



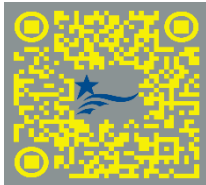
PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, March 07, 2024 at 6:00 PM

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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 OPTIONS

Planning and Zoning meetings can also be attended online or by phone.

<https://bit.ly/meridianzoommeeting>

or dial: 1-253-215-8782, Webinar ID: 810 9527 6712

ROLL-CALL ATTENDANCE

Brian Garrett Maria Lorcher Enrique Rivera
 Patrick Grace Matthew Sandoval Jared Smith
 Andrew Seal, Chairperson

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of the February 15, 2024 Planning and Zoning Meeting](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

2. **Public Hearing** for Everbrook Academy at Amity (H-2023-0051) by Paul Tucci, Oppidan, Inc., located at 4845, 4855 and 4867 S. Tavistock Ave.

Application Materials: <https://bit.ly/H-2023-0051>

A. Request: Conditional Use Permit for an 11,300 square foot childcare center on 1.509 acres of land in the C-N zoning district.

3. **Public Hearing** for Keep West Subdivision No. 2 (H-2023-0047) by Jarron Langston, located at 2625 E. Lake Hazel Rd. and 6519 S. Raap Ranch Ln.

Application Materials: <https://bit.ly/H-2023-0047>

A. Request: Annexation and zoning of 16.25 acres of land from RUT to R-2 (low density residential) zoning district

B. Request: Preliminary Plat consisting of 22 buildable lots, one existing home and 5 common lots on (16.25 acres of land) in the R-2 zoning district

4. **Public Hearing** continued from January 18, 2024 for Rosalyn Subdivision (H-2023-0056) by Givens Pursley, LLP., located at 200 E. Rosalyn Dr.

Applicant Materials: <https://bit.ly/H-2023-0056>

A. Request: Annexation of a 0.014-acre of land from RUT in Ada County to the R-8 zoning district including the remaining portion of E. Rosalyn Street cul-de-sac right-of-way.

B. Request: Combined Preliminary/Final Plat consisting of 7 residential building lots and 1 common lot on 0.733 acres in the R-8 zoning district.

C. Request: Alternative Compliance to deviate from the common driveway standards in the UDC 11-6C-3D1.

ADJOURNMENT

To view upcoming Public Hearing Notices, visit <https://apps.meridiancity.org/phnotices>



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the February 15, 2024 Planning and Zoning Commission Meeting

Meeting of the Meridian Planning and Zoning Commission of February 15, 2024, was called to order at 6:00 p.m. by Chairman Andrew Seal.

Members Present: Commissioner Andrew Seal, Commissioner Maria Lorcher, Commissioner Jared Smith, Commissioner Brian Garrett and Commissioner Matthew Sandoval.

Members Absent: Commissioner Patrick Grace and Commissioner Enrique Rivera.

Others Present: Chris Johnson, Tina Lomeli, Kurt Starman, Caleb Hood, Bill Parsons, Sonya Allen, Stacy Hersh and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Brian Garrett	<input checked="" type="checkbox"/> Maria Lorcher
<input checked="" type="checkbox"/> Matthew Sandoval	<input type="checkbox"/> Patrick Grace
<input type="checkbox"/> Enrique Rivera	<input checked="" type="checkbox"/> Jared Smith
<input checked="" type="checkbox"/> Andrew Seal - Chairman	

Seal: Good evening, everyone. Welcome to the Planning and Zoning Commission meeting for February 15th, 2024. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall. We also have staff from the city attorney and clerk's offices, as well as city planning department. If you are joining us on Zoom this evening we can see that you are here. You may be -- 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 that we do not take questions until the public testimony portion. If you have a process question during the meeting, please, e-mail cityclerk@meridiacity.org and they will reply as quickly as possible. And with that let's begin with roll call. Madam Clerk.

ADOPTION OF AGENDA

Seal: And this evening we have two new commissioners that are with us for the first time. So, Commissioner Sandoval and Commissioner Garrett, welcome. First item -- so -- and for that the first item on the agenda is the adoption of the agenda. Blayden Subdivision, which is File No. H-2023-0043, will be opened for the purpose of continuing to a regularly scheduled meeting. It will be opened for that purpose only. So, if you are here to testify on that file tonight we will not be taking public testimony. And with that can I get a motion to adopt the agenda?

Smith: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor, please, say aye. Opposed nay? The agenda is adopted.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the February 1, 2024 Planning and Zoning Meeting**
- 2. Findings of Fact, Conclusions of Law for WaFed (H-2023-0068) by WP5 Meridian, LLC, located at 3423 E Ustick Rd.**

Seal: The Consent Agenda. We have -- oh, my notes are wrong. We have two items on the Consent Agenda. First is to approve the minutes of the February 1st, 2024, meeting of the Planning and Zoning Commission. Second is Finding of -- Findings of Facts, Conclusions of Law for WaFed, File No. H-2023-0068. Can I get a motion to accept the Consent -- Consent Agenda as presented?

Smith: So moved.

Lorcher: Second.

Seal: It's been and seconded to approve the Consent Agenda. All in favor, please, say aye. Opposed nay? All right. Consent Agenda is approved.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

- 3. Election of 2024 Commission Chairperson and Vice-Chairperson**

Seal: Okay. With that we have the election of the 2024 Commission chair and vice-chair.

Lorcher: Mr. Chair?

Seal: As I say, this is always -- this is always awkward, because there is -- there is already -- we are already in the positions and I think -- unless anybody's wants to step up and we will probably retain those positions. But we do have to nominate and elect.

Lorcher: Mr. Chair. I nominate Andy Seal, yourself, as continuing as chair.

Smith: Second.

Seal: I have been nominated to continue as chair. All in favor, please, say aye. Opposed nay? I guess I'm locked in for another year.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: And I will nominate Commissioner Lorcher to continue as vice-chair for 2024.

Smith: I will second that.

Seal: It's been moved and seconded to continue Commissioner Lorcher as vice-chair. All in favor, please, say aye. Opposed nay? They got you, too.

Lorcher: Do I vote for myself?

Seal: You can.

Lorcher: Oh, then I say aye.

Seal: Okay.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: All right. Congratulations. I think. All right. And with that 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 is finished we will open the floor to public testimony. Each person will be called on only once during the public testimony portion. The Clerk will call the names individually of those who have signed up in advance to testify. You will need to state your name and address for the record. You will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting that will be displayed on the screen and you will be able to run the presentation with assistance from the Clerk if needed. If you have established you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf, you will have up to ten minutes. After all those who have signed up in advance have spoken, we will invite any others who may wish to testify. When you are finished if the Commission does not have questions for you you will return to your seat in Chambers or be muted on Zoom and no longer have the ability to speak. And, please, remember that we generally do not call people back up. 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 Commissioners will have the opportunity to discuss and hopefully be able to make final decisions or recommendations to City Council as needed.

