- when I look at this -- there is a lot of aspects I like about it and don't get me wrong, I like the MEWs, I like -- you know, they have -- they have answered the requirement of having three different product types in the mixed use community and I think for the most part they have done a good job. The restrictions on this property -- I drive by there all the time and I have always wondered what is somebody going to be able to do with this, because it's -- it's -- it's a difficult -- it's really limited what can be done with it. So, you know, I -- I applaud them for the attempt, but it's just -- it's pushing everything up and -- and there is not that -- there is not a good transition and I would like to see -- not necessarily just because of having lower density, but I think it needs to be brought down a little bit, so it -- it fits a little bit better. You can still have the different property types in there, but it -- it would be a better transition to -- to what's to the east. Those are my comments. I just -- right now I'm -- I'm not -- I am not in favor of it. The four story ones that's -- that's a killer for me. I think we have got to -- we have got to eliminate those and I don't know if -- maybe it's -- that becomes the commercial on Ustick, move some of that over. Commissioner Yearsley suggested moving -- moving some of those apartments over to the corner. If it can move around I think they can keep a lot of what's in there and just move it around somehow. It may -- it may require moving some, but right now with where it's at I can't get behind the project as it sits.

McCarvel: Okay. Yeah. I appreciated the -- the sidewalk not being on that east side and being at least -- front load those instead -- instead of rear, so it was more backyard to backyard. But I hadn't thought about Commissioner Yearsley's point of just making those single family homes. But I would be willing to -- I think leave those as townhomes, but more address -- I agree that four story up there is a lot. Even though I -- I love the design and the thought of having those units on the top have more light and that -- that's attractive, just four story next to the residential is a problem and that commercial -- I know it's rough access, but there is -- I'm on the fence on that. I kind of agree with Commissioner Seal, I think there is something that will come in there that doesn't have to have tons of trips and that would be okay. I know -- I mean there is a lot of businesses that I go to that, yes, I can't take a left out of, but I go anyway and I figured out -- I mean it just takes a little longer getting around. But I think it would end up being something useful to the neighborhood. On the other hand, moving the condos over would maybe makes sense as well. I think the biggest point of contention for me is the four stories.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I understand the comments about access for the commercial, but I -- I don't think we can -- I wouldn't be in favor of losing that at all. I think people will figure out access just fine. I live next to a place -- my house is, you know, two doors down from a commercial spot that has right-in, right-out access and there is no problems there. It's constantly busy. And I think, you know, there is other types of options that they are going to probably be able to look at, you know. Daycares, for example. Huge on my mind these days, but, you know, those are things that don't take up as much constant traffic and you also help serve a community that's nearby. So I think there is lots of options that the -- the apartments maybe -- maybe we look at it, you know, suggesting that one of those becomes commercial. Maybe that helps with that cross-access piece across the top there. I don't know. I'm just kind of throwing that out there. But I would -- I would hate to lose any commercial.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I think they are close on this and I appreciate the work that's went into it and I think they have answered some of the concerns, you know, by -- by making these front load homes over on the east property, but I agree that -- I mean the -- the commercial and the multi-family almost need to swap and I would hate to lose a hard corner, you know. Advertising is easy that way, you don't have to put a lot of signs out when everybody drives right by you. That said it almost seems like that would be a better fit for the residents there. You are still on Ustick Road. You are going to get a lot of road traffic in there. But I mean I'm -- I'm kind of -- of the opinion of let's maybe continue this and have them work a little bit more with city staff, try to come up with a little bit better plan and even in swapping the commercial and residential you could actually bring the -- that multi-

family in in such a way that -- on that corner -- I mean nobody's necessarily going to care on the corner if there -- you see a -- I would say a three story building there, because I think the four stories is still too tall. But, then, if you put the commercial in on the other side with the road that comes in there you could actually bring that commercial back into the property and have it -- you know, more parking towards the Ustick Road or something along those lines, so people could get in there and you could actually expand it if you wanted to. You could actually have more commercial in that area instead of less. I don't know. It's close, it's just not there yet, and I would rather give them a continuance than recommended a denial, because I think they are close, but I would love to hear what anybody else thinks about that.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: My -- my initial thought was the same thing is to swap the resident -- the apartments and the commercial. I think it provides better access for the commercial and can get -- I don't -- I don't ever expect to have a high use, but I think it gives it better access to that -- that site and at that point I don't know if I have an issue with the four story on the corner, you know, because it's far enough away from the rest of the -- the single family, it actually ties well into the three story next to it to kind of show some drops. I still like the idea of the detached along that east side, though, but I will -- I will concede that one.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: On the east side what I would even support -- maybe not necessarily detached, but a -- a -- more of a patio home feel if -- and even single story patio homes, because, then, you might get some retired folks in there that -- that don't want -- you know, don't want any two stories. You can get -- really get that good mix. I do -- I'm in big supportive of moving that commercial up along Ustick. I would still be highly opposed to four story if they are going to redraw that out, especially right on the corner. One of the things that -- that -- if you go to the intersection of Linder and McMillan, the buildings up there to me -- they are there two story -- I think they are just two story commercial, but right there on -- right there on the street they just -- it's overwhelming. When everything else around there is set back -- you got single story across the street with Fancy Freeze, you have got -- you have got Walgreens -- everything is single story and, then, all of a sudden you get these huge buildings that sort of just kind of take over things. So, it's not -- it's not a good feeling to me from the -- from the street and everything around it. So, I'm still -- I would still be really leery even if you put the apartments in a corner of going that -- it's the same height, we are talking 40 feet, but it's a -- you know, it's a -- it's a peaked roof versus windows are up top. I like the design of those, I just -- I think they would be cool in a lot of different places, especially The Lofts. That's -- that's my thought. I would still want to go -- I would still want to see max three story, but, again, I would want

to see some more rearranging in this to better transition on the east side and -- and better movements -- I don't want to lose the commercial either, but -- but better -- better access through there. I like Commissioner Grove's idea, I mean I think a -- I think this area is -- is definitely in need of -- of daycare and whatnot, so that would -- that would certainly work in there, but those are some of my thoughts. And I would -- I would be in full supportive continuing this as well.

McCarvel: Okay. It sounds like we are headed to the direction of continuance. Does anyone want to take a stab at the motion with the proper guidance?

Cassinelli: Dates?

McCarvel: Come back with some -- and a date.

Dodson: Dates. Date. Dates. Well, I'm busy all the time, so I don't know if I care. January 6th I think is pretty full already. Might be able to squeeze it on the 6th. If not, then, January 20th. That's pretty far out. We have a 5th Thursday this month, so, you know, it bumps everything another week.

McCarvel: Yeah. And I get we have been working on -- you guys have been working on it for a long time, I just think -- I mean and -- I think we all feel like it's close, it's just like --

Dodson: Yeah. But I'm sure the applicant prefers a continuance versus denial.

McCarvel: Yeah.

Dodson: It's -- I think any -- either of the dates in January probably work. Just with any continuance motion just, please, try to be as clear as you can on what you are wanting to be revised or looked at, so that Andrew and I can -- can exchange e-mails or have a meeting or something and figure it out.

McCarvel: Okay.

Starman: Madam Chair, if you are going in that direction --

McCarvel: Yeah. Reopen.

Starman: Reopen.

McCarvel: Yeah. Okay.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I think January 20th is probably a more adequate date. You know, with Christmas in the middle of all that I think giving them a little bit more time to -- to take a look at that and -- because that's -- that's a fairly significant configuration change, so --

McCarvel: Okay.

Grove: Madam Chair?

McCarvel: Could I get a motion to reopen the public hearing first before we --

Grove: Before we do that I have a question, just kind of -- in terms of what we are wanting to have them look at. I guess do we want to just specify the areas and -- where -- because I'm not on the same page as everyone, I guess, in terms of what to do on the -- the east lot, so I -- I don't know if I would be behind say like have to be this product type. So, I would be more in favor letting them make some of those -- having a little bit of leeway in how they decide -- decide some of that stuff.

McCarvel: I -- I agree, because I -- I think that's the lesser point for some of us is that -- so, some flexibility on just taking a look at those east sides -- I think it -- the fact that they are going to be front loaded, instead of rear, and that sidewalk is going away is a big step in the right direction. So, that may be it, but, yeah, definitely to -- at least that's what I'm kind of hearing here consensus wise, so -- so, before we reopen the public hearing does -- anymore discussion on -- did somebody have the points down for the motion for the continuance? Okay.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I make a motion we open the public hearing on file number H-2021-0071.

Seal: Second.

McCarvel: It has been moved and seconded to reopen the public hearing on H-2021-0071. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Yearsley: Commissioner Seal, I will let you make that motion, because you may not like the one I make, so --

Seal: I always love motions that other people make. Madam Chair?

McCarvel: Commissioner Seal.

Seal: I move to continue File No. H-2021-0071 to the hearing date of January --

McCarvel: 20th.

Seal: -- 20th, 2022. That seems strange to say. For the following reasons. So, that the applicant and staff can work towards a better solution to the transitions between the multi-family and neighborhood to the east, including rearrangement of the commercial property and the multi-family property. That they also solidify the east side -- the east side properties to be front loaded to meet the setbacks and eliminate the walking path behind. That the plat is revised accordingly and that any work that they do together on those to revise the housing types is also included.

Yearsley: Do you want to limit it to three stories or are you okay with four?

Grove: They understand our concerns.

Seal: And to provide a different -- I can't say minimum height. I would say to provide something different than four stories for the multi-family.

Grove: Does that -- does that include if they -- no matter where they moved it?

Seal: Yes. Including where they are at.

Yearsley: I will second that one.

McCarvel: It has been moved and seconded to continue H-2021-00 -- oops. Seven one. I moved my page too quick. Sorry. With modifications. All those in favor -- so, January -- continue it to January 20th. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: And I'm guessing before we start the next one we will take a five minute break.

(Recess: 8:05 p.m. to 8:13 p.m.)

4. Public Hearing for Inglewood Coffee Shop Drive-Through (H-2021-0073) by Gold Stream Holdings, LLC, Located at 3330 E. Victory Rd.

- A. Request: Conditional Use Permit for a drive-through establishment within 300 feet of a residential use and zoning district on 0.83 of an acre of land in the C-C zoning district.

McCarvel: Okay. We are ready to resume and we will open Item No. H-2021-0073, Inglewood Coffee Shop Drive-Through.

Allen: Thank you, Madam Chair, Members of the Commission. The application before you is a request for a conditional use permit. This site consists of .83 of an acre of land. It's zoned C-C, located at 3330 East Victory Road. A development agreement exists for this property. The Comprehensive Plan future land use map designation is mixed use

community.

Yearsley: Can you share your screen?

Allen: Oh, I'm so sorry. It apparently isn't shared. Yes -- 4A-2300 -- it's going to be one of those weeks, Commissioners. I will be really glad for this weekend. So, let me back up. So, a conditional use permit is proposed for a drive-through for 2,365 square foot Starbucks Coffee Shop within 300 feet of a residential use and zoning district, which requires approval of a conditional use permit. The proposed development plan is in substantial conformance with the provisions in the existing development agreement. The proposed use and development plan is consistent with the specific use standards in the UDC for drive-through establishments and restaurant uses with the conditions in the staff report. Off-street parking is proposed in excess of UDC standards. Nine spaces are required, 19 are provided, including six compact spaces. Street buffer landscaping along Eagle and Victory Roads will be installed with the subdivision improvements. ACHD is requiring the construction of a northbound right turn lane on Eagle Road. Conceptual building elevations were submitted for the proposed structure as shown. No written testimony has been received on this application. Staff is recommending approval with the conditions in the report. Staff will stand for any questions.

McCarvel: Would applicant like to come forward?

Peterson: Thank you, Sonya. Good evening, Commission. I'm Jim Peterson. Address is 6609 Old Mill Circle, Salt Lake City, Utah, and I don't have a lot to add. That -- what we are planning is a coffee shop on that corner. Once again, kind of like your last one, it is a tough site to fit in there with -- with a canal and other things. It seems like it's going to be a really good use there. We also developed the senior living community, retirement community, just to the east of that that we are just under construction right now. So, for this mixed use we feel like that's a really good fit. The senior community, they will have a coffee shop right -- right there. It will be really good.

McCarvel: Okay. Any questions for staff or the applicant? Okay. Madam Clerk, do we have anybody signed up to testify on this application?

Weatherly: Madam Chair, one moment. I wasn't prepared either. Sonya's contagious or something. That was not to throw her under the bus, it was bad joke.

McCarvel: It was in solidarity; right?

Weatherly: Madam Chair, no, there are no -- no people signed in to testify.

McCarvel: That being said, is there anybody in the room or online who wishes to testify on this application? All right. I'm assuming the applicant has no further comment. So, can I get a motion to close the public hearing on H-2021-0073?

Cassinelli: So moved.

Seal: Second.

McCarvel: It has been moved and seconded to close public hearing on H-2021-073. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Cassinelli: Madam Chair?

McCarvel: Mr. Cassinelli.

Cassinelli: I like it. That's all I have to say.

McCarvel: You want to move forward with a motion?

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I need to get this on the record. So, I live on that corner and I -- it's been only a matter of time before a coffee shop was coming in there. I kept thinking they would put it on the other side of the Rite Aid, but this is actually a pretty good location. So, I think it makes sense. It gets a pretty busy area and it's on the right side of the street, so -- I think it works.

McCarvel: You care to give your preferred order?

Yearsley: Sure. Madam Chair, after considering all staff, applicant, and public testimony, I move to approve File No. H-2021-0073 as presented in the staff report for the hearing date of December 22nd, 2021, with no modifications.

Seal: Second.

McCarvel: It has been moved and seconded to approve File No. H-2021-0073. All those in favor say aye. Opposed? Motion carries. Thank you.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

5. Public Hearing for Woodcrest Townhomes (H-2021-0082) by Andrew Newell of Blaine A. Womer Civil Engineering, Located at 1789 N. Hickory Way

- A. Request: Preliminary Plat consisting of 19 building lots and 4 common lots (including 1 lot for a private street) on 1.97 acres of land in the proposed R-15 zoning district.

McCarvel: See if we can get through the next two just as quick. Moving on to -- I would like to open H-2021-0082, Woodcrest Townhomes, and we will begin with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. The next application before you is a request for a preliminary plat. The Commission heard the associated comp plan map amendment and rezone requests on this property back in June and July and recommended approval of these applications to City Council. At the Council hearing Council directed the applicant to submit a preliminary plat application to be heard concurrently with the map amendment and rezone request. So, the preliminary plat is before you tonight. The site consists of 1.97 acres of land. It's zoned L-O, Limited Office, and it's located at 1789 North Hickory Way. The property was annexed in 1992 as part of the Angel Park Subdivision. There is no development agreement on the property. The Comprehensive Plan future land use map designation is currently commercial. A preliminary plat is proposed consisting of 19 building lots and four common lots, including one lot for a private street on 1.97 acres of land in the proposed R-15 zoning district. Proposed lots range in size from 3,789 to 2,000 square feet, with an average lot size of 2,701 square feet. The proposed gross density is 9.64 units per acre. The subdivision is proposed to develop in one phase. Access is proposed via a private street from North Hickory Way, a collector street. Street buffer landscaping and a sidewalk exist along Hickory Way. Because this site is below five acres in size, minimum open space and site amenity standards do not apply. No written testimony has been received on this application. Staff is recommending approval with the conditions in the report. Staff will stand for any questions.

McCarvel: Would the applicant like to come forward?

Womer: Good evening, Madam Chair, Members of the Commission. My name is Blaine Womer of Womer Engineering. We are located at 4355 West Emerald in Boise. We are representing the owner -- or the developer on the project and we appreciate the fact that we are here again after you approved our change of zone and the comp plan change and we are bringing this preliminary plat to you, which is substantially the same as the Comprehensive Plan that we showed you when we were processing the previous applications. Sonya did a good job of explaining where we are and the chronology and how we got here. I would like to make three quick points that -- of things pertaining to the -- the map during the preparation of the preliminary plat and that was we did take the neighbors and the City Council's concerns into account with respect to the four unit massing versus three unit massing on the northwest corner -- or northwest portion of the site where we are adjacent to the existing residential. We did change that to a three unit massing for that. Also we provided in this application a conceptual landscape plan that addresses some of the boundary conditions there to soften the boundary, if you will, between the neighbors and our proposed development and, finally, we -- parking was an issue during the City Council meeting and we had a parking study done and we provided an additional 20 spaces, which is -- far exceeds which -- the minimum parking that is required for the development. So, those are the three things we did to try to enhance the development to address the neighborhood concerns and City Council concerns at the meeting. So, we are here tonight -- well, I might add, too, we also are in total agreement

with the staff report and conditions of approval. So, just here tonight to answer any questions you might have.

McCarvel: Okay. Any questions for staff or the applicant?

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Can you just repeat the change that you made to -- on that -- I guess it's the northwest corner that abuts the residential?

Womer: Well, yes, it's actually along the northwest property line, because we have some -- that -- those are our closest neighbors -- residential neighbors and the concern we heard, both from Council, again, and the neighbors was that we had a four unit attached -- it has a massed four unit townhome and instead of four we reduced it to three. So, we reduced the mass that -- that they would see there.

Cassinelli: Okay. Thank you.

McCarvel: Any other questions? Okay. Thank you.

Womer: Okay. Thank you.

McCarvel: Madam Clerk, do we have anyone signed in that wishes to testify on this application?

Weatherly: Madam Chair, we have one signed in, a Dave McDonald.

McDonald: Madam Chair, Commissioners, Dave McDonald. 2579 East Grapewood. I'm one of those adjoining neighbors and you heard comments and I'm -- I appreciate the creativity that you guys bring to these -- even the small projects and that Mr. Womer has addressed with a four unit thing. There was one key component that is still a lingering issue. It doesn't feel like it's baked. It needs a little more baking time for me and that was the issue addressing parking on the collector and as -- as well as some questions I think Mr. Womer can clarify, because in a proposed landscape plan, which I think is the simpler issue, it's proposed for Skyrocket and Junipers to be right on top of those -- that utility easement between my property and -- and this development. There is a ton of utilities that run along that line there, the Nampa-Meridian Irrigation. All of our high speed internet -- it's all in there and they put Skyrocket and Junipers on the top of those. They grow very quickly. It might become an -- an access easement issue. You know, that's one thing that I want to point out. I'm not sure if the microphone is cutting out. The second issue --

McCarvel: You have to get close to it.

McDonald: Yeah. I will have to scootch down. The second issue -- and I appreciate your comments and similar -- similar issues. I have been watching the City Council and Planning and Zoning for weeks now and the one that stood out on Tuesday just this week are some of the same issues about parking. We are noticing people are having more and more -- and -- and sometimes doubling up in -- in a single unit, which is creating the demand for parking and how -- how can we address the issue with parking that really benefits the townhomes and not the adjacent restaurant as much. That's -- I'm a guy that's a big proponent of human factors and usability and common comments that came from Tuesday was backing -- backing out onto a common drive is a safety concern. That exists here. I would like to see comments from you and from -- from the developer on a possible solution to that. The other issue that stood out to me that also exists here is these parking spaces, according to the narrative that was presented, was intended to be shared for the adjacent businesses and the townhomes and to Louie's Restaurant is going to be a very heavy consumer of these 17 parking spaces that are in the common drive aisles and it seems like it's more easily accessed -- the path of least resistance for the Louie's Restaurant and the adjacent businesses for the 17 parking stalls. I think part of the solution may reside within the original concept plan, which I couldn't find anywhere in any of that documentation where the original three home -- three -- three unit townhome parking area was accessed from the -- the private drive. Now, if there is a reason why that had to be removed because of, you know, where the driveways -- but it still would isolate the parking to the townhomes and make the path of least resistance to those 17 parking stalls. Maybe they have to reduce the number of parking stalls by a few to accommodate, but I would like to see parking stalls interior to the townhomes and the path of least resistance to most of parking for the townhomes and not the restaurant.

McCarvel: Okay. Thank you.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: You were talking about the utilities. On what street were you saying they had all the utilities with the landscaping?

McDonald: So, the adjoining border that goes along the property line by -- by my property in the northwest border --

Yearsley: Okay.

McDonald: That's loaded -- that's loaded with every utility you can think of.

Yearsley: Okay.

McDonald: So --

Yearsley: Because it appears -- oh. Okay. Thank you.

McDonald: Yeah.

McCarvel: I understand that's our only sign up, but is there anyone else in the room or online that wishes to testify on this application? Okay. Sir.

Evans: Hello. My name -- my name is Jerry Evans. 2059 North Justin Way. And I have some concerns about the traffic off of Fairview, as that word enter into -- either on Hickory or into the new entrance that they are going to be creating for this development and there has already been in the past the new subdivision that was added just to the north of the church parking lot and the business added to the south of the church and nothing was ever done since then to increase the traffic flow in and out of the area and right now as you are coming from Eagle Road it's three lanes as you are going west on Fairview and, then, it bottlenecks down to two lanes right before it gets to the -- to commuter section at Hickory and I would like to propose that somehow that we could get that third lane continued all way down to the intersection and maybe even past the intersection, so that would lessen the -- you know, the impact on the other two lanes that are transiting the area going into Meridian and I think that that would help smooth things out a little

McCarvel: Okay.

Evans: And that was all I have.

McCarvel: Thank you. Anyone else wish to testify? Okay. Would the applicant like to come back.

Womer: Madam Chair, Members of the Commission, Blaine Womer again, Womer Engineering. Yes, regard to -- with regard to a couple of things that were brought up, the -- the -- the skyrocketing junipers that are proposed there, again, are -- we are trying to do some kind of landscape softening there at the border, which we thought that the adjacent neighbors would prefer and certainly we are not going to plant those in the middle of an easement. So, whatever offset we need to do to make that work that's what we will do to avoid any conflict with existing utilities and we are aware of the existing utilities that are out there. Second, with regard to parking, that was -- the City Council required that we provide a parking study, because they wanted to see how the interaction between the commercial and the proposed residential would work and it was two fold. It was, number one, let's see how the existing parking lot for the commercial, Louie's Restaurant, the bank and the commercial around there is working and what they found out through interviews -- they didn't just use numbers, they went out there and actually talked to the -- the biggest traffic generator out there, which was Louie's Restaurant, and they determined what their peak times were for the restaurant operation and they went out there and they actually did count two different times to make sure they were getting accurate counts and what they found was the parking lot, which has a cross-lot parking agreements, so everybody can park everywhere and utilize the entire parking lot of the commercial center, what they found was that the parking lot is only being utilized at it's peak 55 percent of the total parking. So, there is -- the center is significantly over parked and, then, the second part of the study was to evaluate what the impact of the townhome

project would be and I know -- I'm not going to get into the weeds of the study, because I know it's in your report, but I do want to mention a couple important things and that is the townhome project is -- generates a need for 27 parking spaces, but when you take the garages and you take the -- the parking in front of the garages and you add the spaces we have added, you come up with a total of 82 parking spaces provided by the townhome project alone and it only needs 27. So, even if you assume that everybody is going to be like everybody else and they are not going to park two cars in a two car garage and you can take 24 of those spaces away, you still have -- we are substantially overparked with the townhome project. So, the likelihood that any of that would bleed over into Hickory parking just isn't going to happen, because the parking is -- is beyond sufficient for this particular project. So, when you add those two things up, you are -- you are overparking the commercial already and, then, there is no -- there is not going to be any bleed over from the townhome project, because of what we are providing on site, I think it's pretty clear that -- that the parking is not going to be an issue. So, I hope that addresses those two issues to the Commission's satisfaction, but I'm still ready to stand for any questions.

McCarvel: Okay. Any questions for the applicant or staff? Okay.

Womer: Thank you.

McCarvel: Could I get a motion to close the public hearing on H-2021-0082?

Seal: So moved.

Cassinelli: Second.

Yearsley: Second.

McCarvel: It's been moved and seconded to close the public hearing on H-2021-0082. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: And I apologize, we are -- it looks like we also have H-2021-0015 addressed in this application. Yeah. I looked at the parking study that they did and I -- I tend to agree, I think part of the parking problem with Louie's is they all want to park at the front door, instead of around the side and that will probably take care of itself once that dirt lot is no longer there and they will actually use the parking spots and I think they have addressed what Council has directed.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: I kind of -- I tend to agree. I also think that these are probably going to cater to a little quieter community maybe where we are -- and on the off occasion, you know,

there is a Super Bowl party or a Christmas party or something, there is -- there will be -- there is plenty of parking there. I think -- I don't think it's going to be as bad. So, I'm -- I like the final outcome. I like that they have downsized those -- those units from four to three.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: No one else has any comments, I will make a motion.

Allen: Madam Chair? May I clarify something real quick? You mentioned another file number. There is actually only one file application file number before you tonight --

McCarvel: Okay.

Allen: -- and that is the one on your agenda, H-2021-0082. The other file number is one you have already acted on.

McCarvel: Okay. That's what I -- I wondered how did I miss that, but I glanced over at the staff report and it's still listed on there. Okay. So, just addressing H-2021-0082.

Yearsley: Okay. After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2021-0082 as presented in the staff report for the hearing date of December 2nd, 2021, with no modifications.

Grove: Second.

McCarvel: It has been moved and seconded to recommend approval of H-2021-0082. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

6. Public Hearing for Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.

- A. Request: Annexation of 25.76 acres of land with a C-G zoning district.
- B. Request: A Preliminary Plat consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land.
- C. Request: A Conditional Use Permit for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G

zoning district.

McCarvel: Next item on the agenda is H-2021-0075, Rackham East and Eagle View Apartments. We will begin with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. The last application before you tonight is a request for annexation and zoning, preliminary plat, and a conditional use permit. This site is located on the south side of Interstate 84, approximately a quarter mile east of South Eagle Road and north of East Overland Road on the south side of 84. A small portion of the southwest portion of this site was previously annexed with the development to the west and zoned C-G. The Comprehensive Plan future land use map designation for the property is mixed use regional. Annexation of 25.76 acres of land is proposed with a C-G zoning district as shown. A preliminary plat consisting of two multi-family residential building lots and six commercial building lots on 29.7 acres of land and conditional use permit for a multi-family residential development consisting of 396 units on approximately 16 acres of land in the proposed C-G zoning district is proposed. There is a 14 foot wide sliver of land that exists to the north of the eastern portion of the site adjacent to I-84 that is not included in the proposed subdivision and that is depicted there in the blue on the left preliminary plat exhibit there at the top. It appears to previously have been part of ITD right of way for I-84 that was sold off as surplus right of way. Staff has determined it to be an original parcel of record, which deems this property eligible for development without that parcel. The applicant is attempting to obtain the parcel and include it in this development. However, if this doesn't happen there will be an undeveloped enclave with county zoning surrounded by city annexed land with no access and likely no maintenance of the property if this property around it is annexed. Access exists to the site via South Rolling Hill Drive, an existing local street that serves the rural residential properties to the south and via two driveway accesses from the west, which provide access to Silverstone Way, a collector street, through the adjacent commercial property. It will also provide access to the signalized intersection at Overland Road. Rolling Hill Drive is not improved to urban standards. It's narrow, lacks streetlights, and doesn't have curb, gutter, and sidewalk. We do not have the staff report from ACHD yet. They don't expect it to happen until hopefully later next week. ACHD did communicate to staff some of the things they may be looking at requiring, including some site improvements to Rolling Hill Drive, which may include widening of the street in certain areas, traffic calming, and pedestrian facilities. A sidewalk likely on one side of the street. City staff is recommending streetlights are also installed as off-site improvements. The Ridenbaugh Canal exists along the east boundary of the site. The applicant is requesting a Council waiver to allow the canal to remain open and not be piped. No connectivity to this property exists from the single family residential development to the east. The multi-family residential development contains a mix of studio, one and two bedroom units on 16 acres of land and this is an overall concept development plan for the site and a portion of that -- this area here on the left is part of the previous development plan on the adjacent site. Staff is recommending the multi-family property is annexed with R-4, rather than C-G zoning as proposed. The applicant is in agreement with staff's recommendation on that. The gross density of the development is 24.8 units per acre, which is consistent with that desired in the mixed use

regional designation. Common open space and site amenities are proposed in excess of the minimum UDC standards. Shown before you there is an open space exhibit for the site. The applicant has requested alternative compliance to the private usable open space standards as noted in the staff report. The director has approved a 20 percent reduction to the minimum standard. Shown before you are the site amenity exhibits submitted with this application. Off-street parking does not meet the minimum UDC standards. Six hundred and sixty standard parking spaces are required as a minimum, including 348 covered spaces and 14 spaces for the clubhouse. Six hundred and forty-nine spaces are proposed, with 391 of those being covered in garages or carports, which includes compact spaces. Compact spaces are discouraged, but may be used for parking above the minimum required. Additional parking is required to meet the minimum standards and compact spaces will be required to be removed for those that are required. They may be used for extra spaces, though, as I mentioned. This is a copy of that pedestrian circulation plan for the site. There is a pedestrian pathway around the perimeter of the site, as well as internally throughout the site for pedestrian circulation. Conceptual building elevations are proposed as shown. These are the four story multi-family residential buildings. The fitness building and the leasing building in the multi-family development. And these are the two five story office buildings proposed on the northern portion of the site along I-84. Final design is required to comply with the design standards in the architectural standards manual. Only one letter of testimony was received from Pam Haynes, an adjacent property owner in Rolling Hills Subdivision. She is concerned pertaining to the volume of the traffic this project will generate on Rolling Hill Drive. She requests the terminus of Rolling Hill Drive at the southern boundary of this site have bollards to block off traffic, but that would provide emergency access to the site. Staff is recommending approval of the proposed applications as noted in the staff report. Staff will stand for any questions.

McCarvel: Thank you. Would the applicant like to come forward?