4. Public Hearing continued from December 7, 2023 for Blayden Subdivision (H-2023-0043) by Bailey Engineering, located at the South side of W. Chinden Blvd. and west side of N. Black Cat Rd.

- A. Request: Annexation of 27.36 acres of land with R-15 (4.32 acres), R-40 (16.71 acres) and C-G (6.33 acres) zoning districts.
- B. Request: Conditional Use Permit for a multi-family development consisting of 312 dwelling units on 14.92 acres of land in the R-40 zoning district.
- C. Request: Preliminary Plat consisting of 26 building lots and 11 common lots on 24.98 acres of land in the R-15, R-40 and C-G zoning districts.

Seal: So, at this time I would like to open File No. H-2023-0043, Blayden Subdivision, for a continuance to April 4th, 2021.

Smith: Mr. Chair?

Seal: Go ahead.

Smith: I move that we continue File No. H-2023-0043 to the hearing for April 4th.

Lorcher: Second.

Seal: It's been moved and seconded to continue File No. H-2023 0043 for Blayden Subdivision to the date of April 4th, 2024. All in favor, please, say aye. Opposed nay? The application is continued.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

5. Public Hearing for Kilgore (H-2023-0063) by Alexi Kilgore, Located at 1105 N. Meridian Rd.

- A. Request: Rezone 0.16 acres of land from the R-4 zoning district to the O-T zoning district for the purpose of converting the existing home into a hair salon.

Seal: And with that we will -- I would like to open the public hearing for File No. H-2023-0063 for Kilgore and we will begin with the staff report.

Hersh: Good evening, Mr. Chair and Commissioners. The applicant has submitted an application for a rezone. The site consists of 0.34 acres of land, currently zoned R-4, located at 1105 North Meridian Road and staff would like to mention as part of the legal description for the posting for this Planning and Zoning Commission meeting there was

an incorrect error made, stating that the property was 0.16 acres and when -- to the center of the road line it's 0.34, which is what has actually been rezoned. So, I just wanted to mention that and that is going to be corrected for the City Council meeting.

Seal: Okay. Thank you.

Hersh: History on the property is none. The Comprehensive FLUM designation is Old Town. The applicant is requesting to rezone 0.34 acres of land from R-4 to OT to operate a personal service for a hair salon on the subject property. A legal description and exhibit map for the rezone area are included. The property is within the city's area of impact boundary. The proposed 1,193 square foot hair salon will be located in the downtown area within the Meridian Urban Renewal District. The building was built in 1948 and is slated for further improvements to meet city code requirements, enhance the customer experience. The rear porch will be expanded to include an ADA ramp and the applicant will be required to pave the alley adjacent to the property. Additionally, five parking stalls are proposed to be paved adjacent to the alley. Hours of operation that are being proposed are Tuesday through Saturday, 10:00 a.m. to 6:00 p.m. Due to the size of the development staff believes a DA should not be required. Dimensional standards. The existing home meets all the dimensional standards. Access is provided via an alleyway to the north from West Washington Street. The public street to the south of this property is West Carlton Avenue, which operates as a one way only leading eastward towards North Meridian Road. The existing home has unpaved parking off the alleyway with space for up to five parking stalls. This is current -- there is currently no off-street parking on this site. The applicant is required to pave both the alley and the five proposed parking stalls within the development of the site upon submittal of the future certificate of zoning compliance application. And wheel restraints should be added to prevent overhang beyond the designated parking stall dimensions in accordance with the UDC. Additionally, ACHD recommends paving the entire width of the alley from the edge of the pavement from Carleton Avenue to the site's northern property line and providing a 20 foot -- 20 feet of backup area for any parking. The alley should be signed with no parking signs. Old Town is classified as a traditional neighborhood zoning district and no off-street parking is required for a lawfully existing structure and unless an addition occurs per the UDC. No additions are proposed with this project, except for expanding the rear entry area. The applicant is providing the five parking stalls off the alley, which meets the required number of off-street parking, as two are only required per the UDC for the traditional neighborhood district. A minimum of one bike -- bicycle parking space is required to be provided. The site plan does not include the bicycle racks. The -- the applicant shall revise the plans and include a bicycle rack and submit a detail of that rack with the CZC submittal. There is an existing seven foot wide attached sidewalk on North Meridian Road along the existing property frontage. Staff does not recommend any additional changes to the frontage improvements. The applicant is proposing installation a four foot wide sidewalk along the southern boundary of the site extending from the parking stalls to the main entrance. All sidewalks around buildings and serving public streets shall be a minimum of five feet in accordance with the UDC. Both ACHD and staff recommend that the applicant construct a five foot wide detached sidewalk abutting the site along West Carleton

Avenue connecting to the sidewalk along North Meridian Road. Additionally, staff recommends that the applicant remove the four foot sidewalk proposed on the south side of the property boundary and add a five foot sidewalk in front of the entire parking area. Staff strongly encourages the applicant to include a parkway along West -- West Carleton Avenue with trees, bushes, lawn or other vegetative cover in accordance with the UDC. Staff recommends that the applicant connect to the sidewalk -- proposed sidewalk at the main entrance of the building to this -- to the required sidewalk along West Carlton Avenue. This may require the removal of a section of the fencing on the south side of the property. The applicant intends to remove the existing fencing on the west side of the property adjacent to the stalls. As mentioned, a portion of the fencing on the south side of the property should be removed to accommodate the pedestrian walkway to the main entrance of the building. The existing fencing around a small patio and the front yard does -- does not comply with the fencing requirements, as the maximum height for a front yard fence is three feet for closed vision -- vision fences and four feet for open vision fences. No additional fencing is proposed. Staff recommends that the applicant remove the existing fencing surrounding the front yard patio with fencing that would comply with the UDC code or they just can remove the fencing and not install additional fencing. Conceptual building elevations and perspectives were submitted to the -- for the existing structure. The building consists of siding, fascia, asphalt roof shingles and new wood deck with railing and ADA wrap -- ADA ramp in the rear. Only new additions to the structure is the rear entry and the proposed elevations are not approved with this application. However, the applicant will be required to submit a design review application and -- and comply with the architectural standards manual, but full compliance with the ASTM standards is not required, because it's the limited scope of work for the project. Written testimony is none. Staff does recommend approval for the rezone from R-4 to Old Town with the conditions listed in the staff report and the findings. Staff stands for any questions.

Seal: Thank you very much. Would the applicant like come forward? Is the applicant here? Oh. Good evening. Just need your name and address for the record, please.

Kilgore: My name is Reed Kilgore. I live in Kuna at 1046 South Red Sand Avenue.

Seal: Thank you. Tell us about your application. Anything that you would like us to know or --

Kilgore: Not a lot. She spoke of everything that we are planning to do. This is my wife Lexie sitting down over there. Bought this little house in Meridian. We would like to turn it into a hair salon.

Seal: Okay.

Kilgore: Not going to change too much about the building. We think it's cute the way that it is and want to keep it as original as possible.

Seal: Okay. Appreciate that. Commissioners, do you have any questions?

Smith: Mr. Chair?

Seal: Go right ahead.

Smith: Just to double check, do you have any concerns or any issues with any of staff's recommendations or requirements?

Kilgore: No.

Smith: Thank you.

Seal: Ms. Lorcher, do you have anything? No? All right. With that do we have anybody signed up to testify?

Lomeli: No. Just the applicants are on the list.

Seal: Okay. Anybody else in Chambers? I don't know if anybody else is online. Anybody else in Chambers want to testify? Usually I would have you sit down, but we might make this quick. But nobody in Chambers is raising their hand. We have nobody else online. Nothing further to add? All right. With that I will take a motion to close the public testimony portion for File No. H-2023-0063.

Smith: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2023-0063. All in favor, please, say aye. Opposed nay? The public hearing is closed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Who would like to make the first comments?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go right ahead.

Lorcher: Since the applicant doesn't have any problems with amending the sidewalks and the alley that serves as a perfect use to change to Old Town and Meridian Road, I'm happy to see that we keep an old house still there and that -- not try to change it too much.

Seal: Yeah. I agree with that. I like the fact that it's going to stay Old Town, kind of that familiar look and feel, so don't have to give up too much to do that there, which is good. So, hopefully, the fencing can be reutilized somewhere, so that's -- yeah. That was about the only remark I was going to make on it. I think this is a, you know, good fit for

that area myself, so -- new Commissioners, do we have any comments? None? All right. With that anymore comments or a motion?

Smith: Mr. Chair?

Seal: Commissioner Smith, go ahead.

Smith: After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2023-0063 as presented in the staff report with no modifications.

Lorcher: Second.

Seal: All right. It's been moved and seconded to approve File No. H-2023-0063 for Kilgore. All in favor, please, say aye. Opposed nay? The application is approved.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

6. Public Hearing continued from February 01, 2024 for Farmstone Crossing Subdivision (H-2023-0045) by Bailey Engineering, located at 820 S. Black Cat Rd.

- A. Request: Annexation of 33.893 acres of land from RUT to the M-E (Mixed Employment) zoning district.
- B. Request: Preliminary Plat consisting of 6 buildable lots on 27.59 acres of land in the proposed M-E (Mixed Employment) zoning district

Seal: All right. With that -- thank you very much. I would like to open File No. H-2023-0045 for Farmstone Crossing Subdivision and we will begin with the staff report. Or should I say we will finally begin with the staff report.

Hersh: Mr. Chair, Commissioners, the applicant has submitted applications for annexation and preliminary plat for Farmstone Crossing Subdivision. The site consists of 33.89 acres of land currently zoned RUT in Ada county, located at 820 Black Cat Road. There is currently no history on the property. The Comprehensive Plan FLUM designation is mixed employment. The applicant is requesting annexation of 33.89 acres. Again, from RUT to ME zoning. The development abuts mixed use employment designated to the east and borders I-84 to the south. The development is proposed to have access to a collector street as desired and medium high density residential uses are proposed to the north and light industrial to the west. Allowed uses in the ME district consists of offices, medical centers, research and development facilities and light industrial and ancillary support services. The areas intended to develop with approximately 378,360 square feet encompassing various potential uses like office, light industrial operations, flex space and research and development components, such as

distribution and light manufacturing. The inclusion of loading docks on the elevations for the proposed flex buildings implies that all the intended uses are primarily related to distribution and warehousing, which requires a conditional use permit in the ME zoning district. The proposed preliminary plat consists of six building lots and one common lot on 27.59 acres of land in the ME zoning district for Farmstone Crossing Subdivision. The subdivision is proposed to develop in two phases as shown on the preliminary plat. Staff recommends that the collector street, which will be Vanguard Way, be constructed prior to development commencing on the property. Additionally, the first phase of develop -- development should encompass the construction of both the ten foot detached sidewalks along South Black Cat Road and Vanguard Way, including the entire street buffers. The second phase of development should encompass the completion of the remaining ten foot pathway along the I-84 interstate. According to the GIS imagery, there is an existing home and other historic outbuildings adjacent to Black Cat Road that will be removed upon development of this subdivision. Staff recommends that the applicant preserve some elements of the historic buildings. The applicant presented their proposed plan for the existing silos to the Historic Preservation Commission on January 25th with the following options: Option one involves careful disassembling and storage of the structure with the intention to find an interested agency that may preserve the silo on another site. An agency would need to be identified before disassembly or prior to the commencement of the road. Alternatively, if no interest -- interested agency is identified prior to the commencement of the road construction, then, option two entails utilizing some materials from the silo in the construction of the monument. The meeting conducted with the Historic Preservation Commission expressing preference to recommending to the Planning and Zoning Commission that both existing silos be disassembled and reassembled at yet to be determined future location. It was emphasized that the specifics of the location be clarified prior to disassembly and the new site would need to be determined within a reasonable period of time. As an alternative proposal the Commission advocates for the creation of a scale replica of the facilities on the current site. The Historic Preservation Commission wishes to review the details of the proposed monument with the initial certificate of zoning compliance submittal for the site. Additionally, the Historic Preservation Commission wishes to retain the ability to provide comments on the final proposed monument presented by the applicant. As part of the first phase of the development all existing structures that do not conform to the district setbacks must be removed, except for those agreed upon for the historic preservation. The proposed preliminary plat appears to comply with the dimensional standards of the district. Access is proposed -- proposed to be provided from the northern boundary of the site from the extension of Vanguard Way to Black Cat Road to the west. Vanguard Way is designed as a collector street in accordance with the master street map and the transportation system in the Ten Mile area plan. A driveway is proposed adjacent to the property to the east for future extension. Vanguard Way should be constructed in accordance with Street Section C, which is in the Ten Mile area plan, which requires two 11 foot travel lanes, six foot bike lanes, eight foot parkways, with streetlights at pedestrian scale and a minimum of six foot wide detached sidewalks. The applicant proposes a modification of the street section to include a ten foot wide detached sidewalk, pathways in lieu of on-street bike lanes, which is required by ACHD as set