Wardle: Good evening, Commissioners. My name is Jon Wardle. My address is 2929 West Navigator Drive, Suite 400, Meridian, Idaho. 83642. I am here representing Brighton and also BVA. We are partners on the property that's in front of you tonight and they -- our teammates are here if there is any questions that come up regarding the project and they will be available to answer questions if I cannot. Make sure I can -- so, tonight before you we have a request for annexation, rezone, and preliminary plat for the Rackham East Subdivision as well and a conditional use permit for the Eagle View Apartments. As Sonya noted, the location here -- the location in front of you is generally located north of Overland, south of I-84, and east of Eagle Road. The request before you tonight, like I said, is for annexation and zoning of -- to C-G and R-40 of about 25.76 acres and a preliminary plat for eight lots on 29.7 acres. The future land use map shown here on the left is designated as R-G. Of note the R-G designation, the regional designation, goes all the way from Eagle Road to the east to the Ridenbaugh Canal and, then, also goes all the way down to Overland -- actually, goes across Overland as well, the R-G regional designation there. On the far right exhibit here that's showing the current zoning that exists today, which is predominantly C-G on the part that is brought into the City of Meridian. There is still existing R-1 zoning, including the property that we own is R-1 and

RUT, as well as the property going south along Rolling Hills Drive down to Overland Road. This area right here is showing you the part that we are bringing in today. The Rackham East part, which is the 25.7 acres for annexation and zoning and this one shows you what was originally brought in. So, combined these two properties will equal about 90 acres in total. This also shows you the existing roadway circulation, which the public roads, which are to the south of the site and, then, dropping and here is the overall master plan, again, showing some internal circulation, as well as the public road connections going down to Overland Road. When we started looking at the overall project for Eagle View Landing and the uses that had been approved previously and the desire to also include residential living opportunities where we have a mix of uses, we -- we decided -- or we -- we started acquiring the property to the east all the way over to the Ridenbaugh Canal. In doing so we are able to bring to you a complete master plan for all the property, which is south of I-84 within the city's area of impact. The land uses in the original Rackham project are office, retail, hotel and entertainment and, then, we are bringing forward to you both office and multi-family on the Rackham East part of this. And here is a close up of the same exhibit, just showing, again, the internal circulation that has been planned for the site. There are two major east-west drive aisles on the property to collect the -- the automobile movements in and out of the site. We are intending to connect to both Silverstone. There would be a connection on the far west with Rackham Way, which ends up being a right-in, right-out and, then, to Rolling Hills as well. Those would be the public street connections going down to Overland. Everything north where the public streets end will all be private drive aisles internal to the site. As it relates to the comp plan -- and Sonya did a great job in the analysis in the staff report that the Rackham East project, which is before you, is consistent with the city's Comprehensive Plan, the future land use map, and policies and staff has noted that they believe the proposed development is generally consistent with the vision of the Comprehensive Plan for the area per the analysis within the staff report. Just to be clear as to what is happening here -- like I mentioned before, the annexation and zoning part of this is for 25.76 acres. The preliminary plat is slightly larger than that, because we are incorporating these lots -- these two lots, which were previously platted and incorporating that into the project and so the overall preliminary plat area is 29.7 acres. The original Rackham is shown in yellow. The blue is the new Rackham East and the red boundary is the preliminary plat area that Sonya provided to you in the staff report previously. One of the items on the -- within the staff report was a request to take the residential piece of that and make it R-40. When we made our request we requested all C-G. Multi-family uses, regardless of the zone, whether it's R-40 or a C zone requires a conditional use permit, so we viewed it as the same. The -- the C-G already exists out there and other projects we have done have also been done in the C-G designation, but staff has asked that we modify that residential area to R-40. So, the -- the split would be about 13.8 acres for commercial and, then, the balance of that would be for the multi-family. So, the commercial being green, the multi-family being blue. As it relates the annexation, rezone, and preliminary plat, we do concur with staff on the conditions of approval that are before you tonight. We do agree with modifying the rezone to R-40, like I indicated for the multi-family piece, with the balance of it being C-G and also amending the existing development agreement that was previously approved in 2019, so that these two projects, both Rackham original and Rackham East can be combined in a complete document with one single master plan and one development

agreement. Also before you tonight is this conditional use permit for the Eagle View Apartments. As I -- as I noted from the site plan, the -- the apartment part of the project is on the southern piece of the annexation area, which I show in blue there. It is approximately 15.94 acres. We are -- have about 24.8 units to the acre. There are a mix of unit types for a total 396. We are -- based on the required parking we show 648, but staff did a recalculation today and show 660, so we do need to look at that and evaluate it. We do have bike parking on site as well. For overall qualified open space we are about 3.5 acres and we do -- we will develop this property in two phases, 218 units on the west side of it, including the clubhouse, pool area amenities and, then, we would come back and do the other 178 at some point in the future. However, all of the roadway improvements that you see would all be part of the original project with phase one. In the staff report there were a variety of elevations shown for you, but I just wanted to highlight a couple. Here in the middle of the project is the -- the amenity core. We have two different buildings, which is the leasing building, as well as the residents' club and, then, on the backside of that there is a fitness facility and other resident facilities there and, then, the lower left this is the -- looking into the site, pointing the direction to be looking into the site into that building and these are all four story buildings, climate controlled with elevators throughout. Again, just a quick overview of amenities here. In the center we will have a variety of uses there as mentioned already. Entertainment area, game areas, fitness facility, swimming pools, year around internal spa area. There will also be outdoor gathering areas in the center area and Wi-Fi throughout the entire property and smart access into the units and into the community center. On the east and west, if I can just highlight this, internal to each of these buildings is an amenity core. So, the buildings surround this. There is a circulation system going east to west through the site and into the middle community center there. They are pretty similar in nature. There are some variations between them. For example, one side there is sand volleyball, outdoor ping pong table, cornhole, that type of thing. On the other side we would have Bocce ball, Snook ball, but, then, also there will be shade structures, outdoor barbecues, kitchen areas, benches, seating areas. So, there is a lot of outdoor space that is actually accessible very close to each set of buildings on the east and the west. As Sonya noted, we did ask for alternative compliance on a couple of items. We still need to work through a few of those with them, which will be a function of sitting back down through -- looking at the site plan, addressing the parking just to make sure we can make the parking work, as well as the calculation of the private open space and after this, but prior to the certificate of zoning compliance we would sit down with staff and talk through those issues one more time. In conclusion, we do concur with staff. The recommendations that are seen here in the staff report, including the city and agency comments and conditions. We respect -- we request that P&Z approve the conditional use permit for Eagle View Apartments, giving us also the latitude to go back and work with staff on the alternative compliance items and also request that Planning and Zoning Commission support the applications for annexation, zoning, and ultimately a modified development agreement for Rackham East and the preliminary plat. And I stand for any questions you might have.

McCarvel: Any questions for staff or the applicant?

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: So, I'm not sure -- I mean that -- that road that's just to the south of your clubhouse that's not yours, I actually share some concerns about a lot of people trying to drive down that road, instead of going around. Have you looked at any provisions on that -- that section of road that's -- I know it's not on your property, but it will be impacted by your property.

Wardle: Madam Chair, Commissioner Yearsley, that's a great question regarding the -- the road that we are talking about is Rolling Hills. Rolling Hills is a -- it's a rural road and we have had a couple of neighborhood meetings and I know that it's -- it is a -- it is a concern for all those residents that live on Rolling Hills and the -- the nature of the development and how things will change. While we don't have a current -- we have not received the staff report, we have been given indications as to some of those things that will be required to make that road both safer for pedestrians, but also some traffic calming on there. ACHD has noted passive traffic calming. We don't have an answer as to what that would be, but they are definitely looking at ways to make sure that the traffic that does move up and down Rolling Hills is appropriate in both speed and volume. There is also a requirement that we would install sidewalk on one side at a minimum and add streetlights, which are not on that road currently. So, those are some of the elements that would still need to be worked through with ACHD as they continue to work through their final recommendation, but that's what they have indicated thus far on those improvements on Rolling Hills Drive.

Yearsley: Thank you.

McCarvel: Any other questions for staff or the applicant? Thank you.

Wardle: Thank you.

McCarvel: Madam Clerk, do we have anybody signed up to testify on this application?

Yearsley: Madam Clerk, we have one signed in. Alicia Eastman.

McCarvel: Okay.

Eastman: Good evening. My name is Alicia Eastman and I live at 1485 Rolling Hill Drive. That's singular, not Hills, as is on their map. Which is Lot 3, Block 2, of Rolling Hill Subdivision. My concern is traffic and I believe that Rolling Hill should be blocked off at the end as a dead street where the current residential housing ends and we had a reply from Tonn Petersen of BVA to Gary Rainey on July -- or June 7th, 2001, that was shared with some of the neighbors. Tonn confirmed that the egress and ingress for this project would be Silverstone. I don't know what was going on today, but this afternoon there was some work being done and I counted two cement trucks and 14 huge dirt trucks, which was a total of 32 huge vehicles going back and forth past my house between like 1:00 p.m. and 5:00. When the -- just the -- not even the rest of the commercial lots in the

business, just the 396 units, when those are done and they have all residents living in there, I won't be able to back out of my driveway. If even -- there is one car from each of those -- or even half of the number I won't be able to back out of my driveway, let alone onto Overland Road. As was tonight when I left my home I left at 5:20 and I barely made the meeting at 6:00 and that's like Eagle and Overland is our intersection there. So, it's already difficult to access. I'm not really against development and I feel like eventually I'm probably going to have to move, because we are going to do some other phase of that, you know, and I'm -- and I'm even considering, well, maybe I should build on my property. I own an acre. Storage units. I would have some income producing property. But as it is right now if they are -- if they want to widen the road, Rolling Hill, where you have the access to the easement that you can -- that's already there that you can take to put a sidewalk there, that's going to be right on the edge of where my well is. If you widen the road anymore that's going to affect my well and I don't want to annex to Meridian. I like having a well and I like having my septic. So, I just think the anticipated traffic that's going to come with this project would really impact us and kind of -- I think that when they started this project -- they started at the wrong end of the street and it just -- it -- it is a lot of housing. It sounds like a wonderful place if you are going to teleport in and out, but how are those people going to get in and out, even if you do widen Rolling Hill or do something with that and do -- went with that project. So, I just think for us the impact would be too great of that traffic coming up and down if we didn't -- well, this space is done, just make that a dead end and go -- use the egress through Silverstone like they said they would. Thank you.

McCarvel: Thank you. That being the only one signed up, is there anyone else in the room or online that wishes to testify? Okay. Come forward.

Blowers: Try to be more calm this time. My name is Mike Blowers. I live at 1325 Rolling Hill Drive. I think you probably heard enough about traffic and stuff, but I think that's pretty obvious what's going to be happening. I hope everyone can appreciate that this is not a normal sort of traffic increase, so I would like to bring up some more -- some points we probably haven't talked about as much, but aesthetically -- and -- and I have tried to find this myself, but I'm struggling to understand why we think it's okay to have a residential neighborhood be a thoroughfare for commercial development. I mean, obviously, it's going to connect the TopGolf as well. Aesthetically I don't understand this -- the planning around that. It doesn't make any sense to me. I think it was by design that it's this way. I don't understand why we weren't given the opportunity -- I know no one ever approached us to say, hey, would you be interested in selling your property, anything like that, and I believe that's, you know, by design, but unless someone has information for me about plans to develop our properties -- I mean I know I don't plan on moving, so I don't -- I don't really understand why we are spending the money to develop this road. It's going to look weird. I just picture like the Villages at Eagle and Fairview, just picturing 15 one and a half acre 1960s homes, just -- it would look silly and I know we have been talking about aesthetics on these other projects. At the end of the day that -- and we have been in these talks for four years. No one has still answered the question why can this not be dead ended? Like what specific code, what specific law, what's preventing this from being a dead end -- a dead ended safety access only and if, for some reason, there is a law for

that -- I know I spoke with -- sorry if I got your name wrong, Jon, but spoke with him in the past about at bare minimum as part of the approval of this project can we at least say, you know, it's a no construction access thing. Some -- something beyond signs. Like contractual, something that can be fallen back on. Like this -- this is going to be a lifestyle change. This isn't, oh, it's going to be slightly noisier, because, you know, there is neighborhood being impact -- or built, you know, two streets down. I mean this is -- our home sits 20 feet from the road. This street was not designed for this sort of traffic. It may be legal, it doesn't make it right, but it's -- beyond all the obvious, like absurdities of what's about to happen with this, I don't understand how we want the city to look this way by design. It -- I encourage you to take the time to drive down the street and see exactly what we are talking about. But as a final point I also don't really know how we could come to a decision on something like this today without having those ACHD reports. I mean it's a big part of this thing. There is a lot that's going to go into it as part of this project and I just think at bear minimum it needs to wait for that information before a decision is made. Thank you.

McCarvel: Thank you. Anybody else in the room wishing to testify? Okay.

Wattles: My name is Amy Wattles. I'm a resident at 1360 Rolling Hill Drive. I do want to point out kind of what was already addressed, but the fact that they don't even know the street name is concerning. There is no S on it. There never has been. My comments tonight are less about this specific development. All neighbors are sharing the same concerns with the traffic -- the flow of traffic coming down and what that's going to do for our properties. Most of the residents -- or some of the residents have been in these properties long term and the position -- and so tonight is just a representation of one meeting out of 20 years since this plan has -- since the city planning took effect. Every time the residents have to come out and fight whatever the new development is, whatever the new idea is -- and we respect the fact -- we know where we live. We saw all the videos of what's coming and what's planned for our area of town. So, we are not living with any false realities as far as that goes. However, through the years it was, well, we will just annex you. Well, you are just going to get water. Oh, it's just going to be a fire lane. Oh, now it's just going to be an access road for some apartments down your street. It's always something. And when it comes down to it the -- that road, kind of like what Mike said, it's a want. It's not a need. I specifically asked that at one of our neighborhood meetings. Help me understand why you need that road coming down -- access down Rolling Hill. Do you need it or do you want it? We want it. It makes it convenient for the residents. It makes it convenient for the business owners, with a complete disregard for the existing homeowners. Through the years the prevailing message from the city has been development will -- will dictate what happens to our properties. So, when -- when we get a new business coming in, then, it would be annexed into the city. Then it would connect to city water. Our neighbors had that option and they chose to sell out. The developer bought the property, they want to develop it, that's their right. What we are asking is not to be impacted and forced to deal with the consequences of their plan. If they want they can -- they have indicated that in the future there is plans to potentially buy our properties out. Okay. We all know that. So, why the rush to get this road there now? Give us the opportunity to retain our lifestyle and our properties and why we all

chose to live there. It feels like we are being forced. The residents that are here tonight, there is -- while it's a small number, there is 50 percent of the residents here tonight. That's how strongly we feel. Whether or not they testify or not, that's their own decision. But we are all on the same page.

McCarvel: Thank you. Yes. Come on forward. Yeah. And if -- if everybody feels the same and just prefers to raise their hand and not testify, if it's been -- if what you intend to say has already been said, we can see that you are here and acknowledge that. You don't have to -- everybody testify if you have nothing new to add. Okay. Go ahead.

Majorca: Madam Chair, Commissioners, thank you so much. Amy just spoke and we live next to Amy and she has a -- oh, yes. My name is Chris Majorca and I live at 4160 East View Circle. Amy has a potbelly pig and her cow chases the pig and the pig squeals and I have four kids that just love that and we do feel like we have a shire and it's hard not to think of BVA and Brighton as Sauron and Saruman spreading the shadow of Mordor and destroying our way of life, but I know that sounds a bit dramatic. It does feel like that. Whenever I go to Home Depot I ask a question should I buy this apple tree, because I might not get to see the fruit of it. Leaving those analogies aside, 660 parking spaces, that is -- that is making our quiet residential road a freeway. We understand that -- that -- I know Tommy Ahlquist is on record saying that this is what progress looks like. Perhaps it is and that's fine. If this is what progress looks like in the modern day, we -- we acquiesce to that. We just ask that you would spare us and allow us to live our lives and just keep that road a country road. I can't fathom it being a thoroughway for all that traffic. This is a first world problem, but when I was coming from Overland to take a left onto -- onto Rolling Hills it took me about 90 seconds just to break through the traffic. That is your number one traffic problem in Meridian is Overland and Eagle and you are looking at increasing that traffic problem probably by ten fold with progress. Thank you.

McCarvel: Anyone else in the room wish to testify on this application? Thank you.

Adsitt: Hi. I'm Lynette Adsitt and I live at 1360 Topaz Avenue. Is there a way we can get that last picture of the presentation up? I wanted the one with the -- the overall picture where you have your -- the -- this -- Rolling Hill coming down and Topaz -- it was the last one that was up. Is that okay to request that?

McCarvel: Yeah. It's just going to take him a minute, because he was running it through Zoom. It was our presentation -- it wasn't the presentation that the clerk has.

Adsitt: That one. That one right there. Perfect. One thing that I would like to ask the Commissioners to look at is the rural area between Overland and the shaded areas. This is our wonderful little oasis. I have got livestock. I know there are several neighbors that have livestock. Increasing the traffic is detrimental to them. It stresses them out. I would just ask that the consideration be of our lifestyle and we would like to keep that lifestyle. I propose that we block off Rolling Hill. Anything that we can do to preserve this wonderful little rural area is open for suggestion. We do know progress is coming, but there has got to be a way to compromise, so that we can keep our lifestyle and the community can

grow. Thank you.

McCarvel: Thank you. Anybody else wishing to testify?

M.Adsitt: I am Matt Adsitt. I live at the same address, 1362 Topaz. If I would have known she was coming up I would have asked her to ask this question. So, one thing that -- that I have always wondered is on -- on Eagle and the light there, where the freeway on ramp goes -- the freeway on ramp goes east and, then, there is one coming from the west. If you would just make an access to all that commercial stuff in there, people don't have to come down Eagle, all the way down Overland and get into it from there, they could come in straight from the freeway and they could leave straight to the freeway and it would relieve a lot of congestion Eagle and Overland and that intersection, which is the worst in the county. So, that was my suggestion and I think -- I'm just surprised that -- I mean the light is already there, you just have to make it a four way light instead of threeway, which it is now.

McCarvel: Okay.

M.Adsitt: So, that's it. Thanks.

McCarvel: Thank you.

Weatherly: Madam Chair, point of order. Sir, could you state your name for the record.

McCarvel: Oh. Sorry. Yeah. It was kind of muffled. Come back to the microphone and just say it. It was kind of muffled at the beginning.

Adsitt. Adsitt.

McCarvel: Okay. Anybody else in the room wishing to testify or online? Okay. We can't have shout out. Everything's got to be in the microphone, but, yes, got you. Thanks. That being said, would the applicant like to come back?

Wardle: Madam Chair, for the record again Jon Wardle. 2929 West Navigator, Meridian, Idaho. 83642. The obvious point here is that traffic is going to increase dramatically on Rolling Hills -- Rolling Hill. I apologize, Amy. I did it again. No disrespect. Didn't intend to throw an S on there. But Rolling Hill. It is a public right of way. It is dedicated to ACHD and in talking with them they -- they do have ultimately the say on what Rolling Hill will be. There is enough room that it could expanded to a 36 foot wide road with two seven foot sidewalks on each side. That -- with that stated that doesn't mean that that won't impact all those residents. We know that. I want to, you know, acknowledge that right off. We have had conversations and that's -- that is, obviously, the theme tonight. I did want to address one thing. Mike Blowers mentioned -- and we did have this conversation in our last neighborhood meeting about trying to limit construction traffic in total through the build out of the project to Silverstone. We -- we have been somewhat successful in making that work, but I think that's something we could commit to and try to make that

work so Silverstone is the primary source of traffic for construction. I will tell you that that doesn't always trickle down to the last mile. There -- there is always a delivery, there is always a truck that is delivering, but may not know that, but we -- on other projects we have had we have been very quick to monitor that. I think signage can be helped as well. I do want to clarify Alicia's comment regarding the e-mail that Tonn Petersen did provide to them. We just reviewed that. It did talk about limiting traffic, but it was specific to construction traffic and so just to be consistent there we do feel like we can do -- make our internal roadway improvements and make Silverstone the primary source for construction traffic through. As it relates to long-term, need versus want, I -- we feel like with the public road there it does improve overall circulation. We -- we do intend to connect to it and would prefer to. Ultimately the highway district will make that call whether it would be limited to emergency only. But we feel like having it -- the connection there is important. In the -- you know, in the immediate we want to be good neighbors. We -- we understand that the residents live there and we do need to do our part to -- to make the improvements as -- as good as possible and -- and minimize the safety issues that would occur as well. Long term, as it relates to this, all of this property is mixed use regional. Not saying that it will change today. In fact, there is -- there is a lot of -- mention from the residents who live on Topaz that there is also, you know, in that rural designation, but long term it will all change and so we feel like, you know, at least establishing and being consistent with the connection to Rolling Hill is -- is important and we are committed to make the improvements both expanding it and enhancing pedestrian and life safety with streetlights as well. Pardon me. I'm losing my voice a little bit. We do feel like this project is -- is a complete project with the uses that are in front of you today and -- and by tying all of this together into a single project in a development agreement where we really can have all of the uses that are desired within a mixed use regional location, this -- this does it and over time some of these properties of the south will also change and enhance and address the additional or new regional needs. But we feel like this is one complete cohesive project. Like I mentioned, we are requesting tonight your approval for the annexation and rezone of the project, as well as a preliminary plat and at these recommendations of those to the City Council and your approval specifically for the conditional use permit and I stand for any questions you might have.

McCarvel: Any questions for the applicant?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Do you know is there a hearing date set for ACHD or are they just -- is that already past and they are now just going to report?

Wardle: Madam Chair, Commissioner Seal, it's my understanding that a staff report will be issued, but it will not go to commission unless there is something in the report that they feel like they need to. But it would be a staff level decision based on the review of the TIS.

Seal: Okay. Thank you.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Jon, just curious. Did you look at having a traffic flow pattern through there that would direct all the traffic out Silverstone? I think it -- and I don't know if that Rackham Way, is that even an option in that property to the -- to the far west? Because, obviously, Silverstone was built to handle the majority of that traffic when the other -- so, you are -- you know -- yeah, everything's zoned there regional. It may never happen. Everybody -- if none of them -- but not the right ones anyway that sell to make that -- to make that happen. If that stays -- if those stay rural one acre parcels on Topaz and Rolling Hill indefinitely, what -- what alternative did you have as far as designing traffic flow through there to come out Silverstone, if any?

Wardle: Madam Chair, Commissioner Cassinelli, if -- if there is no access to Rolling Hill, then, it would be Silverstone. That's where the traffic would go. And, you know, I think if -- if the access a Rolling Hill eliminated it just -- you know, Silverstone in the -- in the near term would carry all of that, whereas Rolling Hill is a public road and it does get you access down to Overland Road. So, in our traffic study and in the scoping with ACHD we looked at all those public roadways actions to get down to Overland as access points for the project.

Cassinelli: If that didn't exist could you make it?

Wardle: Madam Chair, Commissioner Cassinelli, I think that becomes a question of -- kind of a life safety question. Could it -- could it work? Sure. But we feel like with the public road that's already dedicated and making enhancements there that that does provide also another connection to the overall development, so -- based on our conversations with ACHD, however, that was not part of the scope. They -- when -- when we look at these transportation plans they look at all the available public roads and look to see how the traffic would be dispersed and it was included in that review and application with them.

McCarvel: Any other questions for the applicant or staff?

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: Jon, since we don't have the ACHD report -- I mean a lot of what we have talked about tonight is really related to traffic and will have an impact with what -- what comes out on that report. Is there a reason why we should not postpone until we have that information?

Wardle: Madam Chair, Commissioner Grove, that's a good question. The indication that we are getting out of ACHD and also what you find in your staff report is that the -- anticipating the connection to Rolling Hill and they -- and they have looked at everything, they just haven't finalized the report, so it's not in front of -- in front of you tonight. The bullet points, which are in this staff report or the notes that are made in there do come from ACHD directly from their review, so that there was something on the record. So, I don't know that the staff report will vary much from the recommendation or notes which are in there currently.

McCarvel: Okay. Any other questions? Okay. Thank you.

Wardle: Thank you very much.

Seal: Madam Chair? Oh.

McCarvel: Do -- I have heard the word continuance roll around, so I'm wondering do we want to leave the hearing -- public hearing open or do you want to go ahead and close it?

Cassinelli: I would be in favor -- I would be in favor of keeping it open right now.

Seal: Agreed.

Yearsley: I agree.

McCarvel: Okay. All right.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I just -- yeah, for this -- without having the ACHD staff report I do have a question for staff. I mean there is a lot of people here that want to weigh in on this. They are weighing in with the city. We don't own the road. ACHD does. So, is there a way to give them the information that they need in order to interface with ACHD on this? Do we know the report number, the hearing number, the -- whatever that might be or do they just get a go through the calling tree at ACHD, like we all love to do?

Allen: Madam Chair, Commissioner Seal, Commissioners, the planner assigned to it is Paige Bankhead. The file number is the same as the file number in the staff report for this application. I believe they put on their prefix for ACHD. I think it's MER.

Seal: Okay.

Allen: Does that cover your question?

Seal: I think so.

Yearsley: They were asking if we could repeat that information so they could write it down.

McCarvel: Yeah. I think it cut out just a little bit on your mic.

Allen: Paige Bankhead.

McCarvel: Okay. And the project number would be the same as this -- the staff number on this application. I guess I have a question for staff or legal. Is it even in our purview to block that road to say that's not an access, it's emergency access only?

Starman: Madam Chair, I will start off and I would ask my planning colleagues to join me here, but I think it's already noted --

McCarvel: I don't think your mic's on.

Starman: My voice is also going. Is that any better?

Yearsley: Yes.

Starman: I will yell a little bit. As previously noted, the roads are owned and maintained and controlled by ACHD, so the city doesn't have the ability to close a road. I think you have some ability -- you and the Council through your conditioning process, particularly in a conditional use permit for the apartment complex or multi-family to place some conditions in terms of how the project is designed or how traffic flows, but I don't believe the city has the ability to close the road itself. That would be an ACHD decision and I invite the planning staff to chime in if they think differently.

Allen: Madam Chair, I would concur with that. However, I think the city does have some input on that. As long as emergency access is provided to the site I believe it would meet the life safety issues with the Fire Department, but they probably should weigh in on that.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I have been thinking about that and, you know, closing the road doesn't make really good sense, because there is no way to turn around for any vehicle or if you have larger vehicles, but I wondered if -- if you could actually make the last hundred feet or the last 50 feet a one way going north, that way if someone gets down to that road he could actually get out, but people couldn't come down that road. I think that might be a better option than having emergency access only point, you know. Because, I agree, I think it's -- it's going to be a huge amount of cars going to go down that road and disturb that neighborhood, so that would be my -- my recommendation.

McCarvel: I seem to remember a couple of projects where we have done something

similar.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: If I could -- just on that point, that -- all what -- all that is going to do, really, is cut half of that traffic, because you are going to get everybody going -- they know they can get in that way, they are going to go in that way, they will come out Silverstone, but they are going to go in that way, so that only cuts it -- and that cuts it to half. Half is better than all, I guess, if that -- if that's the option you have. But clearly that road was never designed to be -- to handle this level of traffic and if -- Silverstone was designed with this project in mind to handle the traffic, but I'm -- I'm definitely of the mindset right now that we need to at least continue this to see ACHD's -- what they come back with. We don't know what they are going to come back with. I don't want to assume.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I mean I would add to that. I know that if the city has some input on it -- I mean I have been involved in this in other committee meetings and things for a while and there has -- there has been a couple mistakes that I think Meridian has made. One was eliminating the rural designation altogether, which this kind of ties into a little bit in my mind. I mean this is a very small rural community that's right in the middle of a large area of -- of development. I think if we didn't have some input on this and how this is going to impact those folks it would be yet another mistake that we would be making as a city. I mean we -- you know, they aren't technically residents, because they are residents of the county, but, you know, here they are in the middle of this whole thing, so, you know, I -- as -- as I look at the development and how it's being put together I agree, it's kind of -- we are starting at the wrong end of the road. It would be nice to go from Overland out to the freeway, but that's not the way that this is happening. You know, I mean Brighton does -- they have brought some quality products that we have reviewed and that have also turned ACHD on their head a couple times in projects that I have had the ability to review. So, you know, hope maybe there can be something done here with ACHD that will help preserve that road and eliminate the traffic that's on it. I would imagine that -- that Brighton and their partners will probably definitely be policing that road a little bit more, hopefully in good faith to help this thing move forward at a future date, but I think there is a whole lot of things that can be done here for all -- all of us to be better neighbors and to bring this project in with a little bit more tact as it would be.

Allen: Madam Chair? If I may, I would just like to second Mr. Yearsley's point about if -- if the access from Rolling Hill was closed off a turnaround would be required and, you know, there is no place for that, except for on that adjacent property on the residential property, so --

McCarvel: Okay.

Allen I know ACHD is probably going to require a mini roundabout on this site at the terminus of Rolling Hill and, then, the remainder of the existing right of way will be vacated by the applicant. So, anyway, just wanted to second that.

Parsons: Yeah. Madam Chair, Members of the Commission, I would like to just kind of clarify some things for the record. One, going back to this gentleman's comment about access to the interchange. It's not going to happen and the reason why is it's ITD right of way. You know, you want to eliminate conflicts on those types of roadways, as you all know. So, I know this applicant has tried to approach ITD and allow for something like that to happen. Others have tried in the past as well. And that's why it's sat empty for so many years, C-G zone, since 1994, because no one could get adequate access to this site. It's constrained by the interstate on the west. On the north we have a canal that has a connect to the city of Boise on the other side and the only funnel outlet to this -- for this project is to Overland Road. So, yes, we have an issue that we have created because of the site constraints. So, what this applicant -- what we can't do, at least from -- from a planning perspective -- and I totally agree with these neighbors, their world is going to change if this road happens, because this is an intense land use on this property, including their property. Right now their -- their property is low density residential. It's rural residential county properties. But in the future -- and I know the city's had many conversations with a lot of the neighbors out there that we have this as mixed use regional and when you look at a mixed use regional designation we anticipate vehicles and trips going with a destination. You draw people to that place and that's what drew TopGolf to this area. So, yes, in instances where we have had challenges with access, the city's had the ability to restrict access to a road for a period of time and, then, at such time as something else occurs we open that road and make it happen and allow it to function the way it needs to function to get other people out of that area. So, I think from my perspective this Commission doesn't have everything it needs to make a decision tonight. That's what you are tasked to do. You are tasked to make the finding that this is consistent with the Comprehensive Plan and it meets the code. If you think you need ACHD staff report to -- to make the appropriate decision, then, by all means continue this and get that decision. If the neighbors have concerns with this project and the traffic, they should be contacting ACHD. That in itself may trigger a hearing at ACHD commission for them to take it under consideration, again, where they could have that ability to say, no, this is pedestrian access only or this is emergency access or whatever it may be. But I can tell you with my experience at the city we have -- so many times we have restricted access from things happening and one example is Woodbridge. I think you guys hear it every time, we had two stub streets to that property and we missed it and now we still have access issues and that's what we could potentially end up here. We have planned for this to be mixed use regional, we have a master street map that's going to have additional collector roadways to serve this area, but what we are not going to be able to do is get another access to any other property -- arterial except Overland and that's the challenge where ACHD is going to have to figure out how to fund that and widen that to seven lanes. It's planned to be a seven lane roadway to try to address some of those concerns -- those congestion issues. But, again, we are not going to solve that issue

tonight. It's -- it's whether or not you get ACHD's staff report, we fully understand those impacts and whether or not we can mitigate that through the public hearing process. So, that's all I wanted to contribute tonight, so something for your consideration. But certainly if -- if the neighbors reach out to ACHD and it gets set aside to hearing, two weeks isn't going to be enough. A staff -- you know, it may be four weeks before they get it on a docket. I don't know what ACHD's schedule is. But it could be some time before that happens. So, I just wanted you to be aware of that.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I just had a question real quick about Rolling Hill. Is -- what's its classification currently under ACHD and what is it projected to be? Like does it have a -- is it, you know, a collector or what -- like what's -- what's its classification?