forth in the master pathways plan. Prior to submitting the final plat the applicant shall coordinate with the property owner to the north and the east to construct Vanguard Way and deed the right of way to ACHD. The applicant should ensure that the intersection of Vanguard Way and South Black Cat Road aligns with the entrance of the Black Cat industrial project on the west side of South Black Cat Road. The applicant is proposing two curb cuts off a Vanguard Way, the planned collector street in the Ten Mile area. In accordance with the UDC multiple accesses off of arterial or collector roadways shall be restricted. The applicant has chosen to eliminate the curb cut aligned with the proposed subdivision to the north and has, instead, opted for the one closest to the intersection of Black Cat Road. Typically staff recommends that the curb cuts align directly across roadways. However, staff supports the offset change given that the entrance effectively highlights the features of the proposed plaza provided it adheres to ACHD's requirements. Additionally the applicant has proposed establishing a shared access on the east side of the site in collaboration with the property owner to the east intended for the future access. Ten foot multi-use pathways are proposed on the site in accordance with the pathways master plan. One segment follows Vanguard Way across the northern portion of the site. One segment runs along the southern boundary within the street buffer along I-84 and the other segment runs along the west side of the site adjacent to South Black Cat Road to the plaza on the north. The proposed pathway is intended to cross the drive aisle between buildings one and two that are proposed. Staff recommends removing the loading docks for the rear of buildings one and two to mitigate potential conflicts between pedestrians using the pathway and delivery trucks accessing that area. All proposed sidewalks and pedestrian walkways look to meet the UDC code requirements within this proposed development. A minimum of 25 foot wide street buffers are required along arterial streets, which would be South Black Cat Road and commercial districts and a 20 foot wide street buffer is required on all collector streets, which would be the Vanguard Way. The buffer may be placed in an easement rather than in common lot according to the UDC. A minimum of a 50 wide street buffer is required along I-84 landscaped per the standards in the UDC, which requires a variety of trees, shrubs, lawn and other vegetative ground cover. The proposed dimensions appear to meet the requirements of the UDC. However, there is a lack of combination of planters, which would be shrubs and rock mulch with the buffer along Vanguard. The applicant has provided 52 trees and only 34 are required along Vanguard. Staff does recommend the applicant enhance the street buffer by removing some of the trees and incorporating additional planters instead. Landscape buffers along Black Cat Road adjacent to the open drainage swale lacks vegetation in front of the ten foot pathway not meeting the UDC requirements. The applicant -- the applicant is proposing a plaza area between buildings one and buildings two featuring benches, a pergola, landscaping and potential historic monument of the existing silo on that site. The applicant should revise the landscape plan to reflect landscaping within the buffers along Black Cat Road and the drainage swale in front of the ten foot pathway in accordance with the UDC. To improve the integration of this property with the neighboring ME zoned property to the east staff encourages the applicant to consider removing the entire landscape buffer along the east side and coordinate alignment of parking with the adjacent property owner. This would facilitate shared access to the east and improve integration with the property -- eastern property. All fencing that is

proposed for this site meets UDC code. Off-street vehicle parking is required for the proposed commercial subdivision as set forth in the UDC. Based on approximately 378,360 square feet of proposed floor space a minimum of 757 off-street parking spaces are required. A total of 764 off-street parking spaces are proposed, so seven additional than what's required. Based on the 764 spaces a minimum of 31 bicycle spaces are required to be provided. None are proposed. Bicycle facilities should comply with the standards in the UDC. Bike racks should be provided as close as possible to each building entrance totaling 31 spaces or in a designated area within the plaza. Staff is recommending the removal of the loading docks at the rear of buildings one and two, which would create additional parking. Staff recommends the applicant submit revised plans incorporating the aforementioned with the CZC application. The applicant has submitted conceptual building elevations for the proposed flexible buildings and light industrial. Building materials consist of horizontal metal Hardie board plank siding and white wood color stucco in dark and light gray colors. Metal awnings. Gray wrapped cornice molding. The proposed conceptual plans are not approved. Final design must comply with the design standards in the architectural standards manual and the design -- design guidelines in the Ten Mile area plan for the commercial designation. A certificate of zoning compliance and design review application is required to be submitted for the approval of a site building design prior to submittal of building permit applications. There are no written testimony for this property -- or this project and staff does recommend approval of the annexation and preliminary plat per the conditions of the staff report and the findings and that concludes staff's presentation and will stand for any questions.

Seal: Thank you very much. Would the applicant like to come forward? Good evening.

Bailey: Good evening. Thank you, Mr. Chairman, Commissioners. My name is David Bailey with Bailey Engineering. My office address is 1119 East State Street in Eagle, representing Trilogy Development for this development Farmstone Crossing. Thanks, Stacy, for a very complete report and as we all know we have diverged a few times, because we have got some serious history here. We have actually been working on this for about -- almost three years now to get it to this point to deal with the pieces we are looking at. So can I get my presentation? Okay. So, Farmstone Crossing Subdivision -- and as Stacy said, the project is located north and west a Black Cat Road and I-84. There is an out parcel in the -- in the southwest corner there and that's an ITD storm drainage pond. It will stay there, so it's not to be developed -- it won't be developed in the future. To the north of us is the proposed Avani Subdivision, which I think was before the Commission here just a week or so ago or two weeks, then, is headed for the City Council I would assume. To the east of us is the Vanguard Subdivision and that property is owned by Adler and they are actually working on the development plans for that and bringing sewer down there now from the north from Baraya and working on the design plans for the Vanguard Street to our eastern boundary and I will talk a little bit more about that later. To the west is that the -- Black Cat is an industrial subdivision that was approved over there. I believe there is one of the hospitals -- I think it's St. Al's sundries center is going to be a pretty significant operation they got and, then, they have got a variety of uses to the west here that all fit