Allen: Madam Chair, Commissioner Grove, it's classified as a local street and that's what it's planned to remain.

Yearsley: So, my guess is what -- what date do we want to continue this to? Because if it has to go to ACHD, you know, do we want to push it into February?

Cassinelli: That would be my thought.

McCarvel: Uh-huh.

Parsons: Madam Chair, Members of the Commission, I think we call the applicant up. We still have the public hearing open. Let's see what -- what they would prefer and, then, we can at least decide on what we should do.

Seal: Sure you want February?

McCarvel: Yes.

Wardle: Madam Chair, for the record Jon Wardle. 2929 West Navigator, Meridian, Idaho. 83642. Obviously, we would have preferred to have had a full staff report here and not just parts of that information. As I noted before, I don't know that the staff report will be different than what we have communicated or what we have been told, but, with that said, having that as a point of clarification, so that this Commission has that as information and we know where ACHD will land on that, we -- we don't disagree with that. We -- we are concerned about pushing out until February. We do feel like there will be a staff report that will be issued here shortly. So, our preference would be to not go that far out and we pick a date sometime in January.

Allen: Madam Chair, I would recommend January 6th if the Clerk's agenda is available for this project.

Cassinelli: Madam Chair?

McCarvel: I'm wondering with the holiday and everything -- I mean --

Cassinelli: Yeah. I was thinking -- I mean if we make it for the 6th or the 20th, but contingent upon having that. So, if -- if that report is not done and ready then -- then it moves to the -- it slides out from there.

Yearsley: Madam Chair, that would be my thought, too, is if we do January 6th we could -- then if the staff report -- if it gets held up we just continue it again would be my -- my thought until we actually get the staff report.

McCarvel: Okay. Anybody want to make a motion?

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I move to continue file number H-2021-0075 to the hearing date of January 6th, 2022, for -- to wait for ACHD's traffic report to understand what's going to happen with Rolling Hills.

McCarvel: Hill.

Yearsley: Hill. Sorry.

Grove: Second.

Seal: Could we add a couple things to that? But give them time to deal with the sliver of land that we don't want to have to deal with at a later date.

McCarvel: Yeah.

Yearsley: Okay.

Seal: And --

McCarvel: Sorry, that was the other one.

Seal: Also to work on enforcement of no construction traffic on Rolling Hill Drive.

Yearsley: And that one I don't know -- that one there -- that was just more of an internal discussion I think with the construction guys, so --

McCarvel: Yeah. Let's pause the motion for a minute and we do want to address that sliver, because that -- I don't want to -- I don't think we want to move forward without

having that dealt with.

G.Wardle: Madam Chair, Commissioners, my name is Geoffrey Wardle. My address is 251 East Front, Suite 310, in Boise. I'm counsel to the applicant. I understand the concern with that strip, but there have been more spent in terms of professional fees for attorneys and title companies and others talking about a 40 foot wide strip that got created because ITD screwed up years ago than the property is worth. Staff raised this issue. We had evaluated this issue. BVA has been negotiating to acquire that property. That property was severed years ago and, then, conveyed to the Petersens and they lost it by tax deed. So, A, that property has never had access. The owner of that property acquired it via a tax deed. Has never asserted access and, ultimately, because of its configuration and shape, if and when we acquire it -- and BVA has been working in that regard -- it will be part of the buffer, because it's within 50 feet of the interstate and so under your code it is part of the landscaped buffer. I mean we -- if we can't acquire it we may go ahead and trespass anyway and landscape it. But I don't know what the condition would be that you would have us to come back and deal with it, because it is an enclave, but it is -- it is a conundrum that was created 50 years ago when ITD and that property owner decided to create it. And just to clarify from staff's presentation, it wasn't property that ITD acquired and, then, got rid of, they literally had a big piece of land that came down 40 feet south of the interstate. They dedicated the right of way through and it was created later when everything to the south was -- was conveyed. So, if that is a concern we understand it. It is something that we have been working on. Mr. Petersen and I have been working on that title issue for going on -- well, Tonn has been working on it for years. I first addressed that when Gardner Company had this property under contract seven years ago. So, it's -- it's one of those things that let's not let -- let's not strain at gnats here for something that isn't -- you know, isn't that big of a deal. Give us guidance, but we cannot hold up -- and we had this conversation with staff. You know, we cannot be held hostage to go get somebody else's property and included it in our plat. There is just -- there is no legal basis to do that. We have diligently tried, but I can honestly tell you that I have billed clients thousands of dollars to date over a piece of property that sold for a tax deed for approximately less than 500 dollars 15 years ago. So, give us guidance, but let's not overreach.

McCarvel: I am not an attorney, but I think to protect the city you would have to provide access to it if you don't acquire it.

G.Wardle: And if that's the concern, then, we will -- we will provide access. We can address that, because, again, it's within the commercial portion and it can only be used by your code --

McCarvel: Yeah.

G.Wardle: By your code it can only be utilized for a 50 foot wide buffer, because it's a nonconforming parcel. There -- there -- it's not developable.

McCarvel: I would say whatever you come back to with this has to be cleared by the city

attorney's, because we don't want to put the City of Meridian in a position of being then --

G.Wardle: But -- but, again, it's not the city's fault that there is not access to that property and there is nothing about creating this plat that -- that would create that. But I just -- I'm passionate about it, because, to be honest, I'm sick and tired of the Wood parcel, because every three years I have to go open the file, I have to go back to First American, I have to go back to staff, and I have to share with everybody the history of this parcel.

Wardle: We can do access, but it is -- it was deemed to be a parcel of record legally created through that ITD dedication. So, we will work through it, but it does not need to be included in the plat.

Yearsley: I don't think we need to include that in the motion. I -- personally.

Starman: Madam Chair, I was just going to add two thoughts there. So, I think there is two topics at play. First of all, I'm very sympathetic with the history of that -- that parcel and the ordeal to try to rectify that situation. I think there is two issues at play here. One is the issue of access and to the extent I think we had a concern earlier today that -- that if that sliver of parcel had legal access today and this project would block that access, that would be a concern. In other words, if this project was to land lock that parcel that would be a concern. If the parcel has never had legal access that's a different story. So, I think we could have that discussion. Part two, though, also part of the Commission's concern for sure and part of your consideration is just the public policy consideration of the annexation and do you -- is it in the city's best interest to approve or recommend the approval of annexation knowing that we are going to create a small little enclave that may never be annexed, that may not be maintained and it may be an issue for the community on a going forward basis. So, that would appear is a public policy question for you and ultimately for the City Council. So, there is two issues at play on that issue. One is the legal access issue and that may or may not be a concern if it doesn't have access today, but there is certainly a public policy issue for the Commission's consideration as well.

McCarvel: Okay. I guess we would like that wrapped up in a nice pretty little bow before -- before the next year anyway.

Yearsley: So, I don't want to include that in my motion. It stands.

Seal: Then I will second it.

McCarvel: Okay. It has been moved and seconded to continue File No. H-2021-0075. All those in -- to the hearing date of January 6th. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: One more.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I move we adjourn.

Cassinelli: Second.

McCarvel: It has been moved and seconded to adjourn. All those in favor say aye.
Opposed? Motion carries.

MEETING ADJOURNED AT 9:50 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

RHONDA MCCARVEL - CHAIRMAN

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Inglewood Coffee Shop Drive-Through (H-2021-0073) by Gold Stream Holdings, LLC, Located at 3330 E. Victory Rd.

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND
DECISION & ORDER**



In the Matter of the Request for Conditional Use Permit for a Drive-Through Establishment within 300-Feet of a Residential Use and Zoning District on 0.83-Acre of Land in the C-C Zoning District for Inglewood Coffee Shop Drive-Through, Located at 3330 E. Victory Rd. in the C-C Zoning District, by Gold Stream.

Case No(s). H-2021-0073

For the Planning & Zoning Commission Hearing Date of: December 2, 2021 (Findings on December 16, 2021)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of December 2, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of December 2, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of December 2, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of December 2, 2021, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this decision, which shall be signed by the Chairman of the Commission and City Clerk and then a copy served by the Clerk

upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of December 2, 2021, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the Planning & Zoning Commission's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for conditional use permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of December 2, 2021, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City in accord with UDC 11-5B-6F.1. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.F.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the Commission may be granted. With all extensions, the Director or Commission may require the conditional use comply with the current provisions of Meridian City Code Title 11.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff report for the hearing date of December 2, 2021

By action of the Planning & Zoning Commission at its regular meeting held on the _____ day of _____, 2021.

COMMISSIONER RHONDA MCCARVEL, CHAIRMAN VOTED_____

COMMISSIONER ANDREW SEAL, VICE CHAIRMAN VOTED_____

COMMISSIONER NATE WHEELER VOTED_____

COMMISSIONER STEVEN YEARSLEY VOTED_____

COMMISSIONER WILLIAM CASSINELLI VOTED_____

COMMISSIONER NICK GROVE VOTED_____

COMMISSIONER MARIA LORCHER VOTED_____

Rhonda McCarvel, Chairman

Attest:

Chris Johnson, City Clerk

Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

By:_____ Dated:_____
City Clerk's Office

EXHIBIT A



STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

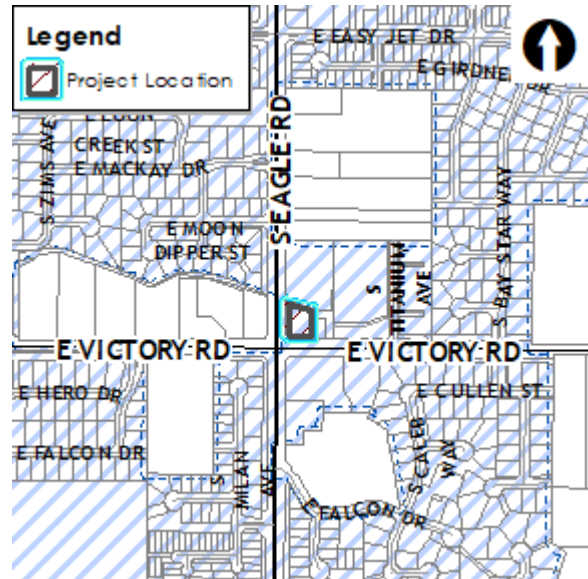
HEARING DATE: 12/2/2021

TO: Planning & Zoning Commission

FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2021-0073
Inglewood Coffee Shop Drive-Through – CUP

LOCATION: 3330 E. Victory Rd., in the SW ¼ of Section 21, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

Conditional use permit (CUP) for a drive-through establishment for a coffee shop within 300-feet of a residential use and zoning district on 0.83 of an acre of land in the C-C zoning district.

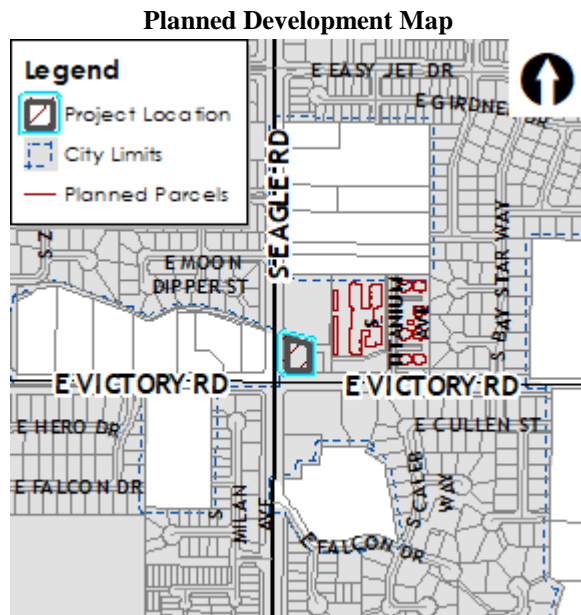
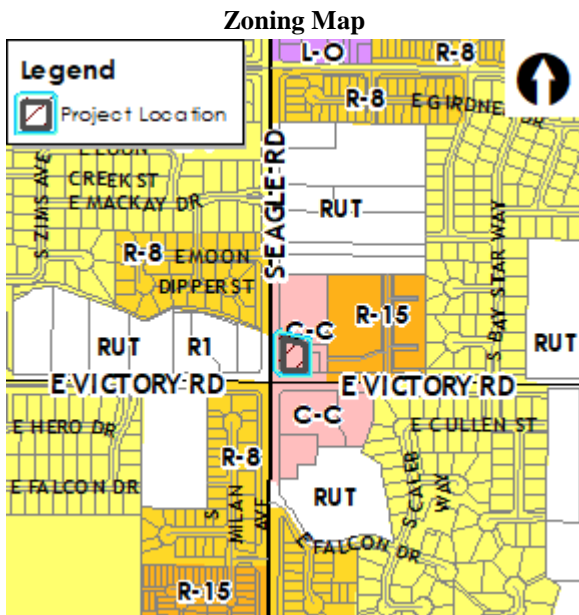
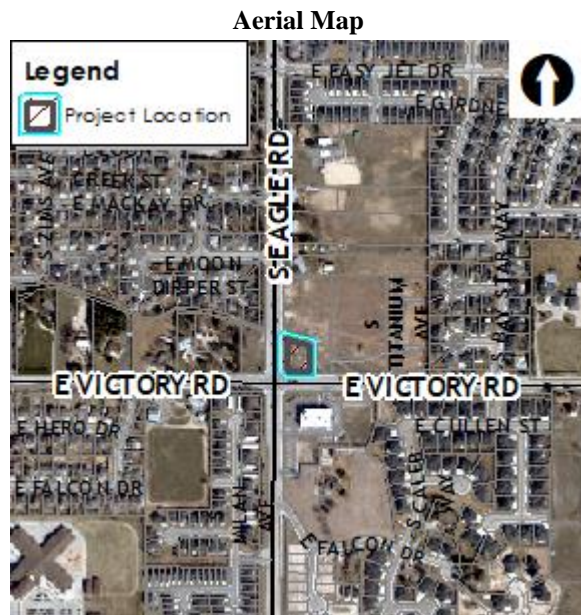
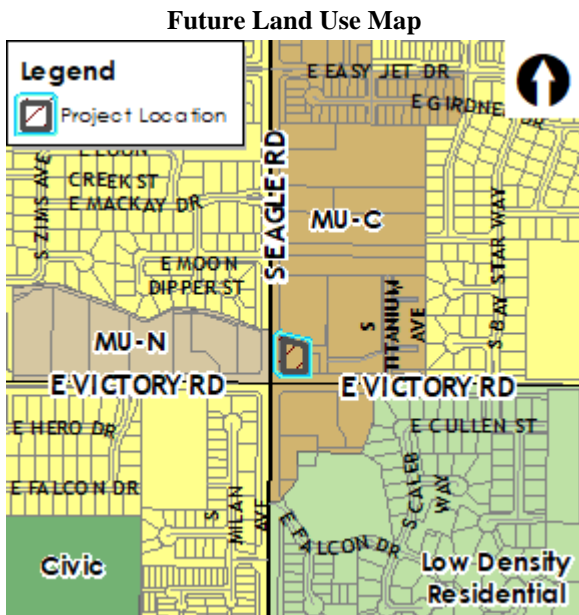
II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	0.83-acre	
Future Land Use Designation	Mixed Use – Community (MU-C)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Restaurant (coffee shop) with a drive-through	
Current Zoning	Community Business District (C-C)	
Physical Features (waterways, hazards, flood plain, hillside)	The McDonald Lateral runs through this site.	
Neighborhood meeting date; # of attendees:	5/25/21; 2 attendees	
History (previous approvals)	H-2019-0099 (Inglewood Sub. AZ, PP – Development Agreement Inst. #2019-124424); FP-2021-0037 (Inglewood Sub. 2)	

EXHIBIT A

A. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Clint Tolman, Gold Stream – 197 W. 4860 S., Murray, UT 84107

B. Owner:

Jim Petersen, Gold Stream – 197 W. 4860 S., Murray, UT 84107

EXHIBIT A

C. Representative:

Emily Mueller, Gold Stream Holdings, LLC – 197 W. 4860 S., Murray, UT 84107

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	11/16/2021
Radius notification mailed to properties within 300 feet	11/10/2021
Site Posting Date	11/18/2021
Next Door posting	11/12/2021

V. STAFF ANALYSIS

The proposed drive-through is for a 2,365 square foot Starbucks coffee shop (classified as a restaurant) within 300-feet of a residential use and zoning district, which requires Conditional Use Permit approval (CUP) per UDC Table 11-2B-2 and 11-4-3-11A.1.

The proposed development plan is in substantial conformance with the provisions in the existing Development Agreement (Inst. #2019-124424) and with the approved conceptual development plan included in the agreement. A common green space gathering area (5%) with seating and tables is proposed on the east side of the site in accord with provisions #5.1c and #5.1d in the Development Agreement. Other off-site common areas are proposed on the adjacent properties to the north and east as shown on the site plan.

Specific Use Standards: The proposed drive-through establishment is subject to the specific use standards listed in UDC [11-4-3-11](#), Drive-Through Establishment. All establishments providing drive-through service are required to identify the stacking lane, menu and speaker location (if applicable), and window location. A site plan is required to be submitted that demonstrates safe pedestrian and vehicular access and circulation on the site and between adjacent properties. At a minimum, the plan is required to demonstrate compliance with the following standards: *Staff’s analysis is in italics.*

- 1) Stacking lanes have sufficient capacity to prevent obstruction of driveways, drive aisles and the public right-of-way by patrons;

The stacking lane appears to have sufficient capacity to prevent obstruction of driveways, drive aisles and the public right-of-way by patrons as required.

- 2) The stacking lane shall be a separate lane from the circulation lanes needed for access and parking, except stacking lanes may provide access to designated employee parking.

The stacking lane is a separate lane from the circulation lanes needed for access and parking.

- 3) The stacking lane shall not be located within ten (10) feet of any residential district or existing residence;

The stacking lane is not located within 10’ of any residential district or residence.

EXHIBIT A

4) Any stacking lane greater than one hundred (100) feet in length shall provide for an escape lane; and

The stacking lane exceeds 100' in length and an escape lane is proposed.

5) The site should be designed so that the drive-through is visible from a public street for surveillance purposes.

The drive-through is visible from S. Eagle Rd. and E. Victory Rd., public streets along the west and south boundaries of the site, for surveillance purposes.

Based on the above analysis, Staff deems the proposed drive-through in compliance with the specific use standards as required.

The proposed use is also subject to the specific use standards listed in UDC [11-4-3-49](#) Restaurant, which requires at a minimum, one (1) parking space to be provided for every 250 square feet of gross floor area. Upon any change of use for an existing building or tenant space, a detailed parking plan is required to be submitted that identifies the available parking for the overall site that complies with UDC standards. Based on 2,365 square feet, a minimum of nine (9) off-street parking spaces are required to be provided; a total of 19 spaces are proposed, including 6 compact spaces, which exceed the minimum standard.

Hours of Operation: The hours of operation are restricted to 6:00 am to 11:00 pm in the C-C zoning district per UDC 11-2B-3B.

Dimensional Standards: Future development should be consistent with the dimensional standards listed in UDC Table [11-2B-3](#) for the C-C zoning district.

Access: A right-in/right-out driveway access is proposed via S. Eagle Rd. to the north of this site as shown on the site/landscape plans. Access is also available through an ingress-egress easement with the property to the east via S. Titanium Ave., a local street off E. Victory Rd.

Parking: As noted above, UDC 11-4-3-49 includes parking standards for restaurants, which the site plan demonstrates compliance.

A minimum one (1) bicycle parking space is required to be provided for every 25 vehicle spaces or portion thereof per UDC [11-3C-6G](#); bicycle parking facilities are required to comply with the location and design standards listed in UDC [11-3C-5C](#). A bicycle rack is proposed north of the building for two (2) bicycles in accord with this requirement. **A detail of the bicycle rack should be submitted with the Certificate of Zoning Compliance application that demonstrates compliance with the standards in UDC 11-3C-5C.**

Pedestrian Walkways: Where pathways cross vehicular driving surfaces, they're required to be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks. **The site plan submitted with the Certificate of Zoning Compliance application should reflect compliance with this standard.**

Landscaping: Parking lot landscaping is required to be provided in accord with the standards listed in UDC 11-3B-8C; where it's not feasible to comply with the standards due to the irrigation district easement for the McDonald Lateral, alternative compliance should be requested as set forth in UDC 11-5B-5. **The landscape plan submitted with the Certificate of Zoning Compliance application should reflect compliance with this standard; or an alternative compliance application should be submitted.**

Street buffer landscaping along S. Eagle Rd. and E. Victory Rd. is required to be installed with the Phase 2 subdivision improvements. **Because ACHD is requiring the construction of a northbound right-turn lane on Eagle Rd. that may affect the width of the street buffer approved with the**

EXHIBIT A

final plat, Staff recommends the site and landscape plans are updated accordingly to include the right-turn lane and the minimum 25-foot wide street buffer along Eagle Rd. required by UDC Table 11-2B-3. If the existing sidewalk is being removed to allow for the construction of the right-turn lane, a detached sidewalk should be constructed in accord with UDC 11-3A-17C.

Waterways: The McDonald Lateral crosses this site within a 41-foot wide easement. The lateral is proposed to be piped with the subdivision improvements. The building is proposed to be located outside of the easement.

Mechanical Equipment: All mechanical equipment on the back of the building and outdoor service and equipment should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#).

Building Elevations: Conceptual building elevations were submitted as shown in Section VII.C that incorporate a mix of materials consisting of fiber cement lap and board and batten siding with metal panel accents. The proposed materials are consistent with those in the residential portion of the development to the east in accord with the Development Agreement. The final design shall be consistent with the design standards listed in the [Architectural Standards Manual](#) and with the Development Agreement.

Certificate of Zoning Compliance & Design Review: A Certificate of Zoning Compliance and Design Review application is required to be submitted for the proposed use prior to submittal of a building permit application to ensure consistency with the conditions in Section VII, UDC standards and design standards.

VI. DECISION

A. Staff:

Staff recommends approval of the proposed conditional use permit with the conditions included in Section VIII per the Findings in Section IX.

B. The Meridian Planning & Zoning Commission heard this item on December 2, 2021. At the public hearing, the Commission moved to approve the subject CUP request.

1. Summary of the Commission public hearing:
 - a. In favor: Jim Petersen, Gold Stream (Applicant)
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: None
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
 - a. None
3. Key issue(s) of discussion by Commission:
 - a. None
4. Commission change(s) to Staff recommendation:
 - a. None

EXHIBIT A

B. Proposed Landscape Plan (dated: 9/24/2021)

LANDSCAPE SCHEDULE

SYMBOL	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	DETAIL	
	12	ROCKY MOUNTAIN GLOW WINKLE	AGER GRANIDENDRUM 'GLOW WINK'	2" CAL.	DL501	
	1	ACE OF HEARTS REDBUD	CECIS CANADENSIS 'ACE OF HEARTS'	8" 1/2" CALIP.	DL501	
	6	ALICE LA COSSA WAXEM	ULMUS PARVIFLORA 'ALICE WAXEM'	2" CAL.	DL501	
	14	HORSTMAN BLUE ATLAS CEDAR	CEDEBUS ATLANTICA 'HORSTMAN'	8" HT.	DL501	
	300	BRONZE AMBITION BLUE GRASS	BOUTELOUDA GRACILIS 'BRONZE AMBITION'	5 GAL.	AL501	
	100	FORESTERS FEATHER FEED GRASS	CALAMAGROSTIS X ACUTIFLORA 'VANIL ICECREAM'	5 GAL.	AL501	
	60	SHAWNEE BLUE OAT GRASS	HECTOTHORON SPERMOPHYTES 'SHAWNEE BLUE'	5 GAL.	AL501	
	3	BELLE JEAN BAY RUSSIAN SAUCE	PEROVSKIA ABRUSIFLORA 'JEAN BAY'	5 GAL.	BL501	
	50	DMARU JAPANESE GARDEN JASMINE	JASMINE PRICOLUMBENS 'DMARU'	5 GAL.	BL501	
	20	GRADON FRAGRANT BURNING	RUBUS IDAHOENSIS 'GRADON'	5 GAL.	BL501	
	10	JAPANESE NEW GARDEN PINE	PI PINUS 'NEW GARDEN PINE'	5 GAL.	BL501	
	5	NEW MEXICO PINE	PI PINUS 'NEW MEXICO PINE'	5 GAL.	BL501	
SYMBOL	QTY.	DESCRIPTION	SOURCE	SIZE	INSTRUCTIONS	DETAIL
	26 SQ. FT.	LAWN			INSTALL 1/2" SAND OVER 4" OF SOIL	DL501
	30 SQ. FT.	DRIVE	100% MAINTENANCE & CONSTRUCTION (200) 855-8800 OR APPROVAL OF QULC.	2" DIA. DIMENSION	SEE BULLETIN MEMORANDUM FOR BULLETIN 1008 FOR DETAILS & SPECIFICATIONS FOR CONSTRUCTION OF DRIVE	DL501
	26	WINDY BOLLERS	100% MAINTENANCE & CONSTRUCTION (200) 855-8800 OR APPROVAL OF QULC.	2-4"	SEE BULLETIN MEMORANDUM FOR BULLETIN 1008 FOR DETAILS & SPECIFICATIONS FOR CONSTRUCTION OF DRIVE	DL501

SITE AMENITY SCHEDULE

SYMBOL	QTY.	MANUFACTURER	DESCRIPTION	SIZE	COLOR
	3	LANDSCAPE FORMAL INC.	50 COLLECTION SQUARE CONCRETE SQUARE	42" DIA. X 1 1/2" HT.	SLIVER
	2	LANDSCAPE FORMAL INC.	CENTRAL 30" CONCRETE SQUARE	30" DIA. X 1 1/2" HT.	1 GREY, 1 GREEN
	1		CENTRAL 30" CONCRETE SQUARE	30" DIA. X 1 1/2" HT.	1 GREY, 1 GREEN
	2		CENTRAL 30" CONCRETE SQUARE	30" DIA. X 1 1/2" HT.	1 GREY, 1 GREEN

REFERENCE NOTES

1. CAST-IN-PLACE CONCRETE 4000 PSI, 1 1/2" X 1 1/2" X 1 1/2" (200) 855-8800
2. 12" DIAMETER RISE CUTOUT
3. 4" DIA. TIE BOLT
4. FINISH (200) 855-8800

GENERAL NOTE

1. SEE ALL COMMON DIMENSIONS AND PLANNING NOTES ON SHEET 101

STARBUCKS MERIDIAN

3250 EAST VICTORY ROAD
MERIDIAN, ID

NO.	DATE	DESCRIPTION
1	09/24/2021	ISSUED FOR PERMIT

DESIGNED BY: SS
CHECKED BY: SS
DATE: 9 SEPTEMBER 2021

LANDSCAPE PLANNING PLAN
L2.01

STARBUCKS MERIDIAN

3250 EAST VICTORY ROAD
MERIDIAN, ID

SYMBOL	QTY.	MANUFACTURER	DESCRIPTION	SIZE	COLOR
	3	LANDSCAPE FORMAL INC.	50 COLLECTION SQUARE CONCRETE SQUARE	42" DIA. X 1 1/2" HT.	SLIVER
	2	LANDSCAPE FORMAL INC.	CENTRAL 30" CONCRETE SQUARE	30" DIA. X 1 1/2" HT.	1 GREY, 1 GREEN
	1		CENTRAL 30" CONCRETE SQUARE	30" DIA. X 1 1/2" HT.	1 GREY, 1 GREEN
	2		CENTRAL 30" CONCRETE SQUARE	30" DIA. X 1 1/2" HT.	1 GREY, 1 GREEN

STARBUCKS MERIDIAN

3250 EAST VICTORY ROAD
MERIDIAN, ID

NO.	DATE	DESCRIPTION
1	09/24/2021	ISSUED FOR PERMIT

DESIGNED BY: SS
CHECKED BY: SS
DATE: 9 SEPTEMBER 2021

LANDSCAPE PLANNING PLAN
L2.01

LANDSCAPE SCHEDULE

SYMBOL	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	DETAIL	
	12	ROCKY MOUNTAIN GLOW WINKLE	AGER GRANIDENDRUM 'GLOW WINK'	2" CAL.	DL501	
	1	ACE OF HEARTS REDBUD	CECIS CANADENSIS 'ACE OF HEARTS'	8" 1/2" CALIP.	DL501	
	6	ALICE LA COSSA WAXEM	ULMUS PARVIFLORA 'ALICE WAXEM'	2" CAL.	DL501	
	14	HORSTMAN BLUE ATLAS CEDAR	CEDEBUS ATLANTICA 'HORSTMAN'	8" HT.	DL501	
	300	BRONZE AMBITION BLUE GRASS	BOUTELOUDA GRACILIS 'BRONZE AMBITION'	5 GAL.	AL501	
	100	FORESTERS FEATHER FEED GRASS	CALAMAGROSTIS X ACUTIFLORA 'VANIL ICECREAM'	5 GAL.	AL501	
	60	SHAWNEE BLUE OAT GRASS	HECTOTHORON SPERMOPHYTES 'SHAWNEE BLUE'	5 GAL.	AL501	
	3	BELLE JEAN BAY RUSSIAN SAUCE	PEROVSKIA ABRUSIFLORA 'JEAN BAY'	5 GAL.	BL501	
	50	DMARU JAPANESE GARDEN JASMINE	JASMINE PRICOLUMBENS 'DMARU'	5 GAL.	BL501	
	20	GRADON FRAGRANT BURNING	RUBUS IDAHOENSIS 'GRADON'	5 GAL.	BL501	
	10	JAPANESE NEW GARDEN PINE	PI PINUS 'NEW GARDEN PINE'	5 GAL.	BL501	
	5	NEW MEXICO PINE	PI PINUS 'NEW MEXICO PINE'	5 GAL.	BL501	
SYMBOL	QTY.	DESCRIPTION	SOURCE	SIZE	INSTRUCTIONS	DETAIL
	26 SQ. FT.	LAWN			INSTALL 1/2" SAND OVER 4" OF SOIL	DL501
	30 SQ. FT.	DRIVE	100% MAINTENANCE & CONSTRUCTION (200) 855-8800 OR APPROVAL OF QULC.	2" DIA. DIMENSION	SEE BULLETIN MEMORANDUM FOR BULLETIN 1008 FOR DETAILS & SPECIFICATIONS FOR CONSTRUCTION OF DRIVE	DL501
	26	WINDY BOLLERS	100% MAINTENANCE & CONSTRUCTION (200) 855-8800 OR APPROVAL OF QULC.	2-4"	SEE BULLETIN MEMORANDUM FOR BULLETIN 1008 FOR DETAILS & SPECIFICATIONS FOR CONSTRUCTION OF DRIVE	DL501

SITE AMENITY SCHEDULE

SYMBOL	QTY.	MANUFACTURER	DESCRIPTION	SIZE	COLOR
	3	LANDSCAPE FORMAL INC.	50 COLLECTION SQUARE CONCRETE SQUARE	42" DIA. X 1 1/2" HT.	SLIVER
	2	LANDSCAPE FORMAL INC.	CENTRAL 30" CONCRETE SQUARE	30" DIA. X 1 1/2" HT.	1 GREY, 1 GREEN
	1		CENTRAL 30" CONCRETE SQUARE	30" DIA. X 1 1/2" HT.	1 GREY, 1 GREEN
	2		CENTRAL 30" CONCRETE SQUARE	30" DIA. X 1 1/2" HT.	1 GREY, 1 GREEN

REFERENCE NOTES

1. CAST-IN-PLACE CONCRETE 4000 PSI, 1 1/2" X 1 1/2" X 1 1/2" (200) 855-8800
2. 12" DIAMETER RISE CUTOUT
3. 4" DIA. TIE BOLT
4. FINISH (200) 855-8800

GENERAL NOTE

1. SEE ALL COMMON DIMENSIONS AND PLANNING NOTES ON SHEET 101

STARBUCKS MERIDIAN

3250 EAST VICTORY ROAD
MERIDIAN, ID

NO.	DATE	DESCRIPTION
1	09/24/2021	ISSUED FOR PERMIT

DESIGNED BY: SS
CHECKED BY: SS
DATE: 9 SEPTEMBER 2021

LANDSCAPE PLANNING PLAN
L2.01

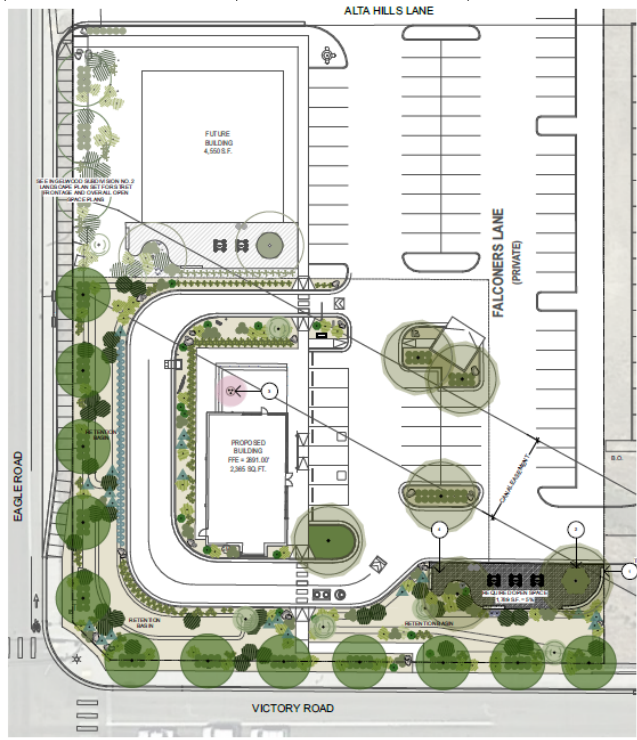
STARBUCKS MERIDIAN

3250 EAST VICTORY ROAD
MERIDIAN, ID

NO.	DATE	DESCRIPTION
1	09/24/2021	ISSUED FOR PERMIT

DESIGNED BY: SS
CHECKED BY: SS
DATE: 9 SEPTEMBER 2021

LANDSCAPE PLANNING PLAN
L2.01



MERIDIAN CITY DATA

CITY CODE - ETC. (1) OR (2)	CITY COMMUNITY (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)
TOULOUSE, TN	30710
PERCENTAGE OF 10% IN AMERICAN MEDIA	10.7%
GENERAL	
PLANT COVERAGE	10%
GRASS COVERAGE	10%
SPRINKLER SYSTEM	10%
WATER SUPPLY	10%
WIND SPEED	10%
TEMPERATURE	10%
RELATIVE HUMIDITY	10%
PRECIPITATION	10%
WIND DIRECTION	10%
WIND VELOCITY	10%
WIND BURSTS	10%
WIND GUSTS	10%
WIND STORMS	10%
WIND TORNADOES	10%
WIND HURRICANES	10%
WIND CYCLONES	10%
WIND MONSOONS	10%
WIND TYPHOONS	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%
WIND TROPICAL DISTURBANCES	10%
WIND TROPICAL WAVES	10%
WIND TROPICAL CYCLONES	10%
WIND TROPICAL STORMS	10%
WIND TROPICAL DEPRESSIONS	10%

EXHIBIT A

C. Building Elevations (dated: 7/21/21)

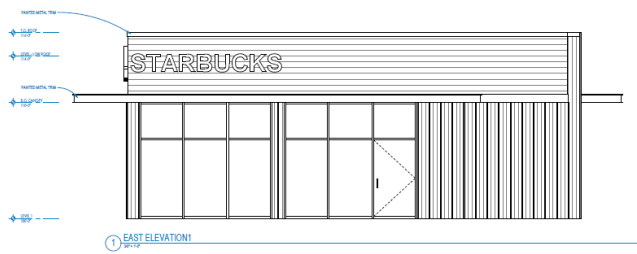
ELEVATION / SECTION MATERIAL LEGEND	
	SMALL PANELS, AS SHOWN IN SAMPLE ARCHITECTURE
	WOOD COMPOST LUMBER WITH FINISHES: PINE AND HONEY LOC
	PAVED (CONCRETE) SIDEWALKS WITH 1/4" SLIP LAY FINISH, AS SHOWN IN SAMPLE ARCHITECTURE

LMnt
ARCHITECTURE

ARCHITECTS
LINDSEY HARRISON
TAMARA HARRISON
LINDSEY HARRISON
LINDSEY HARRISON
LINDSEY HARRISON

303 South 7th Street, Suite 100
Austin, TX 78701
512.477.1111
LMNTARCHITECTURE.COM

Not for Construction



2 NORTH ELEVATION
DATE: 7/21/21

project: Starbucks
Project Number: [blank]
date: 2.17.21
revisions: [blank]

Schematic Design
sheet: ELEVATIONS

SD2.1

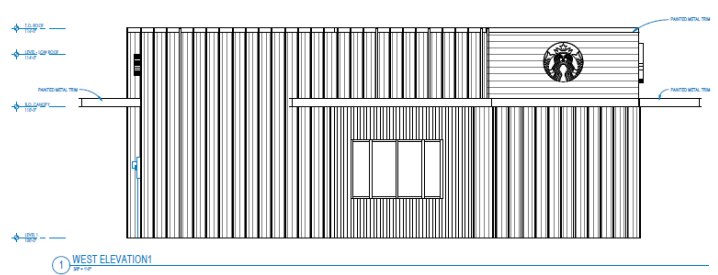
ELEVATION / SECTION MATERIAL LEGEND	
	SMALL PANELS, AS SHOWN IN SAMPLE ARCHITECTURE
	WOOD COMPOST LUMBER WITH FINISHES: PINE AND HONEY LOC
	PAVED (CONCRETE) SIDEWALKS WITH 1/4" SLIP LAY FINISH, AS SHOWN IN SAMPLE ARCHITECTURE

LMnt
ARCHITECTURE

ARCHITECTS
LINDSEY HARRISON
TAMARA HARRISON
LINDSEY HARRISON
LINDSEY HARRISON
LINDSEY HARRISON

303 South 7th Street, Suite 100
Austin, TX 78701
512.477.1111
LMNTARCHITECTURE.COM

Not for Construction



2 SOUTH ELEVATION
DATE: 7/21/21

project: Starbucks
Project Number: [blank]
date: 2.17.21
revisions: [blank]

Schematic Design
sheet: ELEVATIONS

SD2.2

SHEET SIZE: 24" x 36"

EXHIBIT A

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. Future development of this site shall comply with the previous conditions of approval and terms of the existing Development Agreement [H-2019-0099 Inglewood Place Subdivision (AZ, PP) – Inst. #[2019-124424](#); FP-2021-0037 (Inglewood Place Subdivision No. 2)] and the conditions contained herein.
2. The site plan and landscape plan submitted with the Certificate of Zoning Compliance application shall be revised as follows:
 - a. The stacking lane, menu and speaker location(s), and window location shall be depicted in accord with UDC [11-4-3-11B](#).
 - b. All mechanical equipment on the back of the building and outdoor service and equipment areas should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#).
 - c. Include a detail of the bicycle rack that demonstrates compliance with the design standards in UDC 11-3C-5C.
 - d. Where pathways cross vehicular driving surfaces, they shall be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4b.
 - e. Depict landscaping within all planter islands within the parking area in accord with the standards listed in UDC [11-3B-8C](#); where it's not feasible to comply with the standards due to the irrigation district easement for the McDonald Lateral, alternative compliance shall be requested as set forth in UDC [11-5B-5](#).
 - f. Depict the northbound right-turn lane on S. Eagle Rd. as required by ACHD with a minimum 25-foot wide street buffer in accord with UDC Table 11-2B-3 and a 5-foot wide detached sidewalk in accord with UDC 11-3A-17C.
3. Compliance with the standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment and [11-4-3-49](#) – Restaurant is required.
4. The driveway access via S. Eagle Rd. is restricted to a right-in/right-out access per the Development Agreement.
5. No building permits shall be issued for this site until the property has been subdivided.
6. The hours of operation are restricted to 6:00 am to 11:00 pm in the C-C zoning district per UDC 11-2B-3B.
7. A Certificate of Zoning Compliance and Design Review application shall be submitted and approved for the proposed use prior to submittal of a building permit application. The design of the site and structure shall comply with the standards listed in UDC [11-3A-19](#); the design standards listed in the *Architectural Standards Manual* and with the Development Agreement. *The Development Agreement requires some of the same design elements to be incorporated in the commercial portion of the development as in the residential portion.*
8. The conditional use permit is valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the Applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or

EXHIBIT A

structures on or in the ground as set forth in UDC 11-5B-6. A time extension may be requested as set forth in UDC 11-5B-6F.

B. ADA COUNTY HIGHWAY DISTRICT (ACHD)

Staff Report:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243245&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241022&dbid=0&repo=MeridianCity>

C. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242203&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243209&dbid=0&repo=MeridianCity>

IX. FINDINGS

Conditional Use (UDC 11-5B-6)

Findings: The commission shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

The Commission finds the site is large enough to accommodate the proposed development and meet all dimensional and development regulations of the C-C zoning district.

2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.

The Commission finds the proposed restaurant (coffee shop) with a drive-through will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section VIII of this report.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

The Commission finds the design, construction, operation and maintenance of the proposed use will be compatible with other uses in the general neighborhood, with the existing and intended character of the vicinity and will not adversely change the essential character of the area.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

The Commission finds the proposed use will not adversely affect other properties in the vicinity if it complies with the conditions in Section VIII of this report.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

EXHIBIT A

The Commission finds the proposed use will be served by essential public facilities and services as required.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

The Commission finds the proposed use will not create additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The Commission finds the proposed use will not be detrimental to any persons, property or the general welfare by the reasons noted above.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

The Commission finds the proposed use will not result in the destruction, loss or damage of any such features.

9. Additional findings for the alteration or extension of a nonconforming use:

- a. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,

This finding is not applicable.

- b. That the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards as set forth in this title as compared to the level of development of the surrounding properties.

This finding is not applicable.



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Fire Station 8 and Police Substation (H-2021-0078) by City of Meridian, Located at 4250 N. Owyhee Storm Ave.

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND
DECISION & ORDER**



In the Matter of the Request for Conditional Use Permit to Develop a 11,637 sq. ft. Fire Station and 11,560 sq. ft. Police Substation Building, Located at 4250 N. Owyhee Storm in the R-8 Zoning District, by the City of Meridian.

Case No(s). H-2021-0078

For the Planning & Zoning Commission Hearing Date of: December 2, 2021 (Findings on December 16, 2021)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of December 2, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of December 2, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of December 2, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of December 2, 2021, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this decision, which shall be signed by the Chairman of the Commission and City Clerk and then a copy served by the Clerk

upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of December 2, 2021, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the Planning & Zoning Commission's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for conditional use permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of December 2, 2021, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City in accord with UDC 11-5B-6F.1. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.F.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the Commission may be granted. With all extensions, the Director or Commission may require the conditional use comply with the current provisions of Meridian City Code Title 11.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff report for the hearing date of December 2, 2021

By action of the Planning & Zoning Commission at its regular meeting held on the _____ day of _____, [year].

COMMISSIONER RHONDA MCCARVEL, CHAIRMAN VOTED_____

COMMISSIONER ANDREW SEAL, VICE CHAIRMAN VOTED_____

COMMISSIONER NATE WHEELER VOTED_____

COMMISSIONER STEVEN YEARSLEY VOTED_____

COMMISSIONER WILLIAM CASSINELLI VOTED_____

COMMISSIONER NICK GROVE VOTED_____

COMMISSIONER MARIA LORCHER VOTED_____

Rhonda McCarvel, Chairman

Attest:

Chris Johnson, City Clerk

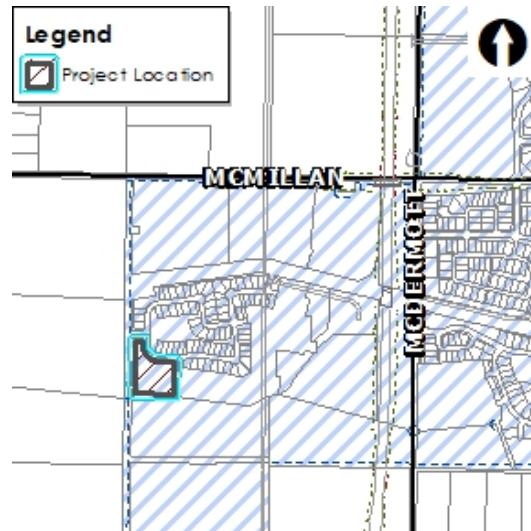
Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

By:_____ Dated:_____
City Clerk's Office

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 12/2/2021
TO: Planning & Zoning Commission
FROM: Alan Tiefenbach, Associate Planner
SUBJECT: H-2021-0078
Fire Station 8 and Police Substation
Conditional Use Permit
LOCATION: 4250 N. Owyhee Storm
Near the southwest corner of W.
McMillian Rd and N. McDermott Rd.



I. PROJECT DESCRIPTION

Conditional Use Permit to develop a 11,637 sq. ft. fire station and 11,560 sq. ft. police substation building (public or quasi-public use) on approximately 3.6 acres of land in the R-8 zoning district.

II. SUMMARY OF REPORT

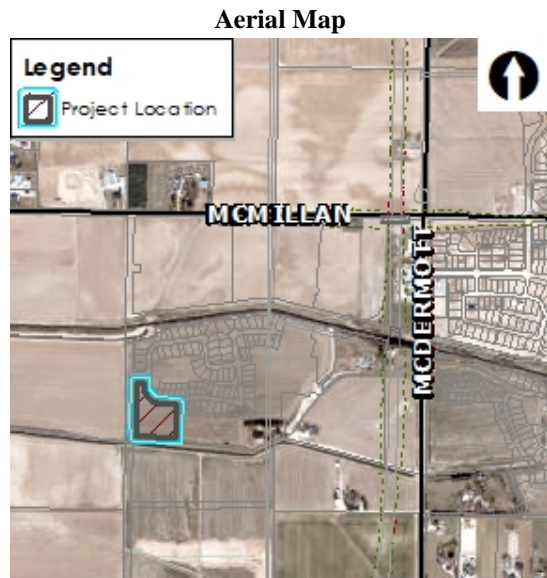
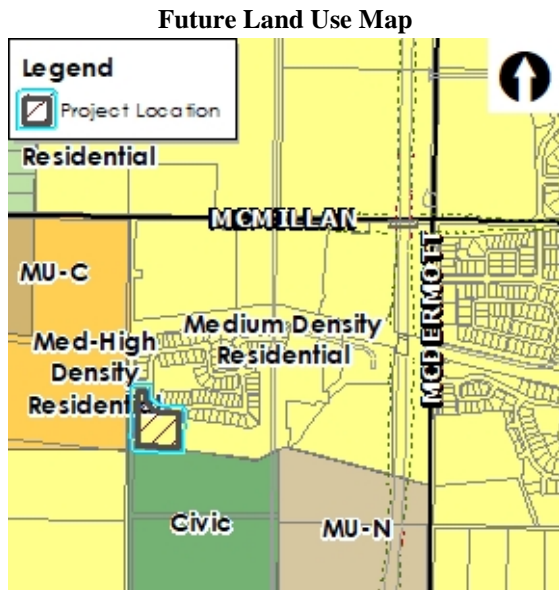
A. Project Summary

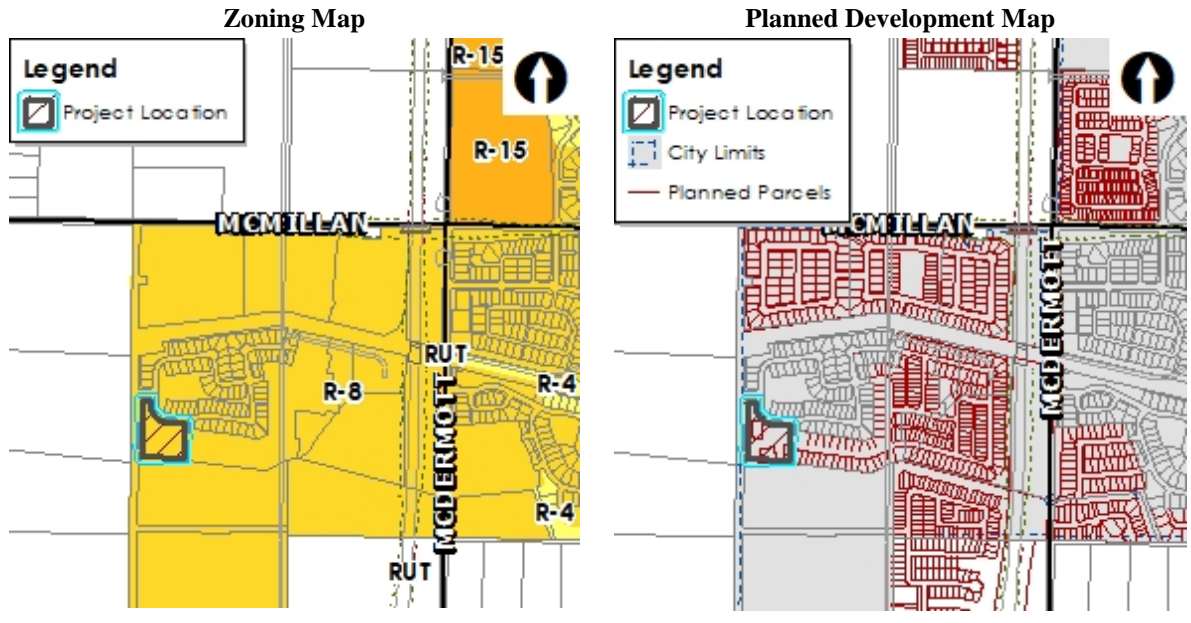
Description	Details	Page
Acreage	3.6 acres	
Future Land Use Designation	Medium Density Residential – Fire Station and Police Station	
Existing Land Use(s)	Rural	
Proposed Land Use(s)	Public or quasi-public use (Fire Station and Police Substation)	
Lots (# and type; bldg./common)	1	
Phasing Plan (# of phases)	2, with the fire station proposed for development first.	
Physical Features (waterways, hazards, flood plain, hillside)	McFadden Drain is to the south, although not on the subject property.	
Neighborhood meeting date; # of attendees:	September 22, 2021, no attendees	
History (previous approvals)	AZ H-2019-0013, DA Instr. 2019-060657, FP H-2019-0108	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Staff report was completed with the annexation / rezoning (Gander Creek Subdivision)	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	N. Owyhee Storm Ave (Collector)	
Existing Road Network	N. Owyhee Storm Ave (Collector)	
Existing Arterial Sidewalks / Buffers	Existing 10 ft. wide pathway along the eastern side of N. Owyhee Storm Ave, 5 ft. attached sidewalks along W. Black Butte St and W. Grand Rapids Dr.	
Proposed Road Improvements	None	
Fire Service		
	This proposal is for a fire station.	
Police Service		
	This proposal is for a police sub-station.	
Wastewater		
<ul style="list-style-type: none"> No changes to public sewer infrastructure shown in record. Any changes must be approved by Public Works. Ensure no sewer services pass through infiltration trenches. Flow is committed. 		
Water		
<ul style="list-style-type: none"> There is no water infrastructure shown in this record. Water will be served from the east from Gander Creek South No 2. 		

C. Project Area Maps





III. CITY INFORMATION

- A. City / Representative: Stacy Redman, City of Meridian
33 E. Broadway Ave, Meridian, ID 83642
- B. Owner: City of Meridian
33 E. Broadway Ave, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	11/16/2021	
Radius notification mailed to properties within 300 feet	11/10/2021	
Sign Posting	11/15/2021	
Nextdoor posting	11/12/2021	

V. STAFF ANALYSIS

The property is 3.6 acres in size, is zoned R-8, and was transferred to the City as part of the Gander Creek South No. 1 Final Plat in 2019. The subject lot is specifically designated for a fire station and police sub-station by the Future Land Use Map (FLUM). UDC defines fire station and police stations as a “public or quasi-public use.” This use is allowed in the R-8 zone district as a conditional use.

A. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)

The property is designated for medium density residential (MDR). This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

The FLUM shows a fire and police station symbol in the general vicinity (east of N. Owyhee Storm Ave. and south of N. Jarbridge Ave.). The purpose of this designation is to preserve and protect existing and planned fire and police station locations throughout the Area of City Impact which provide efficient emergency response. The proposed fire and police station in this location would be consistent with the recommendations of the FLUM.

B. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

- Develop and implement master plans for all public facilities, services, and safety to guide the growth of the City. (3.02.01).

The subject property is shown to be within an area designated as a fire / police station on the Future Land Use Map.

- Support the appropriate expansion of City facilities, services, staff, and other resources to keep up with demand and established levels of service. (3.02.01D)
- Ensure that quality fire protection, rescue and emergency medical services are provided within Meridian. (4.11.03)
- Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks. (3.02.01G)

A significant amount of land has been annexed and platted in the surrounding area. This includes the Owyhee High School, Gander Creek Subdivision (400 +/- lots), the Oaks North and South Subdivision (approximately 1,000 lots), Chukar Ridge (63 lots) and Jump Creek Subdivision (318 single family lots and 2 multifamily lots). There are also several significant nearby developments presently in the entitlement process such as Aviator Springs and Aegean Estates. The proposed fire station and police sub-station would increase response times and the approved and tentative developments anticipated location of these facilities during the project analysis. This conditional use would support appropriate expansion and maintenance of services and would ensure quality fire and emergency services and would significantly improve the emergency response times.

- Ensure that new development and subdivisions connect to the pathway system. (4.04.01A)

The Gander Creek South Subdivision No. 1 provides 10 ft. wide detached pathways along N. Owyhee Storm Ave. These pathways connect to the Owyhee High School to the south.

- 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 Gander Creek South Subdivision No. 1 contains a plat note which prohibits direct lot access to N. Owyhee Storm Ave. with the exception for the subject property. This is to allow expeditious and unimpeded emergency access without traveling through the local neighborhood.

The site plan indicates one point of access from W. Grand Rapids Dr, (local street) and two points of access from N. Owyhee Storm Ave. a collector. The southern N. Owyhee Storm driveway provides the primary public access for the property. The northern driveway from N. Owyhee Storm Ave. is reserved only for fire equipment access. The access from W. Grand Rapids Dr. serves as access for employee parking.

- 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 site plan shows landscape buffers along S. Owyhee Storm Ave. at the west and W. Grand Rapids Dr. at the north and east. Access for emergency vehicles will occur at N. Owyhee Storm Ave., a collector, to reduce impacts on the internal neighborhood. Design review will be required during the time of Certificate of Zoning Compliance (CZC) to ensure the future facilities are compatible with the surrounding properties.

C. Existing Structures/Site Improvements:

The property is presently vacant.

D. Proposed Use Analysis:

UDC defines fire station and police stations as a “public or quasi-public use.” This use is allowed in the R-8 zone district as a conditional use, subject to the specific use stated below.

E. Specific Use Standards (*UDC 11-4-3*):

UDC 11-4-3-30 states public or quasi-public uses shall meet the standards for office use in accord with the district in which the use is located.

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

This is a conditional use to allow public or quasi-public uses in the R-8 zone district. Dimensional standards in the R-8 zone district include a minimum lot size of 4,000 sq. ft., front setbacks of 25 ft. from a collector street, rear setback of 12 ft. and 10 ft. side setback. Building height is limited to 35 feet. A 20 ft. wide buffer is required along collector roads. The site plan as submitted appears to meet the minimum dimensional standards.

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

N. Owyhee Storm Road is improved with 2-travel lanes, and a 10 ft. wide detached pathway along the eastern side. W. Black Butte St. and W. Grand Rapids Dr., bordering the property at the north and east, contain 5 ft. wide attached sidewalk. Landscape buffers have not yet been installed.

Primary access will occur from two accesses off of N. Owyhee Storm Rd. Although UDC 11-3A-3 typically requires any property that takes direct access to an arterial and/or collector roadway to be configured to take access from a local street is available, the Gander Creek South No. 1 plat has a note which specifically allows these accesses. This is to allow unimpeded emergency access directly to the collector instead of requiring travel through the local neighborhoods. There is an additional employee access provided from W. Grand Rapids Dr., at the east side of the property.

H. Parking (*UDC 11-3C*):

UDC 11-3C-5 requires one (1) space for every five hundred (500) square feet of gross floor area. With 23,197 sq. ft. between the first station and the police sub-station, 46 parking spaces are required. The site plan indicates 69 parking spaces for the police substation, and 21 parking spaces for the fire station. 12 of the parking spaces would be covered and would be for the use of the police vehicles only. The concept plan shows at least 3 additional spaces for fire apparatus at the west side of the fire station. The parking plan appears to meet most of the landscaping requirements of UDC 11-3B-8.

I. Pathways (*UDC 11-3A-8*):

The Gander Creek South Subdivision No. 1 provides a 10 ft. wide detached pathway paralleling N. Owyhee Storm Ave. along the east. No other pathways are proposed with this project.

J. Sidewalks (*UDC 11-3A-17*):

Attached 5 ft. wide sidewalks have already been constructed along W. Black Butte St. and W. Grand Rapids Dr. at the north and east property lines. There is a 6 ft. wide walkway connecting the west side (front) of the proposed fire station to the 10 ft. detached pathway along N. Owyhee Storm Ave. This walkway also crosses the drive aisle and connects to the proposed police substation, although it appears the internal pedestrian walkway is not distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as required per UDC 11-3A-19.

K. Landscaping (*UDC 11-3B*):

UDC 11-2A-5 requires a 20 ft. landscape buffer along collector roads. These buffers must be landscaped at one (1) tree per thirty-five (35) linear feet. Parking lot landscaping is required around the perimeter of the parking lot, and no linear grouping of parking spaces shall exceed twelve (12) in a row, without an internal planter island. Parking islands are also required at the ends of all parking rows.

The landscape plan indicates a buffer of at least 50 ft. in width along N. Owyhee Storm Ave and landscaped per the minimum requirements. There are several large landscaped areas at the north and east of the proposed fire station as well as fit pads that can benefit the employees. The landscaping plan exceeds minimum requirements.

There are no existing trees that qualify for preservation or mitigation. The City Arborist has commented that the Norway Maples and Emerald Ash Borer trees that are proposed on the landscape plan are considered invasive species. The Arborist has included lists of recommended alternatives to these trees. Staff recommends the above listed trees be replaced with one of the alternatives as a condition of approval in accord with the approved tree species listed in UDC 11-3B-5A.1.

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

Wrought-iron fencing of up to 8' in height is indicated on the site plan to provide security for police vehicles. Staff notes fencing height is limited to 6' in height in the R-8 zone district. The City should apply for alternative compliance concurrently with the CZC to allow the increased fence height as proposed.

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

Connection to City water and sewer services is proposed in accord with UDC 11-3A-21. Water and sewer will be provided from the Gander Creek South No. 1 to the east.

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

The City has submitted elevations for both buildings. Architecture consists of sloped roof buildings with CMU and wood grain metal panel as the primary field materials.

The building elevations as submitted may not meet the minimum requirements of the ASM for commercial buildings. The only field materials indicated on the elevations are smooth face CMU and horizontal metal panel whereas 5.1B requires at least two distinct field materials (material of more than 20% of the façade) and only allows metal panel and untextured concrete as a field material if there are at least two other qualifying field materials. At least 30% of the façade must use a combination of concrete, masonry, stone, landscaping or unique variation in color around

the base of the building, whereas it does not appear there are any distinct materials along the base. At the time of Certificate of Zoning Compliance (CZC) and Design Review (DE) the standards of the ASM must be met, or design exceptions may be granted.

VI. DECISION

A. Staff:

Staff recommends approval of the proposed conditional use permit per the provisions and comments included in Section V in accord with the Findings in Section IX.

B. The Meridian Planning & Zoning Commission heard this item on September 2, 2021. At the public hearing, the Commission moved to approve the subject conditional use permit request.