within the same zone, although they are not in the Ten Mile plan area. They were very consistent and they are well underway on construction. So, they are zoned ME to the west. We are proposing a mixed employment zone. Same to the east. To the north is medium high residential and to the northwest as that light industrial from the -- from your future land use map. The zoning we are proposing is ME within the -- within the area there and applies to the Ten Mile plan. A lot of discussion on the silo and, actually, that's been a lot of the pieces that we have worked on as we have gone along there. So, we have been aware, you know, from the time we have made the application and prior to that that there is -- this historic silo is on the site and -- I think we have got a good picture of it here to start with. Yep. So, there are actually -- this silo and, then, there is a tall -- much taller one that's on the site. They were documented by the -- by the -- I think it's by the city's or by the County Historical Preservation Society. It is eligible for registry on the national register, but is not registered in any areas. I don't have an official, you know, historic designation from that case, but we understand the importance of it and I understand it was as a granary and I'm not the expert on it, although we have got a lot of experts we have talked to about it. It was a granary that stored the grain in the sides and, then, provided a beating area within it. So, there is an enclosed building there. Those silos on the side are made from these blocks that were built in the early 1900s that have kind of an S shape at the bottom and top, so they are kind of keystone shaped and they were stacked and, then, wrapped with steel rods to hold those things in place together and they are poured on top of a concrete foundation. I'm an engineer, so I got to talk about the structural, you know, side of things as we go along. There was a poured concrete foundation underneath this that's there and they were stacked and put on top of that, but there is no -- the structural is just by them being held together by those bands and, then, that's a wooden roof that's built on cross -- on top of there and across and a wooden building in between. I don't think I have a picture with me, but it does stick out the back side of this a little bit. I guess I'm assuming this is the front and, again, I'm an engineer, so I do dirt, so I'm not really that great with buildings, but that's my understanding that this is the front and the look of this. So, it has some distinct features to it. Apparently these were somewhat common in the midwest in the early 1900s and that some of them were brought over this direction or constructed additionally in this direction. We have met several times on the site with -- with Blaine Johnston who is here. I'm sure he has some comments for you tonight. And engaged TAG Historical and as Barbara Bower and she brought in Fred Critchfield, who does artistic renderings of -- of this type of stuff and, then, we intend -- we intended to have them do the documentation of the historical piece here and -- from the very beginning and to create a monument sign of some sort that we had had Critchfield work on it and we built. I will go into a little bit of that further later on, you know, as we show you what we are proposing on here. So, as of -- and prior to that we had gone through and -- and looked at the location of it. We have tried to move the street around some with this thing and incorporate it into the site on here and as we have gone along ACHD approved the project to the left, Vanguard is where it is, and this -- the silo ends up being really dead in the right of way for Vanguard Street. So, the -- the location across to the west was approved with the subdivision there. The location of Vanguard to the east is here. We have met -- reached out to the highway district again and said could we move that to the north? We have talked to the neighbor -- to Conger Development

to the north of Avani and they were somewhat agreeable to moving in this stub. They wanted to talk about it. And, in fact, right now the -- in accordance with the conditions there that -- that this developer and Conger and the developer to the east do have a -- I think they call it a letter of intent or -- or -- or a memorandum of agreement of some sort to actually build Vanguard and the design of Vanguard is underway by -- not my engineering firm, but I think that Ardurra is actually doing the design on that -- on that road there and they are in design work on this and they are intended to get this built. It needs to be built for Vanguard to continue from the east and continue out to Black Cat and to provide access to the property on the west side here and so, you know, it's well underway heading that direction and so the condition to build Vanguard before we develop our property is certainly consistent with what we want to do and -- and -- and that's going to get built. Unfortunately, that's right in the middle of the road and so our take is that it has to come down, right, and it has to be moved, of course. We engaged Pacific Movers back very early in the beginning, asked them can we move this, right, and they -- they declined to provide us a bid to do that. They said it couldn't be moved without damaging the structure and coming apart. We had a structural engineer evaluate it and the structural engineer, Sage Engineering, has a letter on the file that says we could -- if it were to remain in the same spot we could fortify the inside of that -- that silo and probably have it be a safe structure to remain in the same spot, but in order to move it they thought that it would have to be disassembled in order to move the structure and pour a new foundation for it to move the structure from the site. When we went to Historical Commission -- I don't want to run out of time here, because I do want to talk about the project, too. We got a recommendation from a member of the -- from Ken Freeze on your Historical Commission to engage Kelly Moving also and they have been out there once. Not sure what they could do. They have been out there again for another evaluation to see if they could possibly move it. But, you know, when you move a house you jack up the house and, then, you pour a foundation you put it back down on that this. Can't be moved that way. They would have to jack up the entire foundation and, then, they would have to figure out how to put it back down and keep it safe in the meantime moving it that way. We don't know the exact final answer, but I suspected it can't be -- it can't be moved in that way. So, we propose that we take it apart there. We have not proposed -- and we are not proposing at any point along the way that we -- that we preserve or move the taller silo that's to the east of this. It's not a significant -- it's not of the same historical significance as the double silo and it's not practical to move and so that's not part of our discussion on that, although I think it was involved partially in the recommendation from your Historical Commission on that piece of it. So, our take now is we would like to take it down and -- and move it if we have somewhere to be identified where it's going to go to. We don't want to destroy anything in the process of that. So, our site -- we don't think it's really appropriate on our site to rebuild it there on our site and we would prefer to provide a pretty substantial monument using some of the site materials, using some of the materials there, so to preserve that history, it would preserve a board on that and build that piece of it. So, I will kind of jump -- jump ahead there. So, this is probably round three and there is probably seven rounds of -- of design on this monument before we get there. But the idea is to keep the look of that, some structural size. The monument in the center would be professionally produced and we had photos of this and all the entire history. We have documented a

monument for the site. There would be a plaza around it. It would be in our central gathering area there and the size and the materials and that we fully expect that we will go through your Historical Commission and do that at the CZC point that we would have that approved by the city before we would build that monument. On the project preliminary plat, as Stacy said -- I don't want to jump on that a whole lot more. I will bring out here that I think there is some confusion. We don't have any loading docks proposed on any of the buildings except for building six, the distribution and manufacturing potential building. Those things that are drawn on there are actually parking spots with landscaping next to them. So, we don't object to any of the conditions, you know, about removing the loading docks. We didn't have those intended there. Those are intended to be flex spaces. They are used by a plumbing supplier or a contractor. They have offices in the front. They have a warehouse in the back. The little -- little squares that are shown there are just a single overhead door for the back of those. So, they be light industrial, you know, supply contractor type spaces and they work out pretty well in that area. So, they look really nice to be on that. They would be fairly tall as you saw on the renderings and they could have upstairs office space as well associated with that. Essential gathering plaza we have here and we have moved this around a couple times and this here allows us to keep this next to this pathway. This connects the pathway from I-84 all the way along and connects back to Vanguard and, then, this path continues to the west. As Stacy stated, we -- we would like to have that ten foot multi-use pathway along the south side of that. You know, we are going with what ACHD said for the road section and what they are building to the east. We are fine with whatever road section is appropriate for that. We do have all these turn lanes and everything we have to build at that intersection there as well associated -- not -- no problem with that. The access here -- and we have worked with the neighbor next door and they have this plan in their design thing there to do the two accesses to the site and they do meet the offsets of -- of the -- of the highway district on that. So, we are fine with all the ACHD conditions on this. We are fine with all the city's conditions on this -- you know, everything in there. I understand there is some tweaks to the landscape plan and we will bring those in with the -- with the final plat, you know, and meet the city's requirements associated with those. So, a few changes as we have gone along, but we really think this meets the requirements and we think that there is a -- there is a possible solution for the silo, but we really can't get anywhere until we move this thing forward and get it -- get around to designing it and seeing what we can really do on that. So, we are requesting your approval of it. So, the pathways I already talked about. And, then, we showed the renderings of the buildings on here. We agree to all the conditions of approval and we are requesting your approval of this, so we can move this forward and get this thing taken care of. I would be glad to stand for any questions.

Seal: Thank you, David. Commissioners, do you have any questions?

Bailey: Am I close?

Seal: Oh, you are well -- you are well within. You can ramble for a couple more minutes.

Bailey: No. I'm good.

Seal: Any questions?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: So, in the staff report there were two very vague comments and so I just want to kind of get an idea. So, the next steps after Planning and Zoning is, obviously, go to City Council, but to move the silos would be a commencement of road construction. So, if you get approval within the next, you know, 90 days from City Council what -- what's your -- what's your tentative time plan as far as commencement of road construction for Vanguard? Do you see it in 2024? Are you looking more at 2025?

Bailey: So, this developer wouldn't be able to move forward fast enough to develop that and doesn't have, you know, the use for the build out of this. So, the construction of Vanguard is going to happen as a group effort of the Vanguard development, the Avani and this development here --

Lorcher: Okay.

Bailey: -- and move together with those. Like I said, someone else is doing that design. As far as I know both the city and everybody at Ten Mile and your new vertical BVA joint venture that's going into the east of this and everybody to the west wants this thing built yesterday.

Lorcher: Okay.

Bailey: Right? So, probably this developer is the least anxious to build Vanguard. That said, you know, I think it's probably going to -- probably going to be under construction and open next year. I would say in 2025. That's my guess.

Lorcher: Okay.

Bailey: They want it.

Lorcher: They want it done.

Bailey: Uh-huh.

Lorcher: And I guess the next question is that the comment of a new site would be determined within a reasonable amount of time. So, we are talking about the same thing, right, because it's in the middle of the road, so the road can't be -- can't be created until that's done. Have you -- have you even reached out to people who are interested in this historical silo?

Bailey: So, if we could identify somebody, you know -- again, been with the Historical Commission and we are not the people who are going to reach out to somebody, but we have agreed that we will -- the road group -- if -- if we get approved now you have got a condition that makes us disassemble that and hold it for somebody for a reasonable amount of time. Right? And so when that time is I don't know how we fix that. But I do know we can catch us right -- right here and get a condition on there that it will get disassembled, right, at a minimum, right, before that road gets built and I'm sure that you could probably also go through, you know, ACHD or whatever or the Historical Commission and say even if this developer gets denied we still want to save that thing, right, and -- and they are still going to build that road, so we are kind of on the side a little bit, except for the idea that if -- if you put a condition on us, now you have -- now you have got that in place, right, to get that disassembled. When that will happen, what's a reasonable amount of time -- what we propose is that this all has to be resolved by the time we get to CZC, because we are going to propose at CZC that we build this monument in place of what's going on there and it's my impression that regardless of the -- of the -- I don't get to tell everything that gets done, but I have here of some people who do things; right? It's my impression that regardless of whether someone else takes that silo or not, we are still building a monument in our thing that will include this sign in the center; right? And so I will probably get in trouble for saying that, but if that's a condition of it that we build -- we build our monument, you know, in there regardless of that and get that approved at CZC, I wouldn't object to that; right? And that makes it -- and we really think it's appropriate. This is an industrial area; right? And so we are not -- or, you know, heavy commercial area. We are not seeing a whole lot of foot traffic here. This is not going to be open for people to look at, you know, or see a lot, but we can get it an area here and if we had a -- a board in there that's preserved that history, you know, in a professional manner, you know, I think SHPO has been out there as well, too, you know, but we would have a professional do that documentation and preserve that, you know, on -- on a monument sign there that I think we might do better on or to the -- to the silo than just the silo sitting out there and where if we built the road around it or something, you know, in that case, so --

Lorcher: Well, I guess the truest thing I have ever heard and the saddest thing I have ever heard is that it doesn't matter what was there before, nobody will remember anyway, and so a negotiator for the impact area of Highway 16 said it doesn't matter what was there, nobody's going to remember and that's the sad part of our development in Meridian is that we are taking away what made Meridian to begin with and I completely understand that this entire area if -- all that is going to be to the east of you. We have got that new transportation -- or excuse me -- industrial to the west of you, plus Highway 16, development needs to come, but being able to kind of hold onto those small little nuggets of history is going to be important for our community. Otherwise, we are just anywhere USA; right? So, you know, I wish you could move it to my farm down the street, but I don't know how to be able to do that. But it's -- I'm glad that you have taken the time to be respectful of the silos, regardless of whether they stay or if the monument is made and, you know, to be able to be aggressive, to be able to get it out in the media for some developer to be able to move it to there, so that it can stay within at least in the Treasure Valley, if not Meridian. So -- so, thank you for being conscious

of that and, hopefully, we can kind of -- you know, to assume that ACHD won't kind of work with you to kind of make a little bit of a curve to be able to keep them there, but hopefully we can take these vague time frames that are within the staff report and find a good candidate for the siloes.

Seal: I had to jot down a note, trying to keep up with what I'm supposed to be doing here. Just -- I have questions on it, too, but the timing of option one, which is basically take it down, move it somewhere else, what -- what kind of a timeline would you like? Because you can't store it forever, obviously. So, I mean what kind of timing would you guys think is appropriate for that or --

Bailey: When -- when we come in with the CZC for the site -- for the site construction. So, at that time, you know, we are going to build the site. We are going to store it on site until then, if we take that down, and so at that time when we go to construct the site, either someone's going to take it or it's going to go away at that point --

Seal: Okay.

Bailey: -- because we are going to -- we are going to build the monument. It would -- would be what we are proposing as the -- and that's a definite time frame. We know that prior to disposing it we are going to have a solution to document it, preserve it in a different form.

Seal: Okay.

Lorcher: Mr. Chair, one more.

Seal: Go ahead.

Lorcher: Did -- did you talk to the Agros family at all about the silos? Did they have any comments about it?

Bailey: I did not personally myself, but -- and I don't -- I don't know who has, you know, within this. So, they have talked to the -- you know, the people who did the documentation on it and it would be part of the discussion for TAG Historical to have that discussion with them to make sure that their -- their history on it is preserved on the sign as well.

Lorcher: Okay. Thank you.

Seal: Okay. I can get to some of the -- some of the other stuff later, because we have got public comment and things. Commissioners, any other questions? Commissioner Smith, you look like you are ready to ask a question to me.

Smith: Mr. Chair, it's more of a -- kind of just I'm mulling it over and I'm kind of have a similar opinion. It seems as the rest of this is I wish the situation were different around

this, but, then, again, I echo Commissioner Lorcher's appreciation of trying to respect the history and I think at the very least, you know, a monument and, you know, working to try to find somewhere for this to go, ideally nearby, would be -- would be awesome. But there are realities of, you know, how ACHD has kind of set things up here and how this development is going as a whole that are kind of outside of the applicant's control in a lot of ways and so I don't really have a question there, it's just -- just some -- some thoughts and some pensiveness if you will.

Seal: Madam Clerk, do we have anybody signed up to testify?