1. Summary of the Commission public hearing:

- a. In favor: Gunnar Gladics
- b. In opposition: None
- c. Commenting: Gunnar Gladics
- d. Written testimony: None
- e. Staff presenting application: Alan Tiefenbach
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

3. Key issue(s) of discussion by Commission:

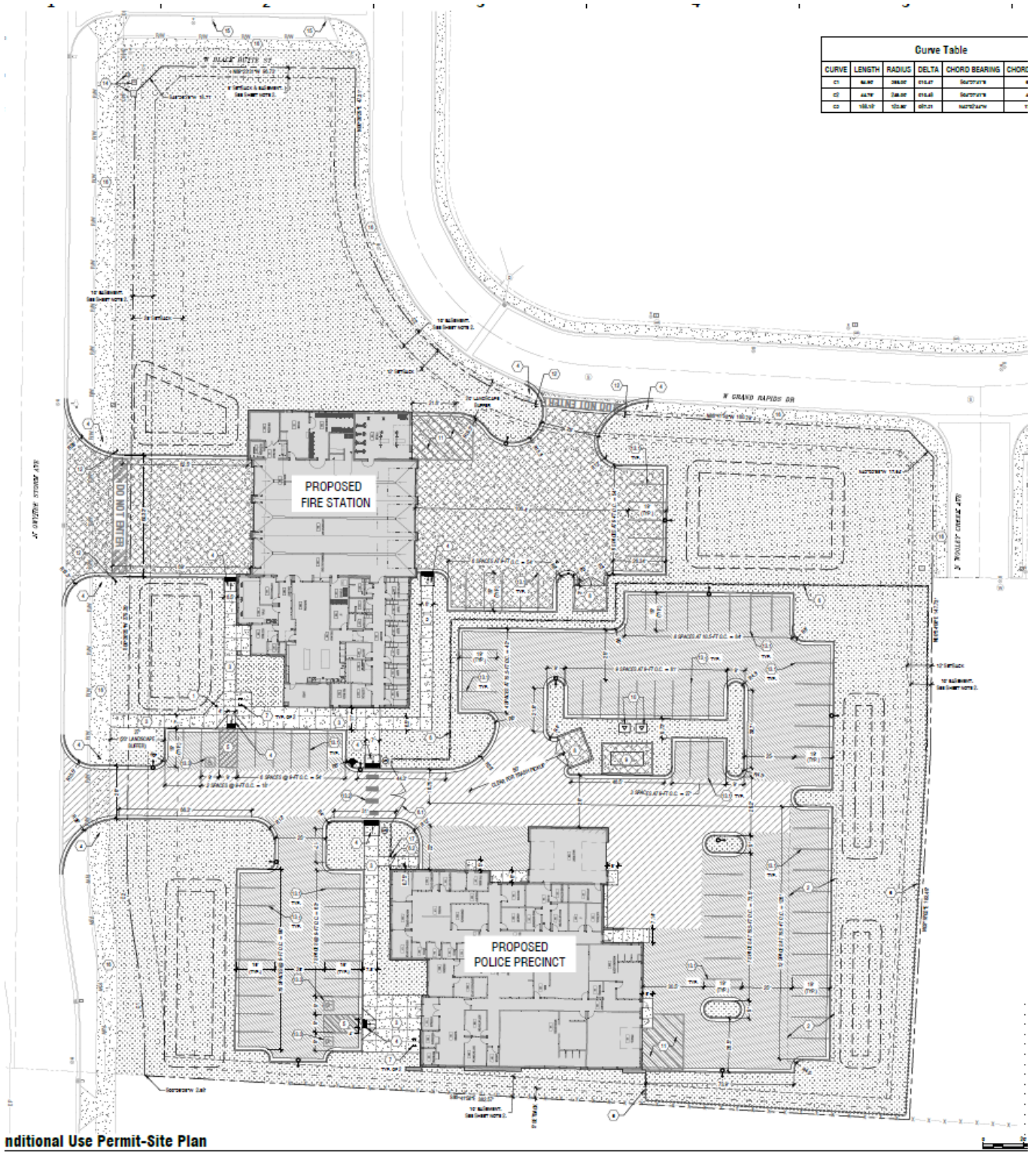
- a. Discussion regarding the applicant mentioning chain link fencing was being considered to provide security around the back lot of the police precinct verses wrought iron.

4. Commission change(s) to Staff recommendation:

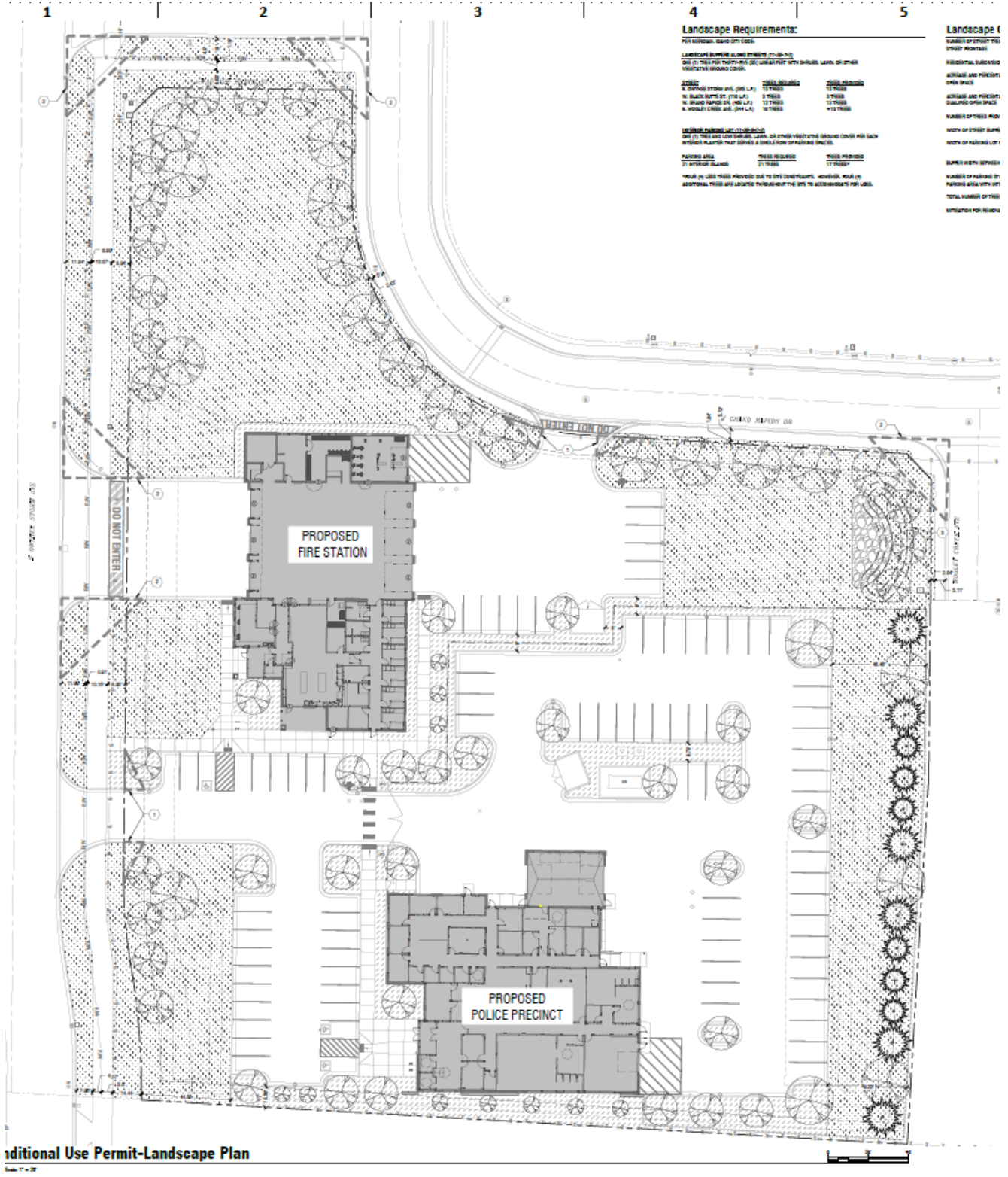
- a. Commission approved change to fencing surrounding eastern parking lot (rear lot) of police precinct to allow solid vinyl whereas wrought iron was initially proposed.

VII. EXHIBITS

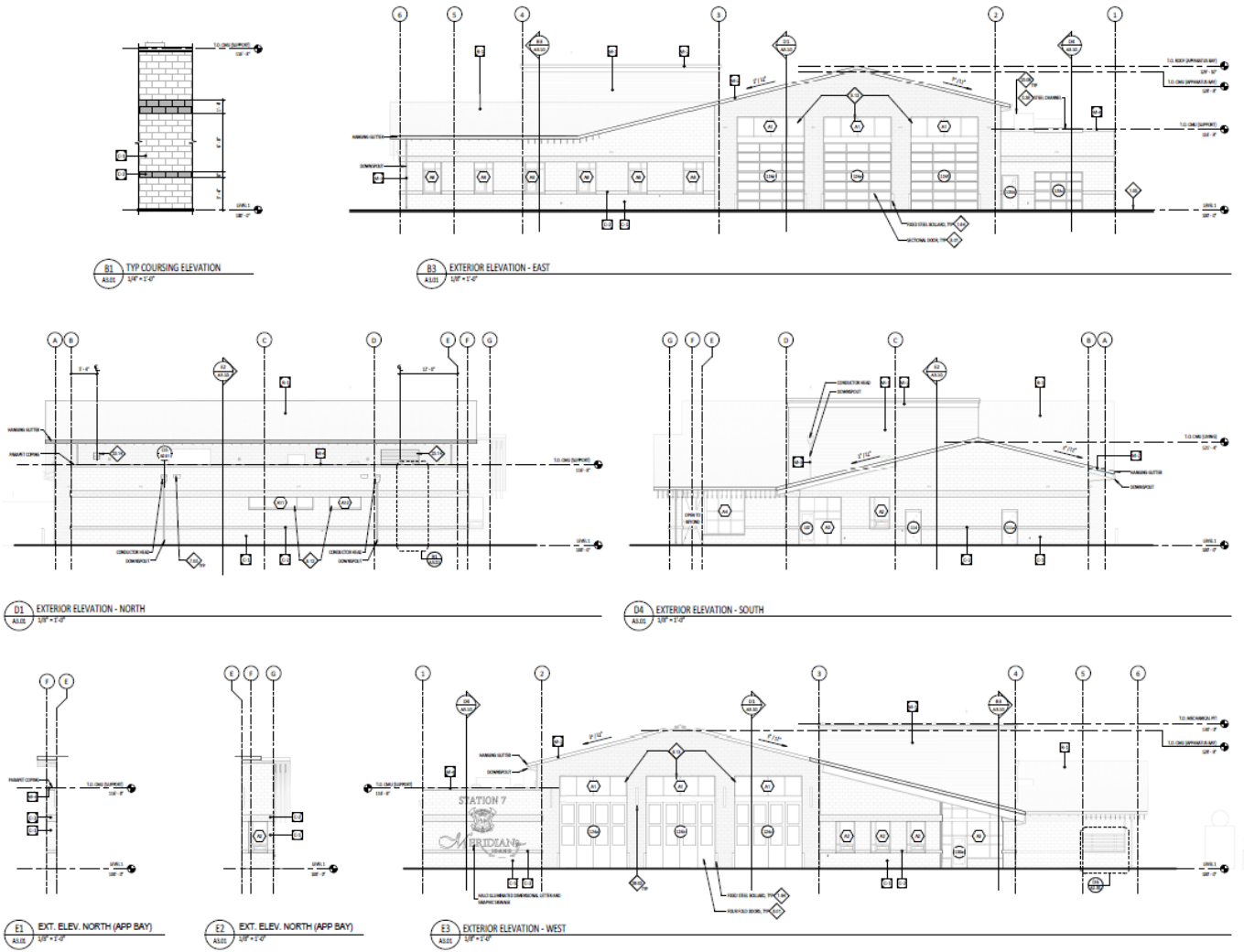
A. Site Plan (date: 10/7/2021)



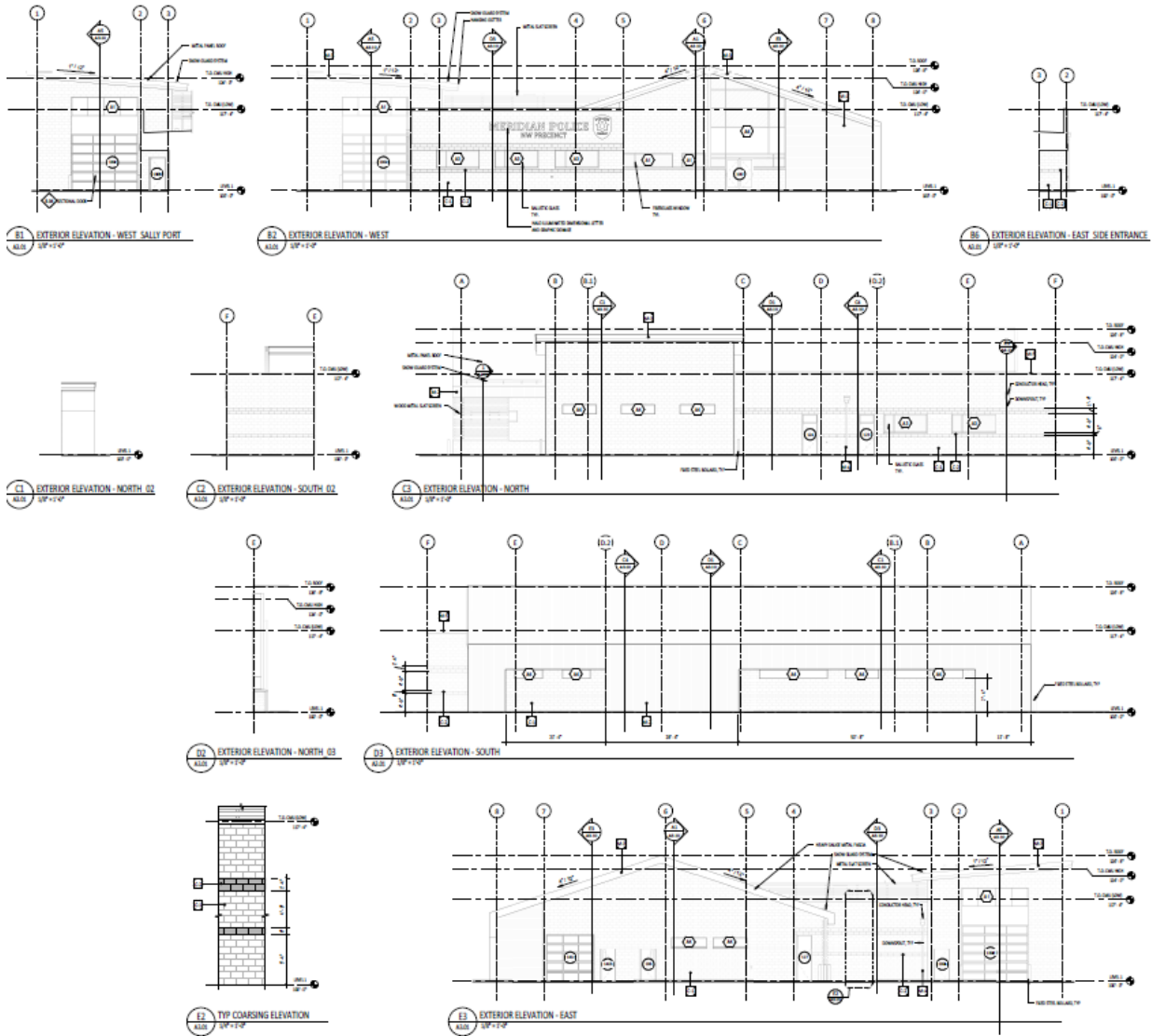
B. Landscape Plan (date: 10/7/2021)



C. Fire Station Elevations (date: 9/22/2021)



D. Police Station Elevations (date 9/22/2021)



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Certificate of Zoning Compliance and administrative design review application is required to be submitted to the Planning Division and approved prior to submittal of building permit applications. The buildings shall either meet all architectural requirements of the Architectural Standards Manual (ASM) or there should be a request for a design exception as part of the CZC submittal.
2. Future development of this site shall be generally consistent with the site plan, landscape plan, building elevations, and the provisions contained herein.
3. All Norway Maples and Emerald Ash Borer trees indicated on the landscape plan shall be replaced with alternatives as indicated on the list provided by the City Arborist in accord with UDC 11-3B-5A.1.
4. The project is subject to all current City of Meridian ordinances and previous conditions of approval associated with this site (H-2021-0003, H-2019-0013).
5. The required landscape buffers along streets shall be constructed consistent with the standards as set forth in UDC 11-3B-7C.
6. **Solid vinyl fencing is approved to provide screening and security for the eastern lot (rear) of the police precinct.**
7. All ACHD conditions of approval shall be complied with.
8. All proposed fencing and/or any fencing shall be constructed as required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable, or developer shall submit a concurrent alternative compliance to increase the fence height to 8 feet as proposed.
9. Per UDC 11-3A-19, a continuous internal pedestrian walkway that is a minimum of five (5) feet in width shall be provided from the perimeter sidewalk to the main building entrance(s) for nonresidential uses. The internal pedestrian walkway shall be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks.
10. Outdoor lighting provisions as set forth in UDC 11-3A-11 shall be complied with.
11. The applicant and/or assigns shall have the continuing obligation to meet the specific use standards for the proposed use as set forth in UDC 11-4-3-30.
12. The Applicant shall have a maximum of two (2) years to commence the use as permitted in accord with the conditions of approval listed above. If the use has not begun within two (2) years of approval, a new conditional use permit must be obtained prior to operation or a time extension must be requested in accord with UDC 11-5B-6F.

B. PUBLIC WORKS DIVISION

Site Specific Conditions of Approval

1. Ensure no sewer services pass through infiltration trenches

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide

service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.

2. 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.
3. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
4. 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.
5. 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.
6. 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.

C. CITY ARBORIST

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243356&dbid=0&repo=MeridianCity>

D. ACHD

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239734&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Conditional Use Permit

The Commission shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

The site meets all dimensional and development regulations of the R-8 zoning district. The site will provide the required landscape buffers, parking is adequate, and the parking area will be landscaped as required by UDC 11-3B-8. There are additional areas for employee fitness and leisure. Staff finds the site is large enough to accommodate the proposed use.

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this title.

Commission finds the proposed fire station and police sub-station will be harmonious with the Comprehensive Plan per the analysis in Section V of this staff report.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

As mentioned in the Comprehensive Plan analysis, the subject property is specifically within an area designated for a fire and police station. The required landscape buffers will be installed, all landscape requirements for a parking lot will be met, and architecture will be required to meet the standards of the ASM for commercial architecture. The proposed use should not change the character nature of the area.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

As the subdivision was platted and designed with a fire station and police substation intended in this location, the proposed use should not adversely affect other properties in the vicinity.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

The proposed use will be served adequately by all services and is a public facility.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

Commission finds the proposed use should not create any additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

This proposal is for a fire station and police station. There could be sirens associated with emergency events. However, this is a critically-needed facility in this location to serve the North Meridian area.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

Commission is unaware of any natural, scenic, or historic features on this site; thus, Commission finds the proposed use should not result in damage of any such features.



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from November 4, 2021 for Moshava Village Subdivision (H-2021-0067) by JUB Engineers, Inc., Located at 4540 W. Franklin Rd. and 4490 W. Franklin Rd.

Applicant Requests Continuance

- A. Request: Annexation of 5.14 acres of land with the R-15 zoning district.
- B. Request: Preliminary Plat consisting of a total of 30 single-family residential building lots and 3 common lots on 6.48 acres of land.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: December 16, 2021

Topic: **Public Hearing** Continued from November 4, 2021 for Moshava Village Subdivision (H-2021-0067) by JUB Engineers, Inc., Located at 4540 W. Franklin Rd. and 4490 W. Franklin Rd.

- A. Request: Annexation of 5.14 acres of land with the R-15 zoning district.
 - B. Request: Preliminary Plat consisting of a total of 30 single-family residential building lots and 3 common lots on 6.48 acres of land.
-

Information Resources:

[Click Here for Application Materials](#)

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



AGENDA ITEM

ITEM TOPIC: Public Hearing for Verona Live/Work (H-2021-0080) by J-U-B Engineers, Inc., Located at 3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd. and McMillan Rd.

A. Request: A Conditional Use Permit for 16 vertically integrated residential units within four (4) buildings on 1.75 acres in the L-O zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: December 16, 2021

Topic: **Public Hearing** for Verona Live/Work (H-2021-0080) by J-U-B Engineers, Inc.,
Located at 3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd.
and McMillan Rd.

- A. Request: A Conditional Use Permit for 16 vertically integrated residential units within four (4) buildings on 1.75 acres in the L-O 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



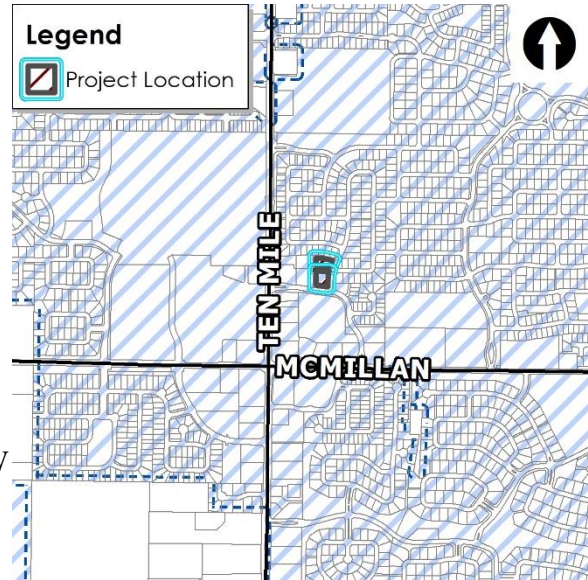
HEARING DATE: December 16, 2021

TO: Planning & Zoning Commission

FROM: Joe Dodson, Associate Planner
208-884-5533

SUBJECT: H-2021-0080
Verona Live/Work – CUP

LOCATION: 3020 & 3042 W. Milano Drive, near the northeast corner of Ten Mile Road and McMillan Road, in the SW 1/4 of the SW 1/4 of Section 26, Township 4N, Range 1W.



I. PROJECT DESCRIPTION

Conditional Use Permit for 16 vertically integrated residential units within four (4) buildings on 1.75 acres in the L-O zoning district.

II. SUMMARY OF REPORT

A. Project Summary

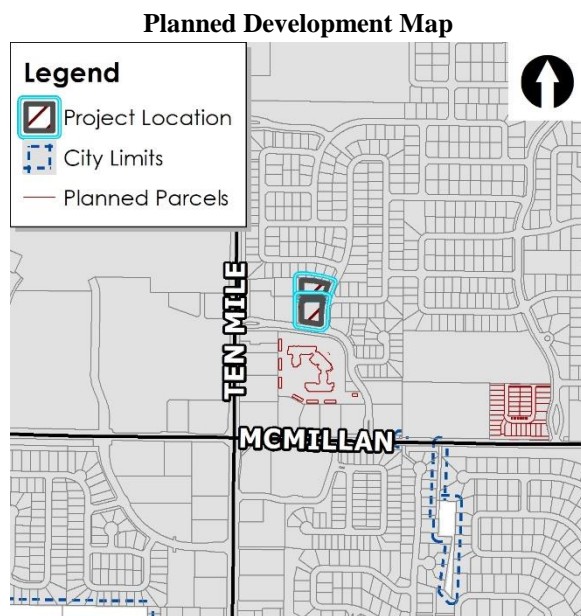
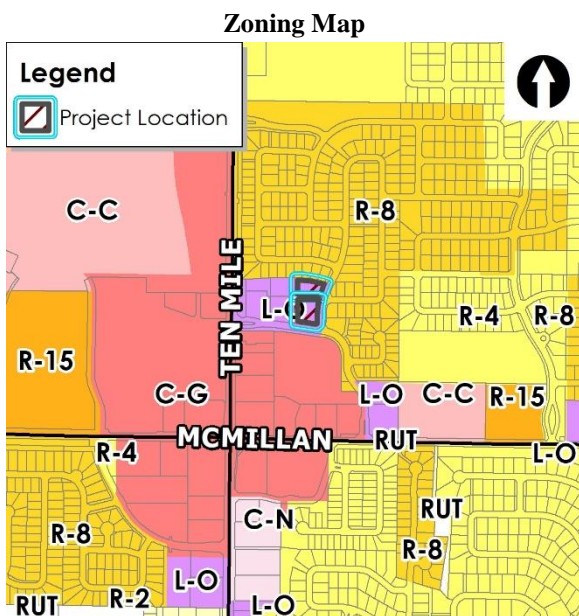
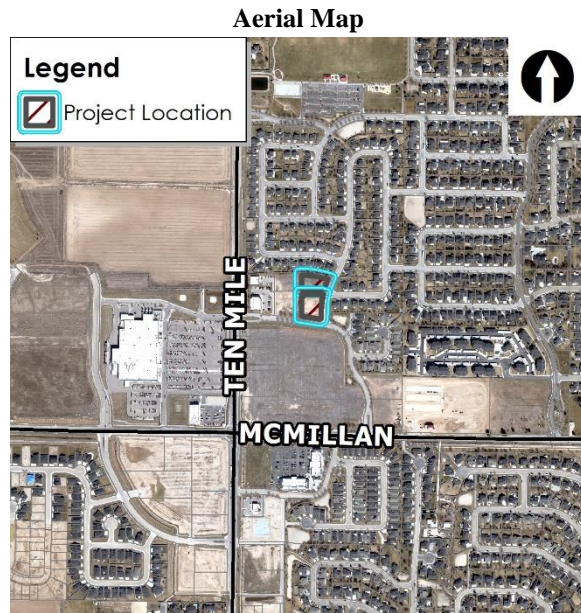
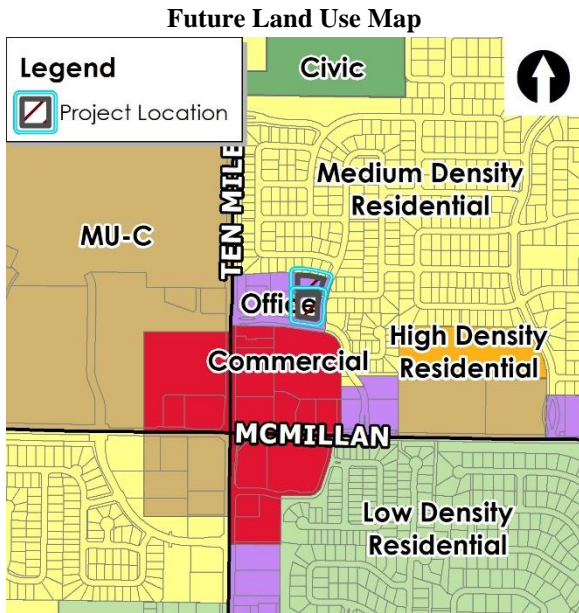
Description	Details	Page
Acreage	1.75 acres	
Future Land Use Designation	Office	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Vertically Integrated Residential Project	
Neighborhood meeting date; # of attendees:	September 9, 2021; at least four (4) attendees	
History (previous approvals)	Verona Subdivision (AZ-03-005); Verona Subdivision No. 3 Rezone (RZ-05-006); Verona Subdivision No. 3 FP (FP-05-046); DA Mod (MI-08-006, DA Inst. #108101152).	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Not at time of report publication	
• Requires ACHD Commission Action (yes/no)	No	

Description	Details	Page
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One (1) drive aisle access point to N. Cortona Way along the east boundary is proposed through an existing curb cut. This drive aisle is shown to continue west through adjacent sites and connect to an existing commercial drive aisle that has an access point to W. Milano Drive.	
Existing Road Network	Public road network is existing adjacent to site (W. Milano Drive and N. Cortona Way); drive aisle network for unit access is not existing.	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Wendy Shrief, JUB Engineers, Inc. – 250 S. Beechwood Avenue, Suite 201, Boise, ID 83709

B. Owner:

Primeland Investment Group LLC – 1140 S. Allante Avenue, Boise, ID 83709

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	
Newspaper Notification	11/30/2021	
Radius notification mailed to properties within 300 feet	12/2/2021	
Site Posting Date	12/2/2021	
NextDoor posting	12/6/2021	

V. COMPREHENSIVE PLAN (*Comp. Plan*)

This property is designated Office on the Future Land Use Map (FLUM) in the Comprehensive Plan.

This designation is meant to provide opportunities for low-impact business areas. These uses would include professional offices, technology and resource centers; ancillary commercial uses may be considered (particularly within research and development centers or technological parks). Sample zoning include L-O.

The property was annexed and zoned in 2003 to the R-8 zoning district. In 2005, a rezone application was approved to change the zoning to the current L-O zoning district. Consistent with this rezone, a final plat was approved for six (6) office lots as part of Verona Subdivision No. 3. In 2008 applications were submitted to allow for the potential of including a church on these lots and was tied to a modified DA (MI-08-006). The DA from 2008 is the relevant agreement for this site but did not have a concept plan for these lots. In lieu of a concept plan, the DA references specific limitations to the allowed commercial area and included a provision that a minimum of three (3) office buildings in this office development. This provision has been satisfied with the existing development of three (3) office buildings. In addition, specific elevations were included as part of the DA that the current proposal generally complies with. Staff notes, despite no Development Agreement Modification being required, the relevant DA contemplates all commercial uses within the subject office lots.

Instead of solely commercial uses, the Applicant proposes to develop the site with 16 vertically integrated residential (UDC 11-4-3-41) units across four (4) buildings on two vacant parcels in the L-O zoning district. Two buildings are proposed on each parcel with each parcel also having off-street parking lots in addition to the two-car garages proposed for each unit. Vertically integrated residential projects incorporate commercial spaces and residential uses within one structure and most often include commercial space on the first floor and residential on the floor or floors above. In this project, the Applicant is proposing a small commercial space at the front of the building on the first floor with the proposed residential portion of the units being both behind and above the commercial space. Therefore, the Applicant is proposing a two-story concept for these vertically

integrated buildings with the vehicular access for each unit proposed to be from the rear via a two-car garage for each unit.

Vertically integrated residential projects are defined as follows in UDC 11-1A-1: **“The use of a multi-story structure for residential and nonresidential uses where the different uses are planned as a unified, complementary whole and functionally integrated to share vehicular and pedestrian access and parking.”** This use is a conditional use within the L-O zoning district because they incorporate a residential component within a zoning district primarily intended for office uses. However, code allows for this type of use, as noted, through a conditional process with the assumption that appropriate commercial and residential uses can be located within this district and type of development area when appropriately designed. As part of that analysis, adjacent uses should also be taken into account. To the west of the subject sites sit two vacant L-O parcels; further to the west and abutting Ten Mile Road are two office buildings. Because of common ownership of the land, the Applicant is showing an office building directly to the west on the vacant office lot along the north boundary but this building is not part of the proposal and is shown only for reference.