Lomeli: Thank you, Mr. Chair. We have Blaine Johnston.

Seal: Thank you. Good evening, sir. We will need your name and address for the record, please.

Johnston: Mr. Chairman, Members of the Commission, my name is Blaine Johnston. My address is 6138 North Demille, Meridian. I am president of the Meridian Historic Preservation Commission. So, I appreciate the opportunity to come to speak before you. I appreciate Commissioner Lorcher's comments on the history of Meridian and it's slowly disappearing as this development goes on and on. Our goal as a commission is to preserve and protect as much as we can the history of Meridian and our main goal for this development -- is it possible just to retain that -- those double silos on site. That's the last existing dual silo -- silo granary in Ada county. That's why we are intent on, if possible, keeping it there. With that said, with the roadway -- I don't know if it's possible, but I appreciate the applicant's consideration, his sign he put in for it. Staff report on the history and what it means to us. I think the only thing I have to say is to add, after listening to the applicant's testimony -- I don't know if it's possible to have a condition on this is to get a final answer for that second moving company for approval before it moves to City Council or before City Council's approval of it. So, if it can be moved or not. I think that's the big thing right now. If it can't be moved I think it would be great to keep it on site -- slash work for everybody else and it retains part of the historical integrity of that building. So, with that I'm open to any questions.

Seal: I have got a question on this. I have about a billion ideas floating around in my head, because --

Johnston: So have I.

Seal: Yeah. To be honest, this is the first time -- I have been doing this for about six years. This is the first time that something of a historical existence has come through that we are -- that we are talking about, so --

Johnston: I have been on the commission for 11 years and this is the first time we have ever had an applicant come before us and the first time I have ever come for P&Z to testify. So, I hear you.

Seal: Yeah. So, it's -- to me it's important, because we have had a lot of feedback from -- from the residents of -- of Meridian about, you know, losing our history, as, you know, we -- we progress with -- with building the city out in the future, so -- I mean something in the back of my mind with this is if -- if we can move this -- I mean, obviously, where it's at -- it's going to have to be disassembled and moved, so -- and what the applicant is saying that they would like to -- regardless of if it goes somewhere else or not, they are going to do some kind of historical preservation on site to mark the -- to mark the area, which I think is a good -- you know, an important consideration of this to mark the site and have areas like that available within Meridian, but -- I mean would the -- you know, what the Historical Commission be -- in the back of my mind I have always wondered what they are going to do with the northeast corner of Ten Mile and Franklin, something along those lines, or in the middle of a roundabout one of the big ones or something along those lines. Like is that something that -- from the Historical Commission perspective is that something that would kind of ring true for this piece of --

Johnston: I think if the roundabout is big enough I don't see a problem. I think that would be a great use for this structure is to be in the middle of a roundabout. People would see it. They couldn't stop and look at it, but they could at least say, okay, yeah, that's -- that's part of our history. That's -- that's -- the history of Meridian is agriculture and all that. Yes, I think that would be a fantastic use if it's possible.

Seal: Okay. Just wanted to kind of check on that.

Johnston: Yes.

Seal: Like you say, I mean it's -- it's -- speaking about it, I just want to make sure it doesn't take over the whole application, but at the same time it's something that we are going to talk a lot about, so I would imagine -- so, appreciate you coming in and talking to us. Commissioners, do we have any other questions? Any comments? No?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: So, it would be up to City Council's determination whether or not they have a budget to be able to retain it as a city monument; correct?

Johnston: Correct.

Lorcher: You don't have any funds to be --

Johnston: No, HPC doesn't have any funds to do anything like that. So, it would be up to City Council if -- to move it on city property, yeah, it would be up to City Council to appropriate the funds for it. I have talked to a couple of developers that may be interested, but they don't know yet. So, a lot depends on what the outcome of this Commission says.

Lorcher: I guess my only other comment is -- is when I first started with this Commission for Planning and Zoning and talking to the Mayor -- and this is my -- starting my fourth year, so I have been around for a little while. It's been challenging to get Meridian City Council to be interested in our history and to preserve things. It's about growth. It's about smart growth. And I appreciate that. But, again, if we lose who we are, then, we are just Anytown USA; right? So, I don't know if we can put that as a condition in our motion to City Council to look at the opportunity to retain it as a city monument somehow. Is that -- I'm not sure if we can even do that, but, you know, that would be the most important thing to even -- so, it doesn't leave Meridian.

Johnston: Correct.

Lorcher: Because it was suggested in one of the reports that it goes someplace else in the Treasure Valley. Well, if it ends up in Harris Ranch or, you know, in Mountain Home or someplace else, it -- it loses its designation -- or the distinguished part of being part of Meridian.

Johnston: I agree with you totally.

Lorcher: Yeah. So -- okay. That's all I --

Seal: Thank you.

Hersh: Mr. Chair, Commissioner Lorcher?

Seal: Yes.

Hersh: So, Commission can recommend that -- that -- to City Council that you would like them to preserve it somewhere as a recommendation.

Seal: Anybody else? Thank you, sir. Appreciate your time.

Johnston: Thank you.

Seal: Anybody else signed up?

Lomeli: Mr. Chair, no one else has signed up.

Seal: Anybody in the audience want to come up and testify on this? No? All right. Would the applicant like to come back up?

Bailey: Mr. Chairman, Commissioners. And thanks, Blaine, for -- for coming in here and talking about that stuff, too. And I think we do appreciate -- but I want to reiterate that -- you know, that we have taken this seriously as we have gone along and we would like to see a solution for it, too, you know. We are not -- we are not in that range of -- of trying to get rid of any history in Meridian. But we are stuck with, you know, where we

are and with -- with certain constraints on that. You know, basically we are kind of open to -- if you have suggestions that go there -- we are trying to set this so you can move us forward here and I think that's important for a couple reasons is, one, that, then, we can plan for what we are going to do and, two, if we don't move forward, then -- then we are out of the decision making process on -- on it anyways. So, with that said, if -- we would rather move forward tonight with -- you know, with your condition than be deferred, because we don't think we are going to find out anything from now -- or for some period of time; right? And, like I said earlier, while Kelly Moving is still looking at that, they have been out there twice so far and I haven't seen a proposal for them and I have talked to them and I do know from a structural perspective that -- that this is going to be a really hard thing for someone to take on to pick up the entire foundation, stabilize that building, move it and, then, give us a building permit at the other end. That said, he is going to have a tough time, you know, giving us a building permit. Structural engineer is going to have a tough time with that. So, I just don't feel it's possible and we will continue to investigate and if they say, yep, we can do it and we are going to do it for this price and it can get there, I will probably try to talk to the developer into doing that; right? But once it's up and moving it could also go to the intersection, too; right? You know. Or to -- to another site as well. So, now we have a lot of options and we have a backup option here with our proposal that at a minimum really maintains a good historical preservation of the idea of the monument itself and that's not the real thing, but -- but it's, you know, held to be close to that, you know, with the historical stuff. So, I guess I take it at that. And, then, we do agree with all the -- all the conditions of approval otherwise and -- and we would like to move forward with the approval of the project tonight.