To the east and north of the subject sites are detached single-family residential that are part of the Verona Subdivision. To the south is approximately 10 acres of C-G zoned property that includes a number of commercial properties under development. The existing use is on the hard corner of McMillan and Ten Mile and is a fuel service station and convenience store. Directly to the south and across W. Milano, the largest commercial parcel has approvals for a 164 unit 55 and older multi-family development. Staff anticipates future residents of that site could utilize some of the future services provided within the commercial spaces of the proposed vertically integrated buildings.

Because the proposed use is adjacent to a mixture of existing and planned uses (residential, office, commercial, etc.), Staff finds it should be an appropriate use in this Office FLUM designation for the reasons noted above. **However, Staff does have concerns over the overall viability of the proposed commercial component of these units based on the proposed floor plans and the relatively small area of commercial proposed in each unit. While reviewing this project, Staff recommends Commission determine whether the proposal meets the intent of Vertically Integrated and if the proposed design is desired in the City and in this specific geographic area. Further analysis for the proposed use is below in the Comprehensive Plan policy analysis as well as in Section VII.**

The following goals and policies in the Comprehensive Plan are applicable to the proposed development:

- “Plan for an appropriate mix of land uses that ensures connectivity, livability, and economic vitality.” (3.06.02)

The proposed use will contribute to the mix of uses in this area and should add to the livability and economic vitality of the community by providing the opportunity for residents to live and work in close proximity to the same physical space.

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)

The subject site is not part of or directly adjacent to a mixed-use area but is adjacent to a number of commercial and residential uses. Therefore, this area can largely function as a mixed-use area and the inclusion of vertically integrated structures, when properly designed, only furthers that element of this area. The proposed use would allow neighborhood serving commercial uses in close proximity to residential neighbors to the

east and north thereby reducing vehicle trips and enhancing livability of the area.

- “Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.” (5.01.02D)

The proposed vertically integrated residential project is shown with a residential design in order to better blend with the existing neighborhood to the north and east. The Applicant intentionally proposed this building design but Staff finds this design may impede the commercial viability of the commercial spaces for anyone besides the residential tenant. This can work but it is not a guarantee every residential tenant will also want a commercial space. Therefore, with the current design and in these instances, the commercial space may sit empty and never activate the commercial areas as intended with a vertically integrated use. Some of the expected and allowed uses allowed in these structures are as follows: arts, entertainment or recreation facility; artist studio; daycare facility; drinking establishment; education institution; financial institution; healthcare or social assistance; industry, craftsman; laundromat; personal or professional service; restaurant; and retail. With the proposed size of the commercial suites, Staff anticipates a number of these uses would not be viable. Further analysis and recommendations are in subsequent sections below.

- “Locate smaller-scale, neighborhood-serving commercial and office use clusters so they complement and provide convenient access from nearby residential areas, limiting access to arterial roadways and multimodal corridors.” (3.07.02B)

As discussed above, the proposed use and design of these buildings should provide for smaller-scale, neighborhood serving commercial and office uses. Staff finds, if properly designed, the proposed use would provide convenient access from adjacent residential areas and capture some vehicle trips that would otherwise utilize the arterial roadways.

- “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 vertically integrated residential project would be a new housing type within this area of the City. In fact, Staff is not aware of this type of use within at least a mile of this property in all directions. The addition of a new housing type in this area helps provide for a diversity in housing for different income levels and housing preferences.

VI. UNIFIED DEVELOPMENT CODE ([UDC](#))

The proposed use, vertically integrated residential project, is listed as a conditional use in the L-O (Limited Office) zoning district per UDC Table [11-2B-2](#). Compliance with the dimensional standards listed in UDC Table [11-2B-3](#) for the L-O district is required and are met per the submitted plans except for the drive aisles proposed to access the garages for each unit.

The submitted site plan shows the drive aisles adjacent to the garages as 20 feet wide which does not comply with UDC 11-3C-5 standards for two-way drive aisles. A two-way drive aisle, applicable throughout the site, requires a minimum width of 25 feet. The Applicant should revise the plans to show compliance with this standard at the time of Certificate of Zoning Compliance (CZC) submittal.

VII. STAFF ANALYSIS

As discussed above in Section V, the proposed vertically integrated residential project is considered an appropriate use and meets the development guidelines listed for the Office designation if properly designed.

Staff has noted concerns with the proposed floor plan and elevations of the building in regards to the use and long-term viability of the commercial component to this project. According to the Applicant, the commercial spaces of the units will be leased with the residential units therefore, removing the potential of a non-resident utilizing the commercial suite and somewhat minimizing some of the concerns of the long-term viability of the space. In consideration of this information, it is logical the Applicant would propose a relatively small commercial space for each unit (approximately 165 square feet). The submitted conceptual floor plans would indicate the commercial suite in each unit being equal to a home office instead of a standalone commercial space—this design is not specifically prohibited or discussed in the specific use standards for this use or its definition.

However, the proposed unit design is what creates concern and Staff finds it does not fully meet the noted definition of Vertically Integrated as currently proposed. The submitted floor plan shows a relatively small commercial suite that has minimal storage space for inventory, no separate room for meetings, and no outdoor patio space to help activate the commercial frontage. Staff is concerned this small space could be rented out as a separate residential unit without the City being the wiser OR would become an office for the residence and not serve the nearby neighborhood as intended with the commercial component of vertically integrated residential projects. The proposed size of the commercial spaces in each unit will likely not support many of the allowed uses noted in the specific use standards for this use. This furthers Staff's concern that these units may become standalone residential, which is not an allowed use in the L-O zoning district.

In addition to the units facing the adjacent public streets, the Applicant is proposing two units to the interior of the site that has even less visibility and presents more challenges to having a viable commercial component. Because of the location of this building, Staff is recommending these units are removed in lieu of additional parking and some open space for future residents and commercial patrons. An inclusion of open space for this development presents a more livable project and allows further opportunity for a shared space between the commercial and residential components of the project.

*Staff is aware the subject project is not proposed in an urban environment and a vertically integrated project more consistent with downtown Meridian would not fit with the existing neighborhood character. **Commission should determine if the proposed vertically integrated project, despite meeting minimum code requirements, meets the intent of the proposed use.***

In order to help with some of the concerns noted, Staff is recommending the following revisions to the plans: 1) expand the commercial area of the units to potentially encompass the entire first level; 2) remove the first exterior door to help delineate the commercial and residential areas of the units by creating two exterior facing doors; one for the residential, and one for the commercial suite; and 3) remove the two (2) units that frame the hard corner of W. Milano Drive and N. Cortona Way to incorporate a shared plaza space similar to what exists in the commercial area on the south side of McMillan in Bridgetower Crossing. With the addition of outdoor patio space/shared patio space the commercial component of this development would help activate some of the commercial spaces. Additional and more specific recommendations can be found under the elevation analysis below and in the conditions of approval in Section X.A.

The proposed use is subject to the following Specific Use Standards (UDC [11-4-3-41](#)) – Vertically Integrated Residential Project: *(Staff analysis in italics)*

- A. A vertically integrated residential project shall be a structure that contains at least two (2) stories. *Submitted plans show compliance by proposing two-story units.*
- B. A minimum of twenty-five (25) percent of the gross floor area of a vertically integrated project shall be residential dwelling units, including outdoor patio space on the same floor as a residential unit. *Submitted plans show compliance with this standard by proposing vastly more residential floor area than commercial. In addition, the conceptual floor plans depict private patios on the first floor of each unit complying with the second portion of this standard.*
- C. The minimum building footprint for a detached vertically integrated residential project shall be two thousand four hundred (2,400) square feet. *The smallest of the four (4) buildings is proposed as approximately 3,600 square feet. Therefore, all of the proposed buildings comply with this standard.*
- D. The allowed nonresidential uses in a vertically integrated project include: arts, entertainment or recreation facility; artist studio; civic, social or fraternal organizations; daycare facility; drinking establishment; education institution; financial institution; healthcare or social assistance; industry, craftsman; laundromat; nursing or residential care facility; personal or professional service; public or quasi-public use; restaurant; retail; or other uses that may be considered through the conditional use permit process. *Noted and the Applicant shall comply with this specific use standard. As noted above, the proposed floor plans depict approximately 165 sq. ft. of commercial space, Staff has concerns that the proposed commercial space may not be large enough to accommodate many of the allowed uses noted above.*
- E. None of the required parking shall be located in the front of the structure. *According to the submitted plans, the required parking for each residential unit and the commercial spaces is located behind or adjacent to the structures. Staff finds the proposed design complies with this standard.*

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

One (1) driveway access is depicted on the overall site plan and connects to N. Cortona Way along the east boundary of the site – the only direct access to a public street for the project. The submitted plans also show the main drive aisle that bisects the project and lies across the shared property line to continue west to connect to an existing drive aisle utilized for the two office buildings along Ten Mile – this drive aisle connects to W. Milano Drive approximately 190 feet west of the subject sites. The additional office building shown on the submitted site plan is not part of this project and would likely only require administrative applications in order to be constructed.

The site plan shows multiple drive aisles off of the main east-west drive aisle for access to the proposed vertically integrated units and the two-car garages. Staff anticipates the two access points shown on the site plans would be needed for safest and most efficient flow of traffic for this proposed project despite the future office building to the west not being a part of this project. Because of this, Staff is recommending a condition of approval to construct the northern portion of this drive aisle with this project to ensure adequate traffic flow for the site regardless of the timing of development of the office site shown west of the subject sites.

Staff does not have concern with the proposed access for the project with Staff's recommended timing of the east-west drive aisle construction and previous mentioned recommended condition to widen the drive aisles to meet code requirements.

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

UDC Table 11-3C-6 requires the following off-street parking spaces for the proposed use of vertically integrated residential project: one (1) space per residential unit and the standard parking ratio for

nonresidential uses (1 space per 500 square feet of gross floor area). Based on 16 residential units, a minimum of 16 spaces should be provided. As noted, each unit is proposed with a two-car garage that exceeds our dimensional standards and therefore exceeds code requirements. Each commercial space is less than 500 square feet requiring one additional space per unit—according to the submitted plans, 20 additional parking spaces are proposed on the subject site. Based on the submitted plans, the proposed parking exceeds UDC requirements and Staff has no concern with the parking proposed for the site.

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

There are existing 5-foot wide attached sidewalks along the adjacent public streets, W. Milano Drive and N. Cortona Way and meets UDC standards for these areas. Any damaged curb, gutter or sidewalk is required to be replaced if damaged during construction.

The submitted plans do not show any additional sidewalk connections from the front of the buildings to the existing sidewalks, as required in UDC 11-3A-19. Staff finds this to be a missed opportunity to activate the building frontage with the adjacent streets for the commercial suites. Therefore, consistent with Staff’s additional recommendations to add a separate commercial door on the front façade of each unit, Staff is recommending additional 5-foot wide sidewalks are constructed from the front of the units facing public streets (14 of the 16 units). Because of the overall design of the units abutting each other in a mirrored format, Staff is acceptable to shared connections to the attached sidewalks so long as each unit entrance has a sidewalk connection to the shared connection. Please see exhibit below for an example:



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

A 10-foot wide street buffer is required to be provided along N. Cortona Way to the east, a local street, and a 20-foot wide street buffer is required along W. Milano Drive, a collector street, landscaped per the standards listed in UDC [11-3B-7C](#). Parking lot landscaping is required per the

standards listed in UDC [11-3B-8C](#). A 20-foot landscape use buffer to the existing single-family residential to the north is also required.

All required street buffers are existing and comply with code requirements. The submitted landscape plan depicts the required 20-foot wide use buffer along the north property boundary but does not show the required number of trees. According to the aerial imagery, there appears to be existing and mature trees in this buffer but this is not depicted on the plans. The existing landscape conditions should be added to the plans with the future CZC submittal.

The required parking lot landscaping appears to be compliance with UDC requirements except for the area adjacent to the parking lot along the west boundary on the south parcel. D. This should also be revised with the future CZC submittal.

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

According to the submitted landscape plan, it is unclear if any fencing is proposed with this project. Code does not require perimeter fencing but there is existing fencing along the north property boundary that belongs to those homes within the Verona Subdivision. If any additional fencing is proposed in the future, a detail of the proposed fencing should be included on the landscape plans with the CZC application that demonstrates compliance with the standards in UDC 11-3A-7.

Building Elevations:

The conceptual building elevations submitted with the application depict two-story units with two-car garages that are attached via internal breezeways. Overall, the elevations depict farmhouse style architecture with the addition of lighter stone accents and larger windows along the first floor commercial façade. Administrative Design Review was not submitted concurrently with this application so one will be required with the future CZC submittal. Furthermore, Staff will analyze the proposed elevations for compliance with the Architectural Standards Manual (ASM) at the time of Design Review submittal.

Upon initial review of the conceptual elevations, they appear to meet the required standards of the ASM. However, as stated throughout this report, Staff has concerns with how the commercial suite is delineated from the residential portion of the building. Staff finds the proposed building façade where the main entrance is located makes it difficult to determine where the residential and commercial lay. In the last pre-application meeting, Staff discussed this issue with the Applicant and requested they look into providing different treatment to the first floor façade in question in order to more clearly delineate the commercial and residential uses of the building in order to help activate the commercial component.

In the spirit of this request and consistent with Staff's other recommended revisions to the building design, Staff is also proposing the future Design Review elevations to include a more traditional commercial storefront for each commercial space by providing more window area, if possible, a different field material on the first floor façades overall, and to include the dedicated commercial entry door noted on the front facing façade, as recommended in previous sections of this report. With these revisions, Staff believes not only the elevations are improved but the overall project is also improved by providing a better avenue to activate the commercial aspect of the proposed project.

Certificate of Zoning Compliance (UDC [11-5B-1](#)):

A Certificate of Zoning Compliance (CZC) is required to be submitted for the proposed use prior to submittal of a building permit application to ensure compliance with UDC standards and the conditions listed in Section X.

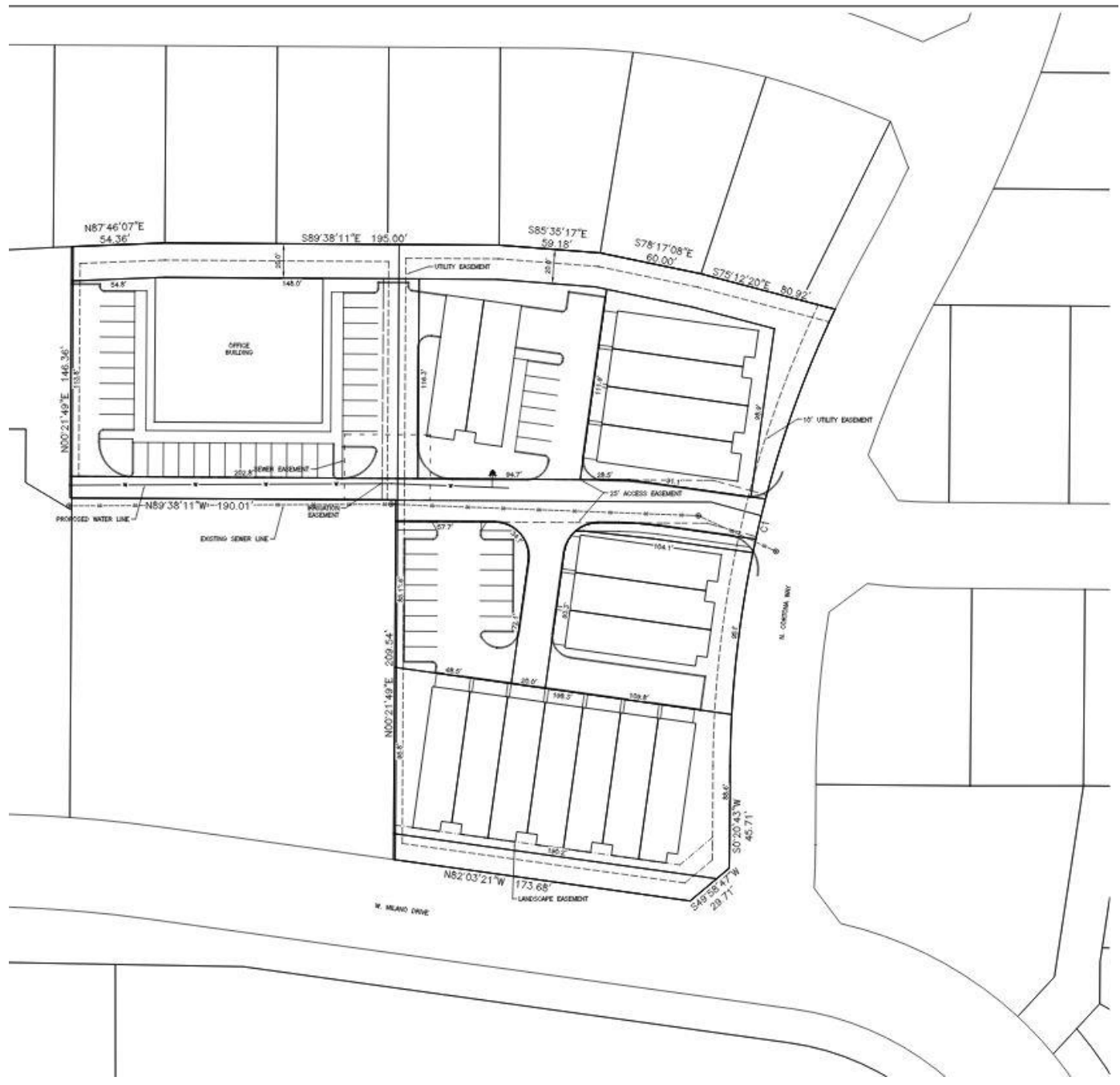
VIII. DECISION

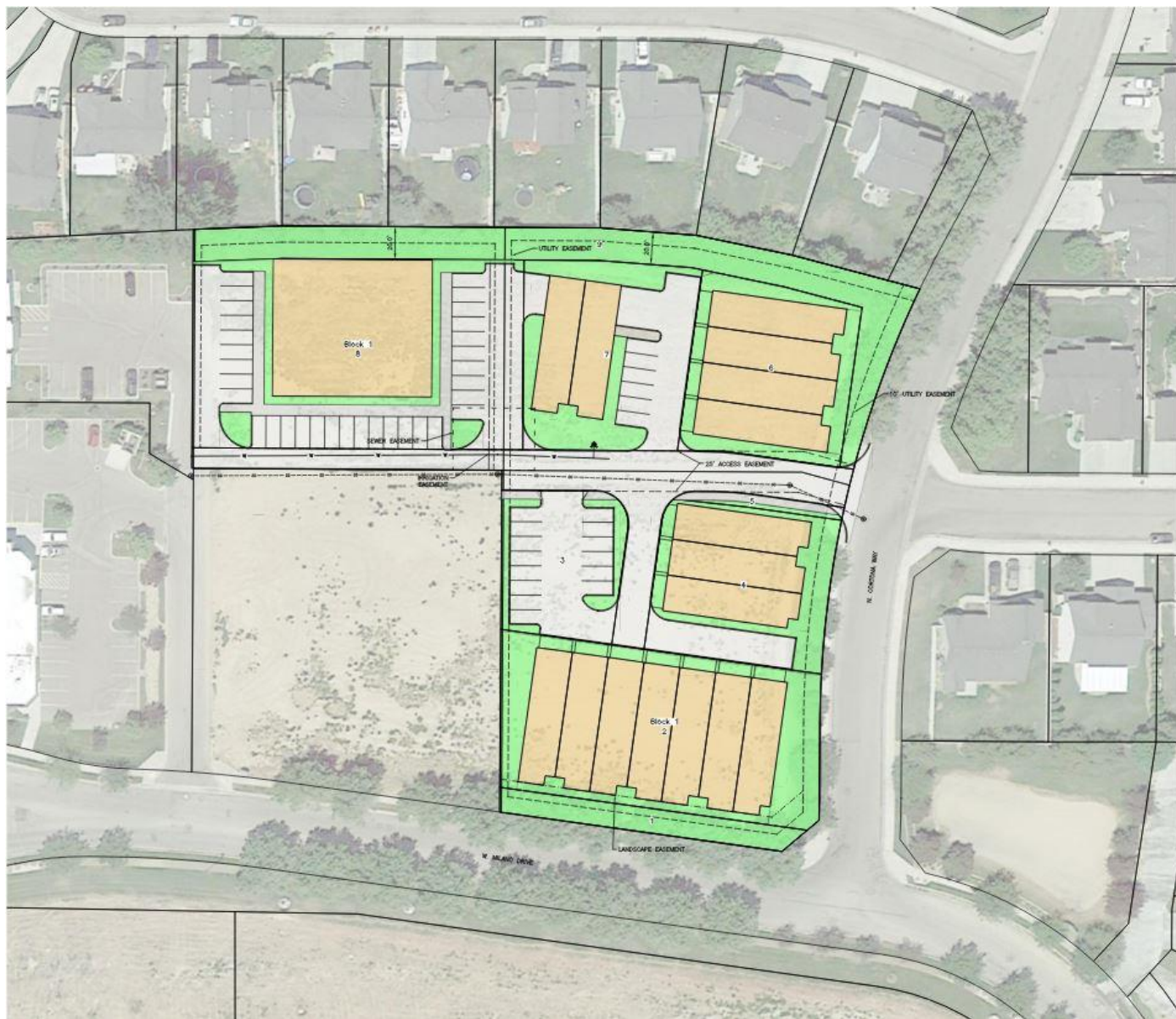
A. Staff:

Staff recommends approval of the proposed conditional use permit with the conditions in Section X per the Findings in Section XI.

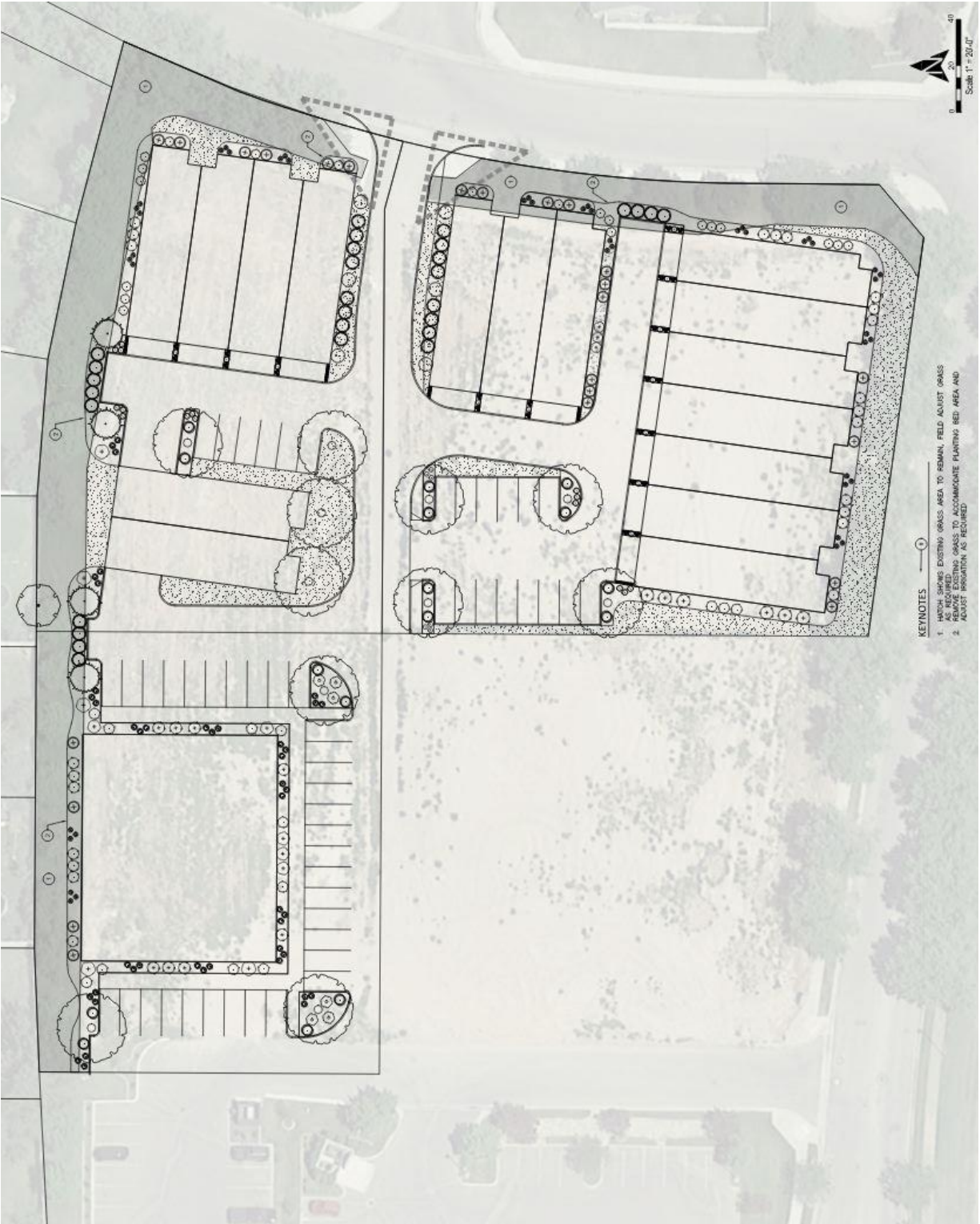
IX. EXHIBITS

A. Site Plan (date: 10/6/2021) **(NOT APPROVED)**

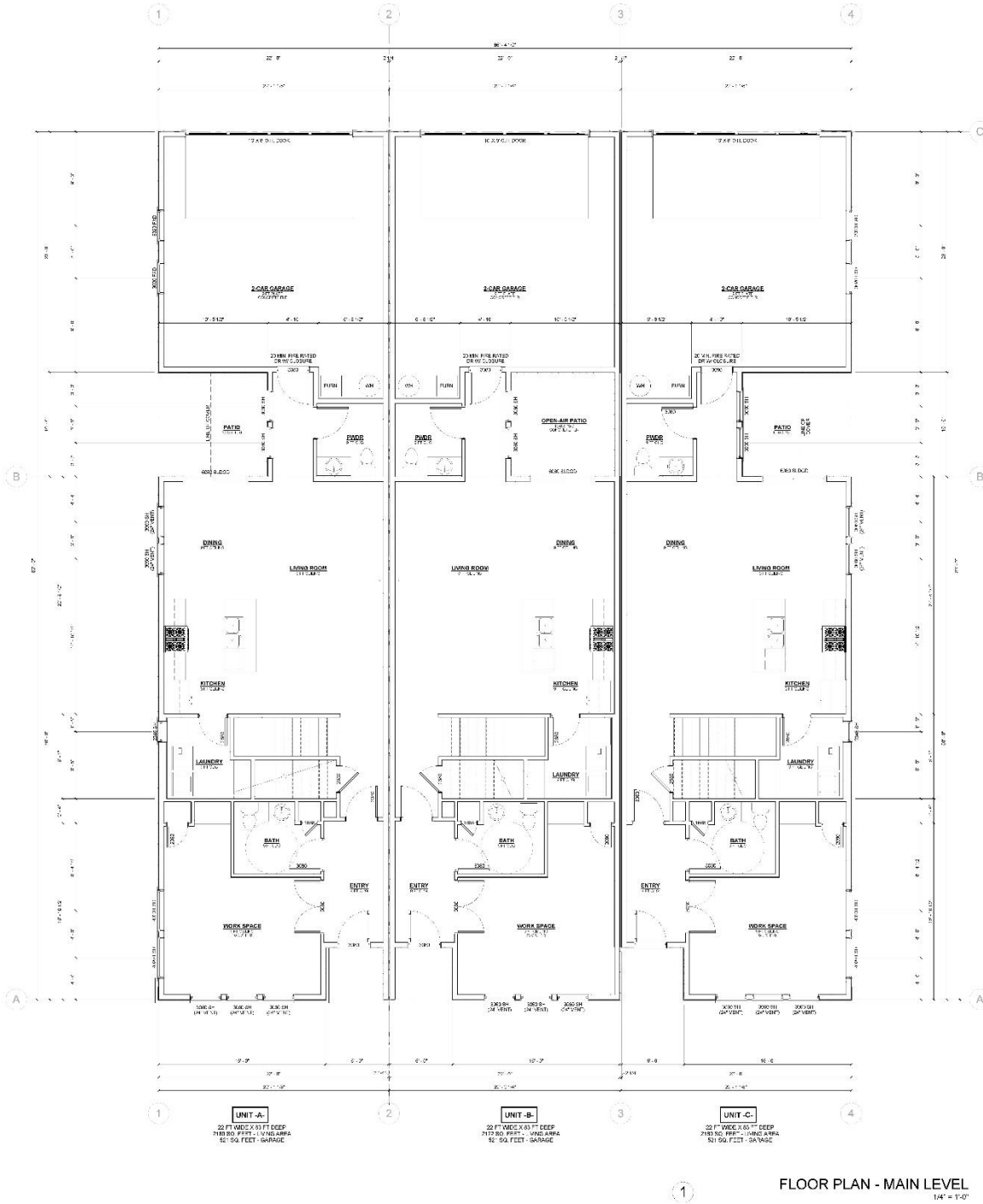




B. Landscape Plan (date: 9/30/2020)



C. Conceptual Floor Plan



FLOOR PLAN - MAIN LEVEL
1/4" = 1'-0"

LIVE WORK

1/4" = 1'-0"

ALL WORK TO BE PERFORMED SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES OF THE CITY OF HAMMETT, CALIFORNIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HAMMETT, CALIFORNIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HAMMETT, CALIFORNIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HAMMETT, CALIFORNIA.

PRELIMINARY

NOT FOR CONSTRUCTION PURPOSES

LOT BLOCK

ENCOMPASS DESIGN, LLC
ARCHITECTURAL & ENGINEERING

HAMMETT - HOMES

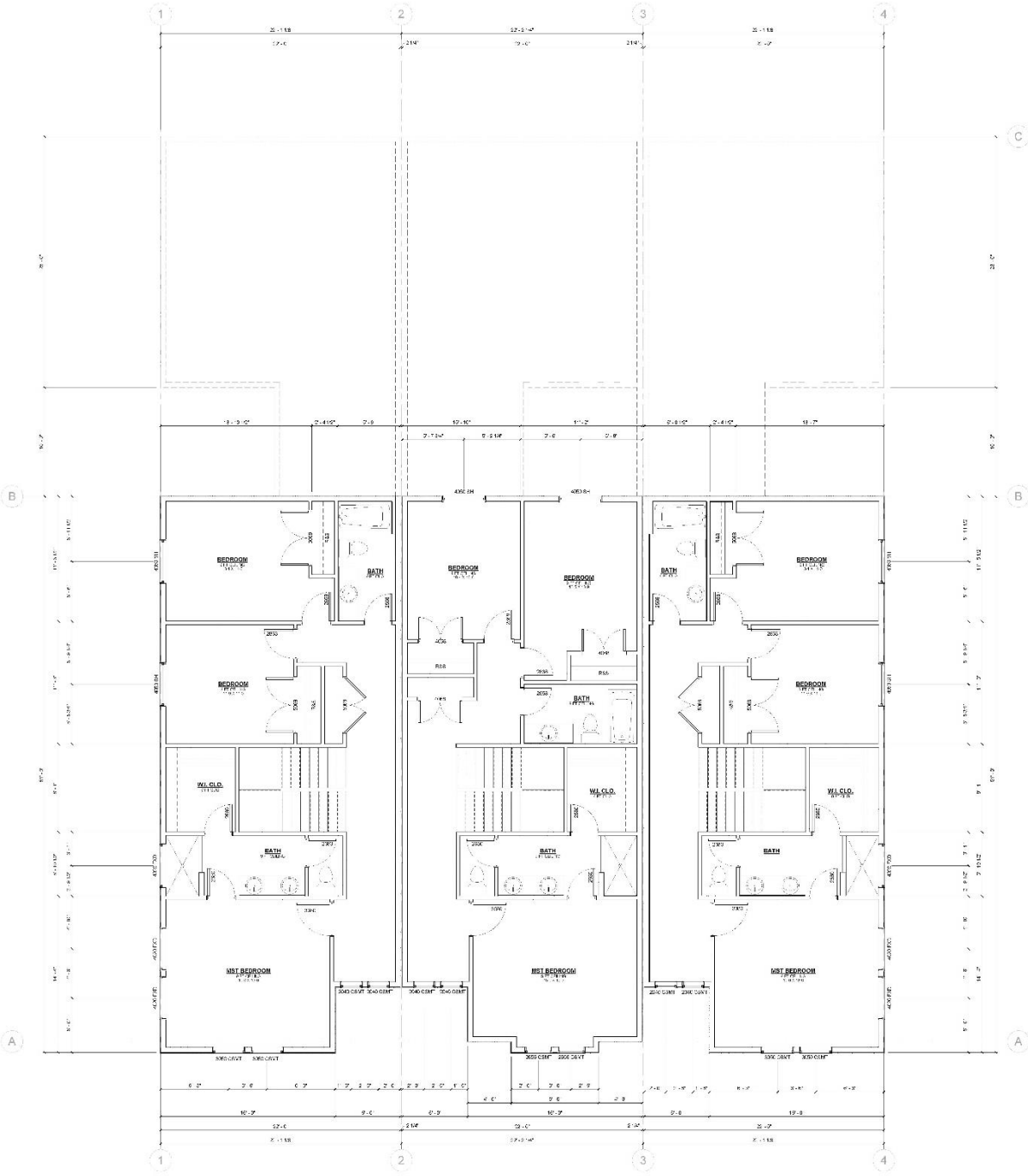
SCALE: 1/4" = 1'-0"

JOB # 210408

PLOT DATE: 01/20/2021 11:16:44 AM

FLOOR PLAN - MAIN LEVEL

A2.0



FLOOR PLAN - UPPER LEVEL
1/4" = 1' 0"

LIVE-WORK

LOT BLOCK

ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THE BEST PRACTICES OF THE TRADE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

PRELIMINARY

NOT FOR CONSTRUCTION PURPOSES

LOT BLOCK

ENCOMPASS DESIGN INC.
ARCHITECTURAL, PLANNING & ENGINEERING
10000 W. CENTURY BLVD. SUITE 100
DENVER, CO 80231

HAMMETT • HOMES

SCALE: 1/4" = 1' 0"
JOB #: 210468

PLOT DATE: 8/16/2021 11:16:46 AM

FLOOR PLAN - SECOND LEVEL
A2.1

D. Conceptual Elevations **(NOT APPROVED)**



X. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning

1. The Applicant shall comply with the approved site plan, landscape plan, and generally comply with the conceptual building elevations approved in this report as depicted in Section IX and revised per Section X.A.
2. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-41 for the proposed Vertically Integrated Residential Project.
3. Hours of operation for any future commercial in the commercial suites shall be limited to 6:00 AM to 10:00PM, per UDC 11-2B-3B for the L-O zoning district when it abuts a residential use or district.
4. Prior to building permit submittal, the Applicant shall obtain Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approval from the Planning Department.
5. The site plan(s) shall be revised as follows prior to the Planning and Zoning Commission hearing:
 - a. All drive aisles shall be a minimum of 25 feet wide, per UDC 11-3C-5 standards.
 - b. For the facades facing W. Milano Drive and N. Cortona Way, depict additional 5-foot wide sidewalks connecting from these building entrances to the existing sidewalks along the public streets.
 - c. Remove the two units framing the corner of W. Milano Drive and N. Cortona and add a shared plaza space with outdoor seating and shade structures.
 - d. Remove the two units not along the adjacent streets in lieu of additional parking and some usable common open space for the development.
6. The landscape plan(s) submitted with the Certificate of Zoning Compliance application shall depict the following revisions:
 - a. Depict all existing landscaping on the subject sites to ensure compliance with UDC standards.
 - b. Depict at least 5 feet of landscaping and the required number of trees along the west project boundary and adjacent to the proposed parking lot on the south parcel (3042 W. Milano Drive).
 - c. Depict the additional 5-foot wide sidewalks as noted above.
 - d. Depict the shared plaza as noted above with appropriate landscaping elements.
7. The conceptual building elevations and renderings shall be revised as follows prior to the Planning and Zoning Commission hearing:
 - a. The first floor façade facing and visible from the adjacent public streets (W. Milano Drive and N. Cortona Way) shall depict a different field material and color than the second floor façade.
 - b. The first floor façade facing adjacent public streets shall depict a dedicated commercial entry door made of glass to help delineate the commercial suite of the project—this does not mean the overall size of the window front shown on the conceptual elevations should be reduced.

8. Prior to the Planning and Zoning Commission hearing, the conceptual floor plans shall be revised as follows:
 - a. Expand the commercial areas of at least some of the units to help the viability of the commercial component of this project.
 - b. Remove the first exterior door to help delineate the commercial and residential areas of the units by creating two exterior facing doors; one for the residential, and one for the commercial suite.
9. The east-west drive aisle depicted on the site plan(s) that connects from N. Cortona Way, to the existing north-south drive aisle on parcels R9010670065 & R9010670015 shall be constructed with the first phase of this project to ensure adequate traffic flow for the site.
10. Protect the existing landscaping on the site during construction, per UDC 11-3B-10.
11. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.

B. Ada County Highway District (ACHD)

No staff report has been submitted at this time.

A Traffic Impact Study (TIS) was not required for this project.

C. West Ada School District (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244897&dbid=0&repo=MeridianCity>

D. Department of Environmental Quality (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244941&dbid=0&repo=MeridianCity>

XI. FINDINGS

A. Conditional Use Permit

The Commission shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

With Staff's recommended revisions, the site meets all the dimensional and development regulations of the L-O zoning district and the proposed use of Vertically Integrated Residential Project. Therefore, Staff finds the site is large enough to accommodate the proposed use.

2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.

Staff finds the proposed use will be harmonious with the Comprehensive Plan per the analysis and applicable policies noted in Section V of this report.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

Staff finds the design, construction, operation, and maintenance of the proposed use with the conditions imposed, should be compatible with other uses in the general vicinity and shouldn't adversely change the character of the area.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

If the proposed use complies with the conditions of approval in Section X as required, Staff finds the proposed use should not adversely affect other properties in the vicinity.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

Staff finds the proposed use will be serviced adequately by all of the essential public facilities and services listed.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

Staff finds the proposed use should not create any additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

Staff finds the proposed use should not involve activities that would be detrimental to any persons, property or the general welfare.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Apex East Subdivision (H-2021-0086) by Brighton Development, Inc., Located on Parcel S1405120902, South of E. Lake Hazel Rd. Between S. Locust Grove Rd. and S. Eagle Rd., in a Portion of Government Lot 2 and a Portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 2N, Range 1E.

- A. Request: Rezone of 32.21 acres of land from the R-4 to the R-8 zoning district.
- B. Request: Development Agreement Modification to allow the proposed development plan.
- C. Request: Preliminary Plat consisting of 97 building lots and 14 common lots.



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: December 16, 2021

Topic: **Public Hearing** for Apex East Subdivision (H-2021-0086) by Brighton Development, Inc., Located on Parcel S1405120902, South of E. Lake Hazel Rd. Between S. Locust Grove Rd. and S. Eagle Rd., in a Portion of Government Lot 2 and a Portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 2N, Range 1E.

- A. Request: Rezone of 32.21 acres of land from the R-4 to the R-8 zoning district.
 - B. Request: Development Agreement Modification to allow the proposed development plan.
 - C. Request: Preliminary Plat consisting of 97 building lots and 14 common lots.
-

Information Resources:

[Click Here for Application Materials](#)

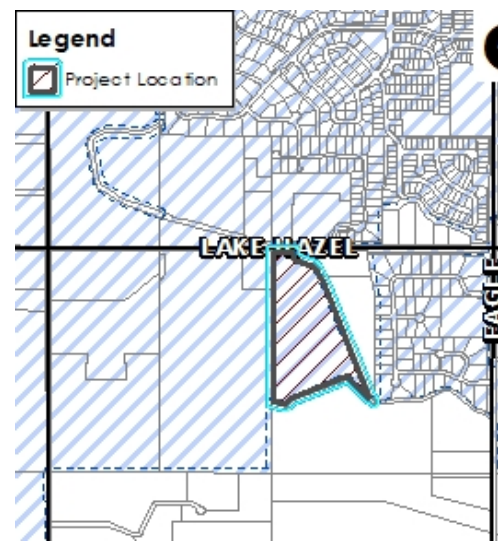
[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 12/16/2021
TO: Planning & Zoning Commission
FROM: Alan Tiefenbach
208-884-5533
SUBJECT: MDA, PP, RZ - H-2021-0086
Apex East Subdivision
LOCATION: Parcel #S1405120902, located on the south side of E. Lake Hazel Road between S. Locust Grove Road and S. Eagle Road



I. PROJECT DESCRIPTION

Request to rezone 32.21 acres of land from R-4 to the R-8 zoning district, development agreement modification to create a new DA to develop the proposed preliminary plat consisting of 97 residential building lots and 14 common lots.

II. SUMMARY OF REPORT

A. Project Summary

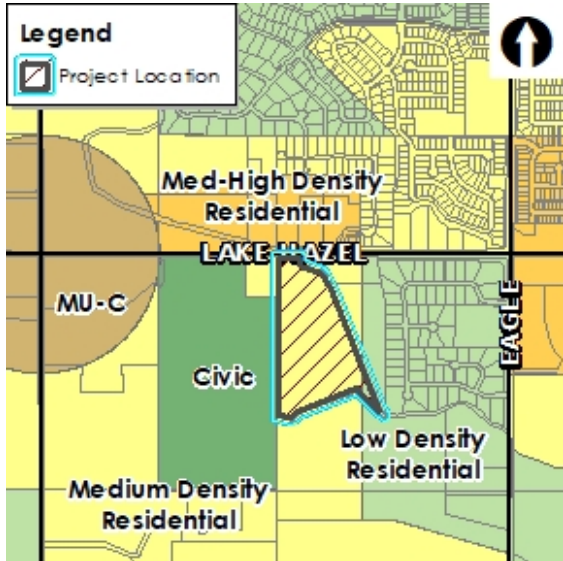
Description	Details
Acreage	32.21
Future Land Use Designation	Medium Density Residential 8-12 du/acre
Existing Land Use(s)	Vacant
Proposed Land Use(s)	Single Family Residential
Lots (# and type; bldg./common)	97 building lots, 11 common lots, 3 common driveway lots
Phasing Plan (# of phases)	2 phases
Number of Residential Units (type of units)	97
Density (gross & net)	3 du / ac gross, 5.1 du / ac net
Open Space (acres, total [%]/buffer/qualified)	7.05 acres of qualified open space (21.89 %)
Amenities	Two one-acre parks, tot lot, picnic area, pathway along the southern property line.
Physical Features (waterways, hazards, flood plain, hillside)	Farr Lateral parallels the east property line.
Neighborhood meeting date; # of attendees:	September 1, 2021, no attendees
History (previous approvals)	AZ H-2015-0019, DA Inst. 2016-007075

B. Community Metrics

Description	Details
Ada County Highway District	
<ul style="list-style-type: none"> Staff report (yes/no) 	No
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access will occur from S. Recreation Ave (a new collector) via E. Lake Hazel Rd.
Stub Street/Interconnectivity/Cross Access	Two stubs – one to the south and one to the east (both connect to presently undeveloped properties).
Existing Road Network	E. Lake Hazel Rd
Existing Arterial Sidewalks / Buffers	None along the subject property. 25 ft. wide buffer is required along E. Lake Hazel Rd., 20 ft. wide buffer required along S. Recreation Ave. 10 ft. pathways will be constructed along E. Lake Hazel Rd. and both sides of S. Recreation Ave.
Proposed Road Improvements	The applicant will be constructing S. Recreation Ave. from E. Lake Hazel Rd. to a cul-de-sac at the south property line.
Fire Service	
<ul style="list-style-type: none"> Distance to Fire Station 	3.1 miles to Fire Station 4. Will be adjacent to Fire Station 7 when it is constructed.
<ul style="list-style-type: none"> Fire Response Time 	Presently > 5 minutes, will change when Fire Station 7 is completed.
<ul style="list-style-type: none"> Resource Reliability 	> 78%
<ul style="list-style-type: none"> Risk Identification 	2, resources are not adequate
<ul style="list-style-type: none"> Accessibility 	Yes
<ul style="list-style-type: none"> Special/resource needs 	Aerial device will be required
<ul style="list-style-type: none"> Water Supply 	1,000 gpm required
<ul style="list-style-type: none"> Other Resources 	None
Police Service	
<ul style="list-style-type: none"> No comments 	
Wastewater	
<ul style="list-style-type: none"> Flow is committed 	
<ul style="list-style-type: none"> Applicant must ensure no sewer services pass through infiltration trenches. 	
Water	
<ul style="list-style-type: none"> Distance to Water Services 	0
<ul style="list-style-type: none"> Pressure Zone 	5
<ul style="list-style-type: none"> Water Quality 	No concerns
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes
<ul style="list-style-type: none"> Comments 	<ul style="list-style-type: none"> Eliminate the water main in E Wickham St. and install it in the common driveway at the northwest corner into S Recreation Ave. Coordinate with the CDA project to stub water main from S Recreation Ave. to the common drive.

Project Area Maps

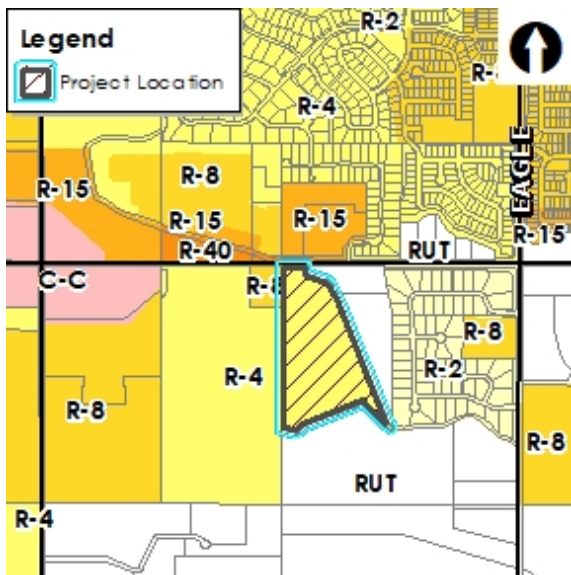
Future Land Use Map



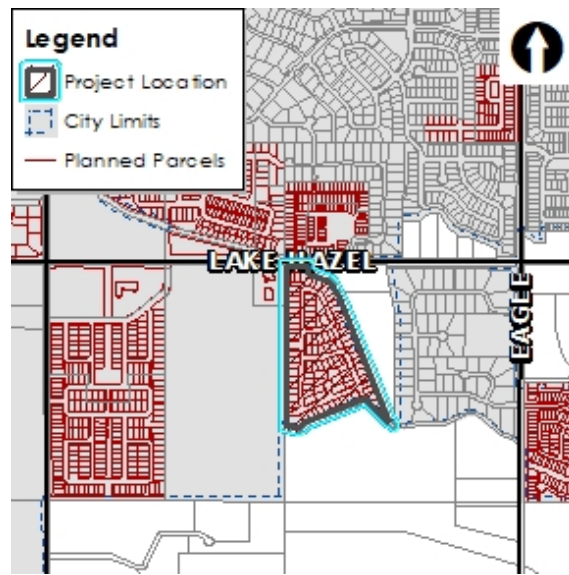
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant Representative:

Josh Beach, Brighton Development Inc. – 2929 W. Navigator Wy, Boise, ID 83713

B. Owner:

Brighton Development – 2929 W. Navigator Wy, Boise, ID 83713

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	11/30/2021	
Radius notification mailed to properties within 300 feet	11/12/2021	
Nextdoor posting	11/28/2021	
Sign Posting	12/02/2021	

V. STAFF ANALYSIS

The property was annexed and zoned R-4 as part of the South Meridian Annexation (H-2015-0019). This annexation consisted of 1322.14 acres of land. There were numerous development agreements associated with this annexation; each development agreement was specific to the property being annexed.

The subject property is governed by the Murgoitio Development Agreement (Inst. #2016-007075). This DA allows County operations to continue until the property is developed. At the time the property was annexed, the City anticipated the rezone and platting of the subject property. Prior to any development, the DA requires a development plan be approved and anew DA created at no cost to the applicant.

A. Development Agreement Modification

Section 4.2 of the development agreement states *“no change in the uses specified in this Agreement shall be allowed without modification of this agreement.”*

Section 20.1 of the DA states *“no condition governing the uses and / or conditions governing re-zoning of the subject property herein provided for can be modified or amended without the approval of the City Council after the City has conducted public hearing(s) in accordance with the notice provisions provided for a zoning designation and/ or amendment in force at the time of the proposed amendment.”*

Section 5.1.2 of the development agreement states *“future development of the property shall comply with all bulk, use and development standards of the R-4 zoning district.”*

The purpose of this DA Modification is to include the proposed preliminary plat, landscape plan and proposed elevations as the approved development plans for the property.

If the property were rezoned to R-8 to allow the development as proposed, the new DA should require compliance with the preliminary plat, landscape plan and conceptual building elevations in the Exhibit section below.

B. Zoning:

This application proposes to rezone from R-4 to R-8. The property to the west (Discovery Park) is zoned R-4. To the east of the property is land still within Unincorporated Ada County. To the north of the property (across E. Lake Hazel Rd.) is R-40 and R-15 zoning.

The R-8 Zoning District requires a minimum lot size of 4,000 sq. ft. and minimum street frontage of 40 ft. The Preliminary Plat Data Table for this proposal indicates a minimum lot size of 6,967 sq. ft. and an average lot size of 8,485 sq. ft. These are lot sizes which are smaller than the Keep subdivision to the east, but larger lot sizes than the Impressive East Ridge and Lavender Heights Subdivisions across E. Lake Hazel Rd. to the north. The lot sizes are well within the FLUM designation of MDR, which allows densities of between 3-8 dwelling units per acre. The minimum 40 ft. street frontage is exceeded on all lots.

C. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)

This property is designated Medium Density Residential on the City's Future Land Use Map (FLUM) contained in the Comprehensive Plan. This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

As mentioned in the zoning section above, the gross density is 3 du / acre and the net density is 5.1 du / acre. This is well within and on the low end of the designated density for the site. Therefore, Staff finds the proposed preliminary plat and requested R-8 zoning district to be generally consistent with the Future Land Use Map designation of Medium Density Residential.

D. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

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

The building elevations show a single-family attached product proposed for this development. Single-family attached housing tends to result in a more affordable product, which is a more attainable product for first time home buyers and / or younger families. This contributes to the variety of housing types that meets the needs, preferences, and financial capabilities of Meridian's present and future residents.

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)

The proposed plat depicts 5 ft. wide detached sidewalks on both sides of roads internal to the subdivision, with 8 ft. parkways. There are also 10 ft. wide pathways on E. Lake Hazel Rd., along both sides of S. Recreation Ave., and running along the south property line to the Farr Lateral east of the site. The pathways provide a necessary link to the greater pathway system and provide pedestrian access to Discovery Park across the street although staff believes a segment of the southernmost pathway needs a slight realignment as described in the pathways section below.

- "Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity." (2.02.01D)

As mentioned above, 5-ft. wide detached sidewalks are provided along all internal roadways, and there are 10 ft. wide pathways along both sides of S. Recreation Ave., E. Lake Hazel Rd. and the south perimeter of the property to the Farr Lateral. The sidewalks stub to the east and south, and

the pathways provide connectivity to Discovery Park on the opposite side of S. Recreation Ave. and future development to the south.

“Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

The development can be adequately served by critical public facilities and urban services. Water and sewer will be extended from S. Recreation Ave. at the west.

- 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)

This development does not take access from E. Lake Hazel Rd. (an arterial road). Two points of access are proposed from S. Recreation Ave., a new collector that will be constructed by the applicant and will also provide access to Discovery Park and the South Meridian Fire Station No 7 and Police substation. Two internal stubs to the south and east are being provided.

E. Existing Structures/Site Improvements:

The property is presently vacant.

F. Proposed Use Analysis:

Single-family attached dwellings are listed as a principal permitted use in the R-8 zoning districts in UDC Table 11-2A-2. Per UDC 11-5B-8, design review is required for all new attached residential structures of more than one unit.

G. 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-6 for the R-8 district. All proposed lots and public streets appear to meet UDC dimensional standards per the submitted preliminary plat. This includes minimum lot size of 4,000 sq. ft., and required street frontages of at least 40 ft. Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3.

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 ft, although there is the allowance of an increase in block length to 1,000 feet if a pedestrian connection is provided. No block length exceeds 750 ft.

Three common driveways are proposed with this subdivision. The applicant has provided common drive exhibits which demonstrate no more than 3 units are served whereas a maximum of 4 units are allowed. The common driveways meet the minimum width of 20' and does not exceed the maximum length of 150'. The common driveways show landscaping of at least five feet wide along one side of each common driveway.

The elevations that were submitted suggest single family attached, although the plat as submitted does not reflect an even number of lots and does not indicate which lots would contain the attached product. Prior to Council, the applicant should revise the plat to depict the single family attached lots (zero setback side lot lines).

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

The property abuts E. Lake Hazel Rd. to the north, although it will not take access from this road. Lake Hazel Road is improved with 2-travel lanes and there is no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for Lake Hazel Road. Lake Hazel Road is planned to be widened to 5-lanes from Locust Grove Road to Eagle Road between 2036 and 2040.

The plat proposes two access points from a new collector road (S. Recreation Ave.) which parallels the west property line. Primary access will occur at approximately the middle of the subject property's western property line (shown as E. Wickham Street). There will be a second southern access which will align with a drive aisle into Discovery Park (shown on the plat as E. Ambition Dr). S. Recreation Ave. will also provide primary access to Discovery Park as well as the South Meridian Fire Station No 7 and Police Substation. Two stub streets are proposed at the southeast portion of the property; one stubbing to the south and one stubbing to the east.

Per an Interagency Cooperative Development Agreement (Instr. 2016-007073), Brighton Development is required to construct S. Recreation Ave. (the new north/south collector) from a cul-de-sac at the south property line to Lake Hazel Road. They will also be required to install 10 ft. wide pathways on both sides of this collector.

ACHD has responded a traffic impact study is not required and has not submitted additional comments as of time of this staff report.

I. Parking (*UDC 11-3C*):

Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family attached dwellings based on the number of bedrooms per unit. Future development should comply with these standards.

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

The Meridian Pathways Master Plan shows a 10 ft. wide multiuse pathway running along the site's northern property line and turning north (crossing E. Lake Hazel Rd.) at the site's eastern property line. The Pathways Plan also shows a 10 ft. wide multiuse pathway along the western side of S. Recreation Ave. The Plan shows another 10 ft. wide pathway connecting from S. Recreation Ave to the Farr Lateral along the southern property line. The landscape plan indicates 10' ft. wide pathways along all these alignments. In addition, although not shown on the pathway plan nor required by ACHD, the development also proposes a 10 ft. wide pathway on the east side of S. Recreation Ave. as well.

Staff does think the southern pathway (connecting to the Farr Lateral) should align with the eastern entrance into Discovery Park on the opposite side of S. Recreation Ave. (see the color landscape plan in Section VII). Staff has concerns the westernmost segment of the pathway will encourage people to cross S. Recreation Ave. out of a designated crosswalk or "cut across" the open space in the vicinity of the Williams Pipeline Easement. Staff recommends the plat and landscape plan be revised to provide a more direct and aligned connection between the southernmost pathway and the entrance into Discovery Park.

Sidewalks (*UDC 11-3A-17*):

Five-foot detached sidewalks are proposed along internal streets in accord with the standards listed in UDC 11-3A-17. All detached sidewalks include parkways which are meet the minimum 8 ft. with and are landscaped as required per 11-3A-17.

K. Parkways (*UDC 11-3A-17*):

Parkways are provided between the detached sidewalks and road on both sides of all local roads. As mentioned above, all parkways meet the requirements of 11-3A-17 and 11-3B-7 including at least 8 ft. in width and landscaped with at least 1 tree per 35 feet.

L. Landscaping (*UDC 11-3B*):

UDC 11-2A-6 requires 25 ft. wide buffers along arterial roads (E. Lake Hazel Rd.) and 20 ft. wide buffers required along collector roads (S. Recreation Ave). The landscape plan reflects a buffer of more than 75 ft. along E. Lake Hazel Rd., and a buffer of at least 50 ft. in width along S. Recreation Ave. The detached pathways are in these buffers, there are parkways of at least 8 ft. in width, and the landscape buffers meet the minimum planting requirements of 1 tree per 35 linear feet. Internal sidewalks also contain parkways of at least 8 feet in width. As described below, there are three parks provided with this subdivision that meet the density requirements of 1 tree per 8,000 sq. ft. The landscape plan indicates there are no healthy existing trees meeting the preservation requirements on the property.

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

11-3G-3 has recently been revised to require 15% of qualified open space for properties within the R-8 zoning district. The applicant has submitted an open space exhibit which reflects 21.8% (7.05 acres) of qualified open space. This includes two one-acre parks at the south perimeter of the property, a ½-acre park toward the center of the development, 100% of the collector buffers, ½ of the arterial buffer, and several trail corridors meeting the minimum requirements of 20 ft. in width, 50 ft. long and with an access at each end.

The open space exhibit includes the 55 ft. wide Farr Lateral easement along the eastern property line. UDC 11-3G-3B states protective buffers a minimum of ten feet (10') in width dedicated for active access along laterals or ditches may count toward meeting the open space minimum requirements. However, as presently shown, staff is unsure this area provides the "active access" required to be counted as qualified open space. Because this lateral is behind existing homes, staff also has concerns regarding visibility and whether this area would comply with Crime Prevention Through Environmental Design (CPTED) standards. As a condition of approval, staff is recommending that prior to Planning Commission, the plat and landscape plan be revised to provide access to some or all of the open area shown along the Farr Lateral. Only areas accessible and useable to the residents as open space should be included on the open space exhibit. Also, if this area is to be credited as qualified open space, it should be landscaped as required by UDC 11-3B unless otherwise prohibited by the irrigation district.

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

Based on the area of the proposed plat (32.1 acres), 6 amenity points are required. This application proposes two open space parks larger than one-acre (6 points), a ½ acre parcel at the center, a picnic area (2 points), a tot lot (1 point), and more than ½ mile of multi-modal pathway (4) points. This application exceeds the minimum requirements.

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

The Farr Lateral runs along the eastern property line. The applicant has requested a waiver from UDC 11-3A-6 which requires piping the lateral with the explanation that piping the lateral would be cost-prohibitive. The landscape plan reflects turf sod in this area. Coordination will be ongoing with the irrigation district managing the waterways to meet their requirements.

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

The landscape plan includes a fencing plan. 6 ft. high wooden fencing is provided along the S. Recreation Ave. landscape buffer, and along the side of interior trail connections adjacent to residential lots (leaving them visible from the roads). Open style metal fencing is provided along the portions of the open spaces visible from the internal roads, and along the portions of the Farr Lateral that are not visible from E. Lake Hazel Rd. The fencing appears to meet the requirements of 11-3A-6 and 11-3A-7.

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

Public services are available to accommodate the proposed development. Water and sewer will be extended from S. Recreation Ave to the east.

A 75 ft. wide Williams Pipeline Easement is indicated at the southwest corner of the property. The plat contains this easement within common lots. The landscape plan shows these common lots landscaped with sod. There are no trees shown within this easement.

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

The Applicant has submitted building elevations of the single-family attached homes for this project (see Section VI.F below).

The single-family attached homes are depicted as one and two-story structures with attached garages and a variety of architectural elements and finish materials including gabled roofs, covered porches, dormers, and lap siding. The submitted sample elevations appear to meet design requirements for single-family homes but do not include elevations of the sides or rears of structures.

A large number of the houses will be very visible from E. Lake Hazel Rd. and S. Recreation Ave. Therefore, staff recommends a condition that the rear and/or sides of 2-story structures that face E. Lake Hazel Rd. and S. Recreation Ave. 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. Single-family attached structures require administrative design review approval prior to applying for a building permit.

VI. DECISION

A. Staff:

1. Staff recommends approval of the requested rezoning, development agreement modification and preliminary plat with the conditions noted in Section VIII. per the Findings in Section IX.

VII. EXHIBITS

A. Rezoning Exhibit (date: 10/11/2021)

**Exhibit A
Legal Description for Rezone to R8**

A parcel of land being a portion of Government Lot 2 and a portion of the Southwest 1/4 of the Northeast 1/4 of Section 5, Township 2 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho being more particularly described as follows:

Beginning at a brass cap marking the North 1/4 corner of said Section 5, which bears N89°56'45"W a distance of 2,659.06 feet from an aluminum cap marking the Northeast corner of said Section 5, thence following the northerly line of said Government Lot 2, S89°56'45"E a distance of 287.51 feet to a 5/8-inch rebar;

Thence leaving said northerly line, S00°00'42"W a distance of 104.38 feet to a point on the centerline of the Farr Lateral, said point being witnessed by a 5/8-inch rebar which bears N00°00'42"E a distance of 40.76 feet from said point;

Thence following said centerline the following five (5) courses:

1. S69°11'54"E a distance of 194.76 feet;
2. 153.61 feet along the arc of a curve to the right, said curve having a radius of 200.00 feet, a delta angle of 44°00'19", a chord bearing of S47°11'44"E and a chord distance of 149.86 feet;
3. S25°11'35"E a distance of 135.17 feet;
4. S22°29'45"E a distance of 1,518.71 feet;
5. S49°59'18"E a distance of 27.38 feet;

Thence leaving said centerline, S00°59'12"E a distance of 31.97 feet to a 5/8-inch rebar;

Thence N65°00'09"W a distance of 64.53 feet to a 5/8-inch rebar;

Thence N46°01'41"W a distance of 379.52 feet to a 5/8-inch rebar;

Thence S68°36'58"W a distance of 694.76 feet to a 5/8-inch rebar;

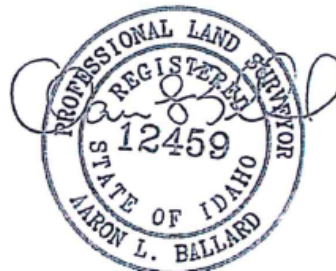
Thence S42°57'43"W a distance of 108.58 feet to a 5/8-inch rebar;

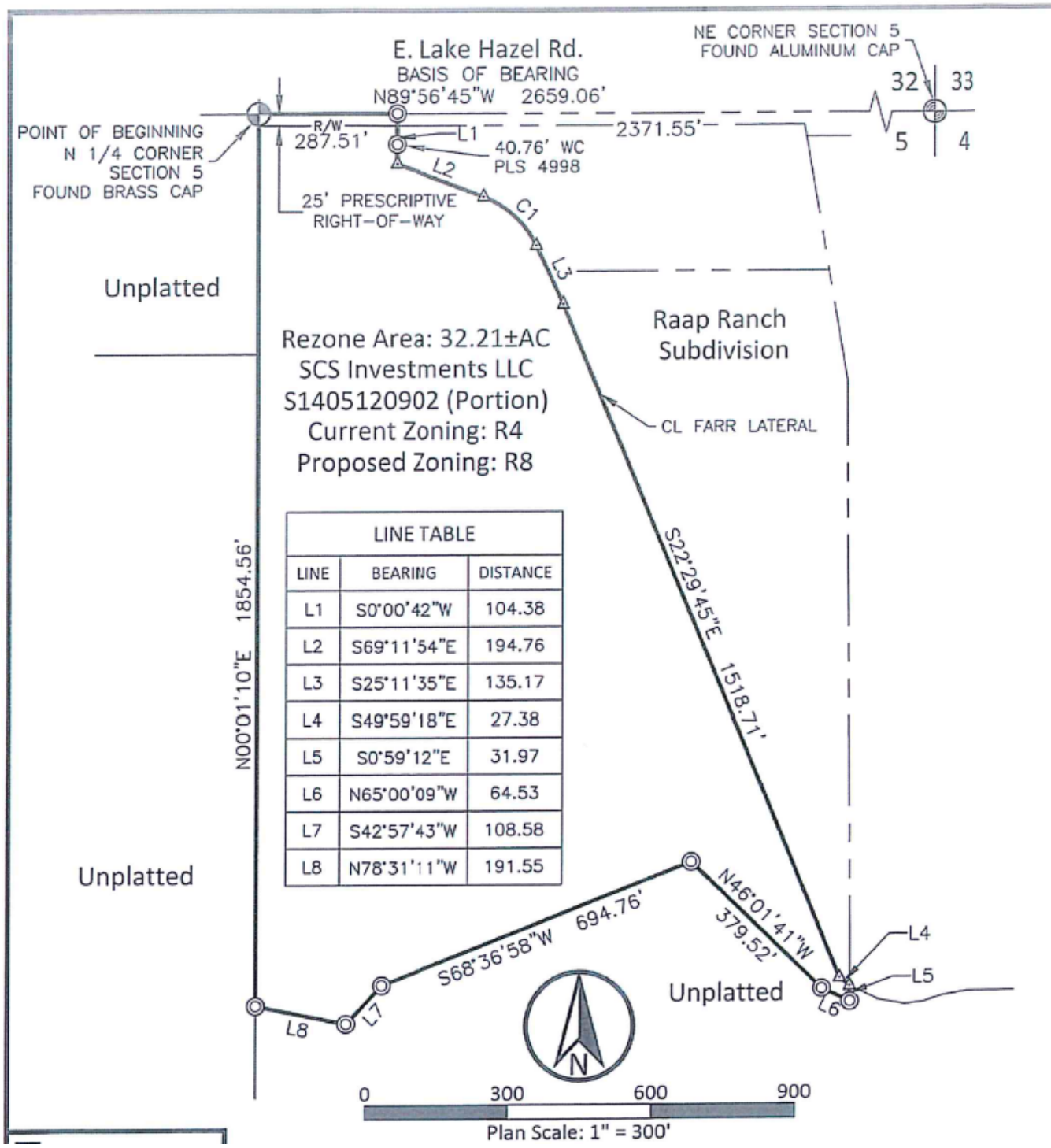
Thence N78°31'11"W a distance of 191.55 feet to a 5/8-inch rebar on the westerly line of the Northwest 1/4 of said Section 5;

Thence following said westerly line, N00°01'10"E a distance of 1,854.56 feet to the **POINT OF BEGINNING.**

Said parcel contains a total of 32.21 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.





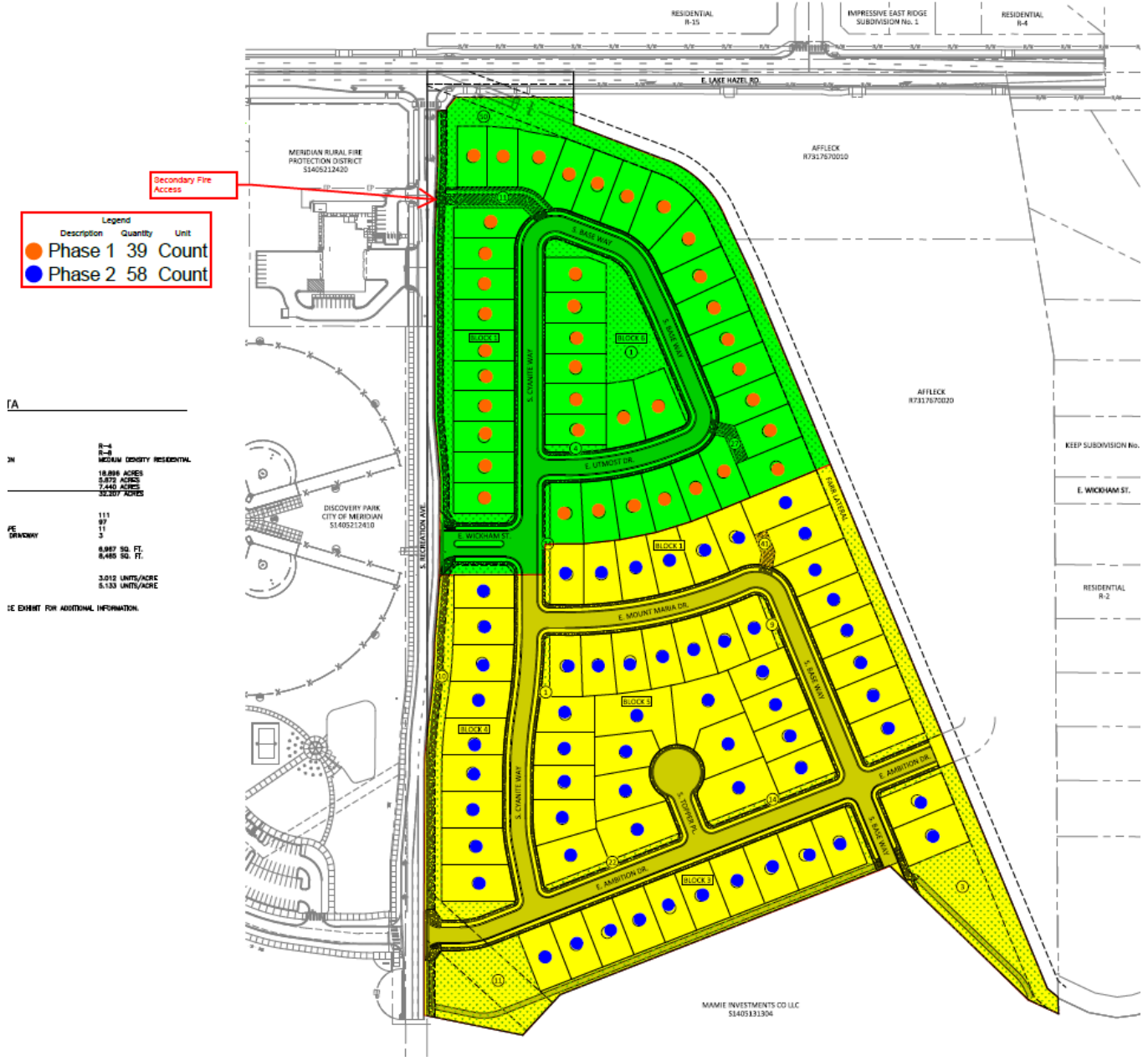
B. Preliminary Plat (date: 10/11/2021)



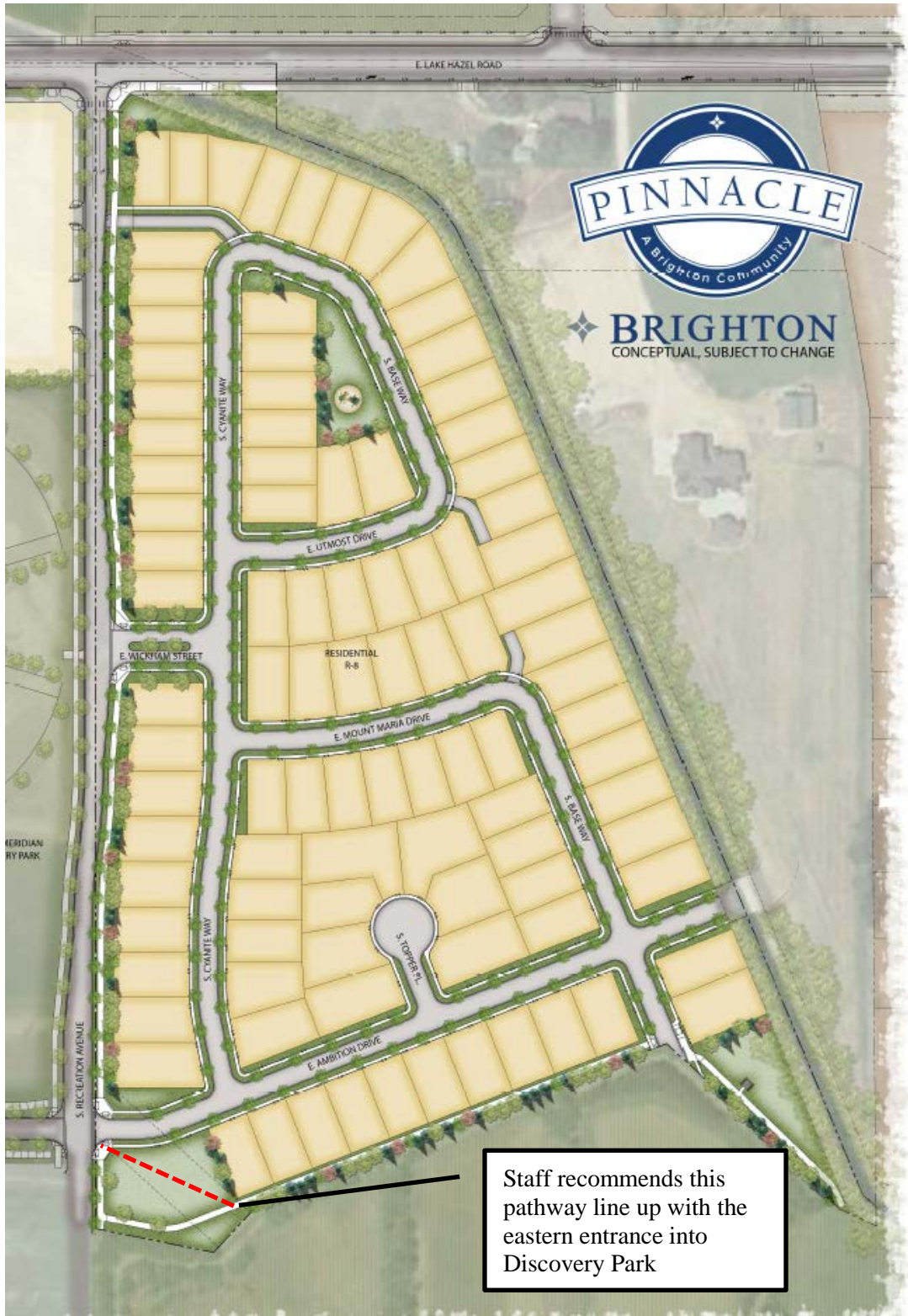
C. Phasing Plan (Date: October 2021)

APEX EAST SUBDIVISION PRELIMINARY PLAN

A PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOT 2 AND A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO.

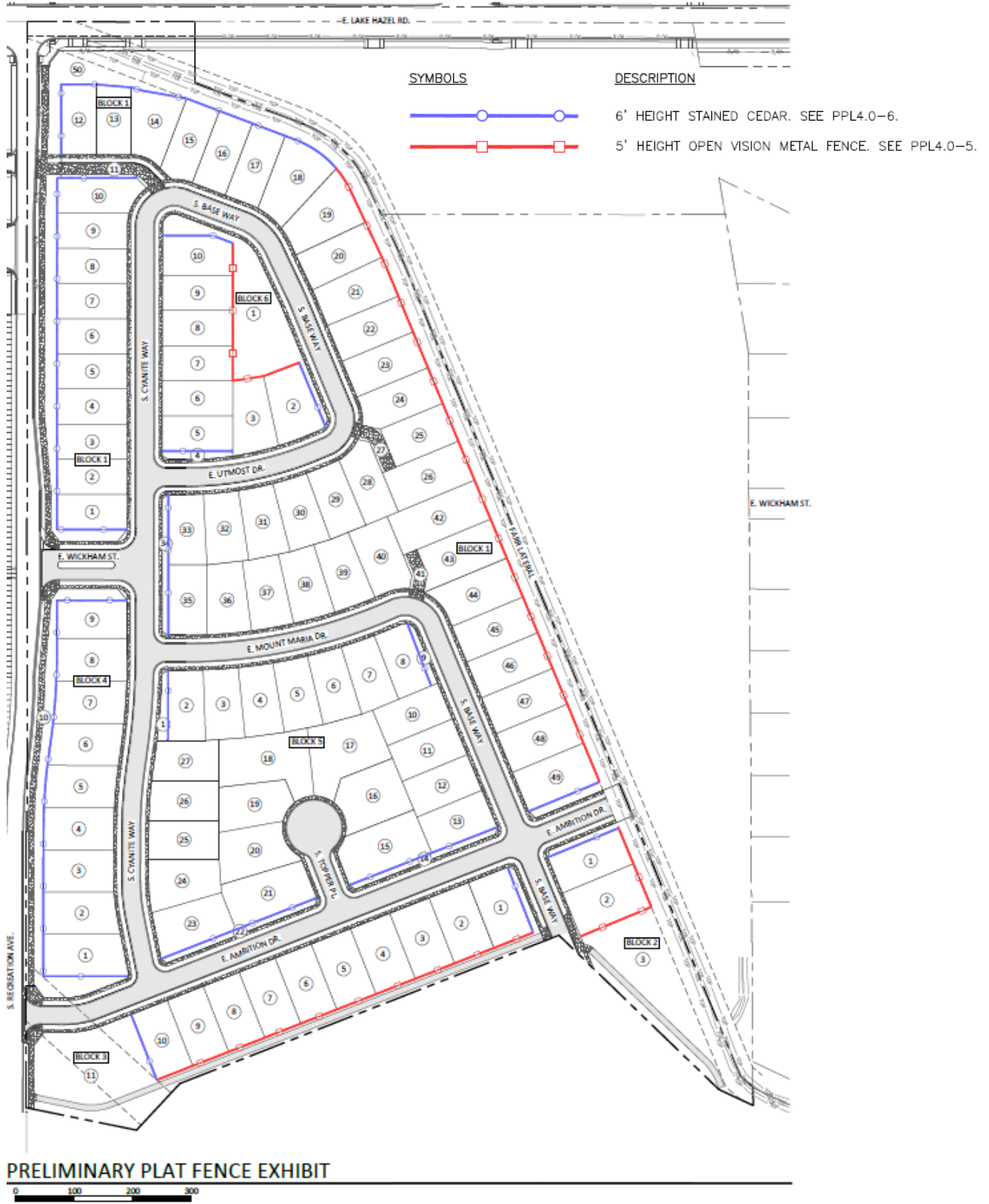


Color Landscape Plan (date: 10/11/2021)



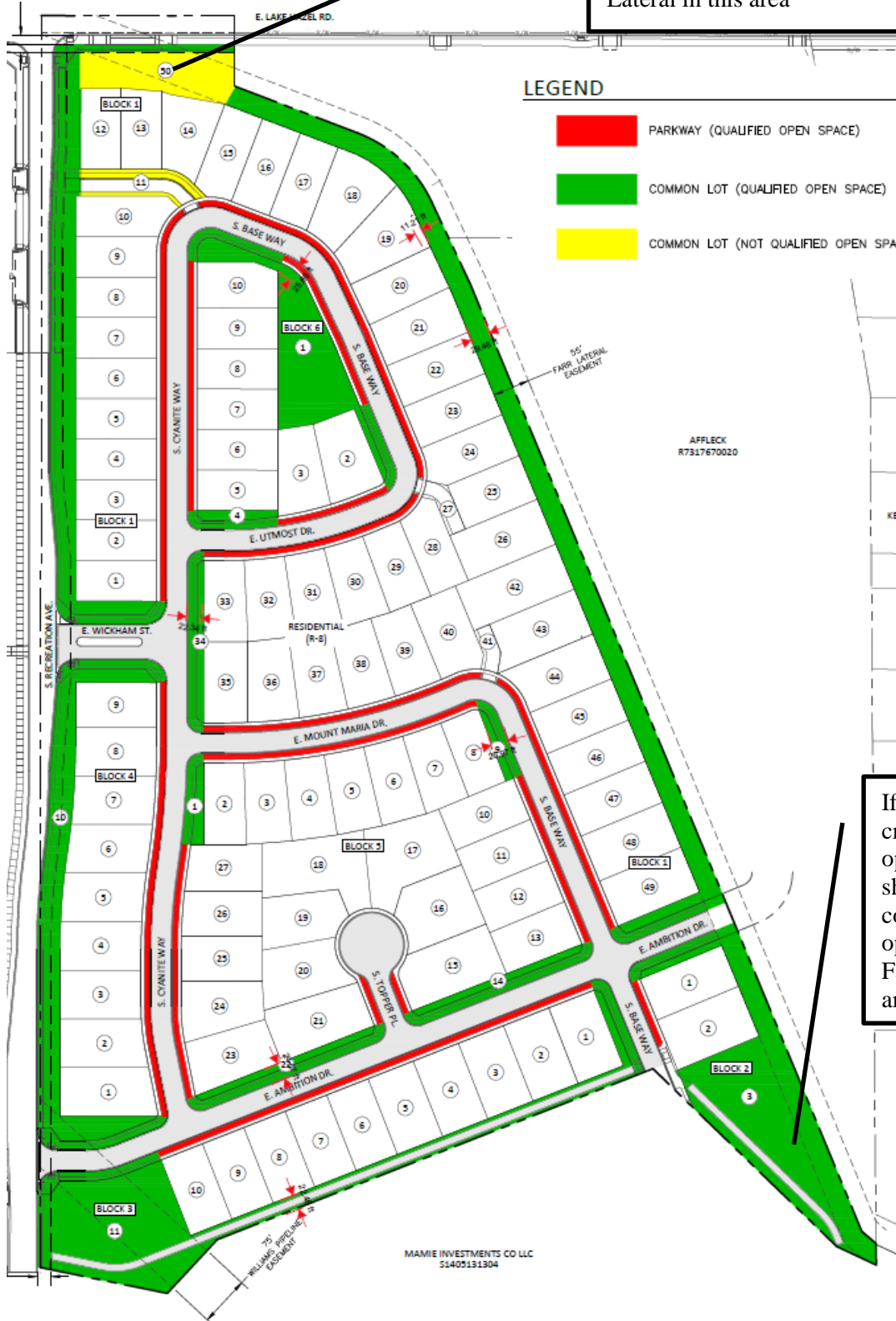
Staff recommends this pathway line up with the eastern entrance into Discovery Park

D. Fence Exhibit (date: 10/11/2021)



E. Common Open Space Exhibit (date: 10/11/2021)

If this is going to be credited as qualified open space, there should be a connection to useable open space along the Farr Lateral in this area



If this is going to be credited as qualified open space, there should be a connection to useable open space along the Farr Lateral in this area

Item 7.

191

F. Common Driveway Exhibits (date: 10/11/2021)

LOT 11 IS A NON-BUILDABLE COMMON LOT WITH A BLANKET INGRESS/EGRESS EASEMENT IN FAVOR OF LOTS 12, 13, AND 14, BLOCK 1

DRIVEWAY FOR LOT 15 BLOCK 1 TO BE LOCATED ON THE OPPOSITE SIDE OF THE SHARED COMMON DRIVE PROPERTY LINE

LOT 12 OWNER IS RESPONSIBLE FOR INSTALLING AND MAINTAINING LANDSCAPING AND IRRIGATION IN THESE AREAS

COMMON DRIVE

S. CYANITE WAY

S. BASE WAY

BUILDING ENVELOPE TYPICAL

DRIVEWAY FOR LOT 10 BLOCK 1 TO BE LOCATED ON THE OPPOSITE SIDE OF THE SHARED COMMON DRIVE PROPERTY LINE

LOTS 10-15, BLOCK 1
1" = 30' WHEN PRINTED AT 11"x17"

DRIVEWAY FOR LOT 24 BLOCK 1 TO BE LOCATED ON THE OPPOSITE SIDE OF THE SHARED COMMON DRIVE PROPERTY LINE

LOT 28 OWNER IS RESPONSIBLE FOR INSTALLING AND MAINTAINING LANDSCAPING AND IRRIGATION IN THESE AREAS

COMMON DRIVE

S. BASE WAY

E. LINDBERG TR.

BUILDING ENVELOPE TYPICAL

DRIVEWAY FOR LOT 28 BLOCK 1 TO BE LOCATED ON THE OPPOSITE SIDE OF THE SHARED COMMON DRIVE PROPERTY LINE

LOT 41 IS A NON-BUILDABLE COMMON LOT WITH A BLANKET INGRESS/EGRESS EASEMENT IN FAVOR OF LOTS 42 AND 43, BLOCK 1

LOT 43 OWNER IS RESPONSIBLE FOR INSTALLING AND MAINTAINING LANDSCAPING AND IRRIGATION IN THESE AREAS

DRIVEWAY FOR LOT 40 BLOCK 1 TO BE LOCATED ON THE OPPOSITE SIDE OF THE SHARED COMMON DRIVE PROPERTY LINE

APPEX EAST SURROUND/SON MERIDIAN, IDAHO

COMMON DRIVE EXHIBIT LOTS 24-28 AND 40-44, BLOCK 1

km ENGINEERING
8728 NORTH GILBOVEY WAY
BOISE, IDAHO 83718
PHONE (208) 638-6899
keng@km.com

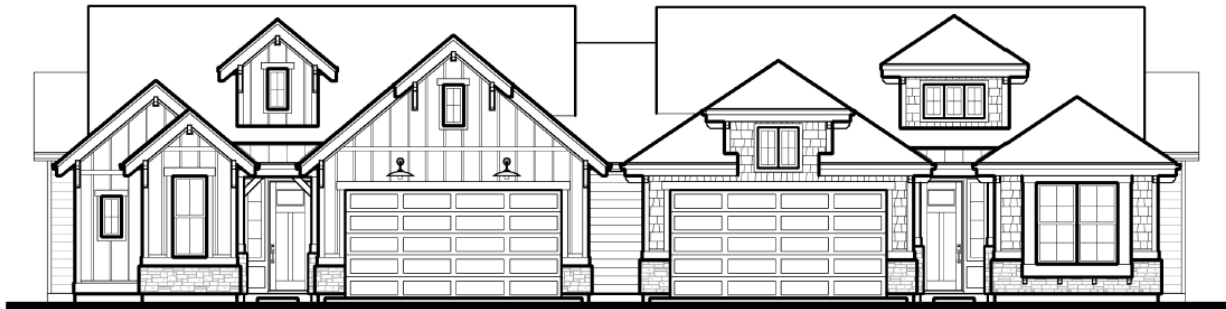
DATE: OCTOBER 2021
PROJECT: EX3.0

STATE OF IDAHO
MAYSA TEMPLE
LANDSCAPE ARCHITECT
14-16577
2019/02/21

LOTS 24-28 AND 40-44, BLOCK 1
1" = 30' WHEN PRINTED AT 11"x17"

Page 17

G. Conceptual Elevations (date: 10/11/2021)



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer.

The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. The DA shall, at minimum, incorporate the following provisions:

- a. ~~Future development of the Property shall comply with the ordinances in the Meridian City Code in effect at the time of development.~~ Future development of this site shall comply with the preliminary plat, phasing plan, landscape plan and conceptual building elevations for the single-family attached dwellings included in Section VII. and the provisions contained herein.
 - b. The rear and/or sides of 2-story structures that face E. Lake Hazel Rd. or S. Recreation Ave shall 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. Single-family attached structures require administrative design review approval prior to applying for a building permit.
 - c. Required street frontage improvements along E. Lake Hazel Rd. and the construction of S. Recreation Way including pathways, and landscape buffers shall be constructed with the first phase of construction.
2. The Preliminary Plat included in Section VI, dated 10/11/21, is approved with the following revisions:
 - a. The plat should indicate which lots will contain single family attached (zero side lot lines).
 - b. Add notes which indicate Lots 3 and 50 Block 1, Lots 10 & 11 Block 4, Lot 1 Block 6, are common lots which will be owned and maintained by the homeowner's association.
 - c. All utility easements reflected on the utility plan shall be included on the plat.
 - d. Prior to Commission, the plat and landscape plan shall be revised to provide access to some or all of the open area shown along the Farr Lateral. Only areas accessible and useable as open space to the residents for active or passive recreation should be included on the open space exhibit.
 - e. Prior to Commission, plat and landscape plan shall be revised to provide a more direct and aligned connection between the southernmost pathway and the entrance into Discovery Park at the west.
 3. The Landscape Plan included in Section VI, dated 10/11/21, is approved with revisions c, d, and e as listed in Condition No. 2 above, and the following additions:

- a. If the Farr Lateral Easement is to be credited as qualified open space, it should be landscaped as required per UDC 11-3B, or as allowed by the irrigation district.
- b. Prior to the Commission should provide details of the picnic area, tot lot, and other qualified amenities.
4. Prior to signature on the final plat by the City Engineer, the applicant shall submit a public access easement for the multi-use pathway along S. Recreation Ave., E. Lake Hazel Rd. and the southern property line to the Planning Division for approval by City Council and subsequent recordation.
5. The applicant shall comply with all provisions of 11-3A-3 with regard to access to streets.
6. The development shall comply with standards and installation for landscaping as set forth in UDC 11-3B-5 and maintenance thereof as set forth in UDC 11-3B-13.
7. Pathway and adjoining fencings and landscaping shall be constructed consistent with the standards as set forth in UDC 11-3A-7A7, 11-3A-8 and 11-3B-12C.
8. The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable.
9. The development shall comply with all subdivision design and improvement standards as set forth in UDC 11-6C-3, including but not limited to driveways, easements, blocks, street buffers, and mailbox placement.
10. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family attached dwellings based on the number of bedrooms per unit.
11. All common driveways shall meet the requirements of 11-6C-2-D including a perpetual ingress/egress easement being filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment.
12. Development within the Williams Pipeline easement shall comply with the Williams Developers' Handbook.
13. All ditches shall comply with the provisions for irrigation ditches, laterals, canals and/or drainage courses, as set forth in UDC 11-3A-6 unless waived by City Council.
14. 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.
15. The Applicant shall comply with all conditions of ACHD.

B. PUBLIC WORKS DEPARTMENT

Site Specific Conditions of Approval

1. Applicant shall coordinate with the CDA project to sub a water main from South Recreation Avenue to the common drive at the northwest corner of this subdivision which is currently designated as Block 1, Lot 11.
2. Eliminate the water main in East Wickham Street.
3. Ensure no sewer services pass through infiltration trenches.

General Conditions of Approval

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. 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.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). 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.
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.
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.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
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.

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.
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.
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.
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.
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.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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. MERIDIAN FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243086&dbid=0&repo=MeridianCity>

D. ACHD

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243094&dbid=0&repo=MeridianCity>

E. NAMPA & MERIDIAN IRRIGATION DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244628&dbid=0&repo=MeridianCity>

F. BOISE PROJECT BOARD OF CONTROL

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244307&dbid=0&repo=MeridianCity>

G. DEPARTMENT OF ENVIRONMENTAL QUALITY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244320&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 rezoning of the subject site with an R-8 zoning designation is consistent with the Comprehensive Plan MDR FLUM designation for this property, if the Applicant complies with the provisions in Section VII.

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

Staff finds the lot sizes and layout proposed will be consistent with the purpose statement of the residential districts in that more diverse housing opportunities will be provided consistent with the Comprehensive Plan.

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

Staff finds that the proposed zoning map amendment should not be detrimental to the public health, safety, or welfare. Staff recommends the Commission consider any oral or written testimony that may be provided when determining this finding.

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and

Staff finds that the proposed 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

Staff finds the proposed zoning amendment is in the best interest of the City if the property is developed in accord with the provisions in Section VII.

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

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings: (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)

Staff finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the conditions of approval in Section VII.

2. Public services are available or can be made available and are adequate to accommodate the proposed development;

Staff finds public services can be made available to the subject property and will be adequate to accommodate the proposed development.

3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;

Staff finds the proposed plat is in substantial conformance with scheduled public improvements in accord with the City's CIP.

4. There is public financial capability of supporting services for the proposed development;

Staff finds there is public financial capability of supporting services for the proposed development.

5. The development will not be detrimental to the public health, safety or general welfare; and

Staff finds the proposed development will not be detrimental to the public health, safety or general welfare.

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

The Farr Lateral parallels the eastern property line, but are not natural features. According to the landscape plan, there are no healthy trees onsite meeting the requirements for preservation.