Seal: Okay. Any other questions, Commissioners? All right. Thank you very much. Appreciate your time tonight. With that I will take a motion to close the public hearing for File No. H-2023-0045 for Farmstone Crossing Subdivision.

Smith: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close public hearing for File No. H-2023-0045. All in favor, please, say aye. Opposed nay? The public hearing is closed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: I will jump in on this one first, just to talk about the project itself. So, I actually like -- I like the layout. I like the -- kind of the form and function of it. So, I -- you know, I'm happy with those pieces of it. I mean it's -- it seems to be appropriate for the area. It's going to help Vanguard extension go in. I did have a question for staff on Vanguard. Do you have any estimation on when that might be complete all the way through to Ten Mile? To mile high.

Parson: Mr. Chair, Members of the Commission, I don't, but I can tell you that I have been at all of the meetings where those discussions are occurring and if -- what's being planned for that area it does occur it will need to happen sooner rather than later, just because of the access issues out there. So, the applicant was correct in stating that it will happen fairly quickly and met with the applicant or the design firm that is putting that together. It has not been officially submitted to the city or ACHD for review yet, but it is imminent.

Seal: Okay. Thank you. Yeah. I mean Black Cat is a -- it's -- it's kind of sticking to me, so I don't -- I have -- I struggle with its ability to properly provide for the amount of traffic that's going in out there, but I also understand that it's -- you know, it's something that ACHD and the city are trying to bump the priority on and get that taken care of, so happy to see some of the stuff going and be developed. On the -- just on the historical portion of it, you know, as -- as some type of monument is developed for this my -- my hope is it's something that can kind of be seen from the freeway. I don't know if that's even a possibility, but something that kind of marks that that is there, so that, you know, when you are driving by on the freeway you say I'm by the -- you know, whatever monument it is. It's something that's recognizable. It's something that people can see as they drive in and out. And, then, as far as the -- you know, the dual silo itself, it's small enough -- the hope is that maybe they can move it somewhere that it is something that at least can be viewed. So, I don't know if they are going to be able to move it in its current iteration foundation at all, but, hopefully, move at least enough of it to preserve it in a way that people can visit it and it's -- you know, it's a historic marker for Meridian -- Meridian and its placement is such that, you know, it will be enjoyed by hundreds, if not thousands of people a day as they drive by it somewhere. So, we do have a lot of places that I think could accommodate that that are little slices that are really really hard to even conceptualize putting something in there. So, hopefully, that happens down the road. I mean I would love to see, you know, Parks Department, art commission, you know, kind of throw collectively some heads together and see what can be done with this. So, you know, I don't know if there is any budget for it or not, but hopefully the city can take on a large role in trying to preserve that piece of history. Anybody else? Commissioner Smith, go ahead.

Smith: Mr. Chair, thank you. Yeah. I echo what you are saying. I would also -- kind of extending that line of thinking -- of putting heads together. Also considering, you know, if this doesn't get relocated somewhere else, I mean the worst -- the worst outcome is that that wood or those materials become just scrap and so if something could at least be salvaged from that if we can't relocate the silo as a whole or in significant part, I would like to see, you know, some discussion of that as well. I think at the very least this -- you know, the monument -- I appreciate that, but there is -- there is probably more we can do and I don't know that this is -- the developer needs to do, but that we as a city can do to try to figure out how to continue the legacy of Meridian in the past as we kind of keep building the Meridian of the future.

Seal: Thank you.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I think about -- if you go down to downtown Boise -- and I'm going to get my streets wrong, but I think it's 5th and Grove or maybe 6th and Grove, there is a waterwheel there that kind of shows an open canal of where the water used to come through in open canals through the city of Boise and if -- they were able to kind of preserve just a little bit of -- a tidbit with a little park around it that kind of talks about, you know, what was here type of thing and we see that more, obviously, in Boise than we do in Meridian. We do have our historic walk down here with our homes, but not necessarily our farms, because they are further out. As an advocate of history I live and own Mr. McDermott's house at Ustick and McDermott. We have fought with ITD, because we are in the impact area of Highway 16. We have been able to save that house. It's a 1920s farmhouse. Most people -- I think the -- the bean counter said that it had no economic value and -- and that may be true on paper, but it's not necessarily true for our community and so being able to preserve these silos within the city, if we can actually -- what I have been trying to write to possibly suggest to City Council is that the -- the city considers retaining it as a historical monument before it's sold or given to another part of our community and the developer build some sort a monument to acknowledge that that space was there, because there is enough history wonks in our community that will want to remember that and then -- and try to find a likely candidate for the -- if the city is not interested in being able to retain it and our -- like you suggest, our park systems or a roundabout or somewhere in our city, that, you know, we can find a developer that can incorporate it. Those are my only comments. But I guess for the development part of it, based on what's happening on the manufacturing side on the west side and your development here was with Adler going onto the east, everything that you are doing for that site is appropriate.

Seal: Any other statements, questions, concerns? No? Absolutely. I will --

Lorcher: All right. I'm going to give this a go. As you can see I'm a little passionate about our history here in Meridian.

Seal: That's good.

Lorcher: Okay. After considering all staff, applicant and public testimony, I move to recommend approval to City Council of File No. H-2023-0045 as presented in the staff report -- I don't know if they are modifications, but I'm going to say including a proposal to the Meridian City Council to retain the dual silos as a historical monument within our city and not to be given or sold to another part of the Treasure Valley and the developer to build a monument on site to commemorate the dual silos for the hearing date of February 15th of 2024.

Smith: Kurt, does that sound okay to you from a legal perspective?

Starman: Mr. Chairman, Members of the Commission, I think it's a bit beyond your purview, but I think it -- as Stacy mentioned, I think you have the ability to make recommendations to Council. My -- my thinking is you have a concrete application before you and you have criteria in the UDC and the Local Land Use Planning Act, state law. That's your foundation and, really, your -- your motions and your recommendations should stem from that. I think that the way Commissioner Lorcher made the motion -- I think made it clear that you are recommending approval of the project as presented in the staff report and you have a supplemental thought that you are recommending to the City Council that's related, but it's supplemental thought. So, I think in that context that's appropriate. But, in fairness, I would say that's a bit beyond the scope of the Planning and Zoning Commission in terms of budget considerations and, you know, Council allocation of resources. That's really not really your purview, but I think the way the motion was crafted is sufficient and I think the Council can react as they decide -- they choose to do so.

Seal: Okay. Thank you.

Lorcher: I stand with my motion then.

Seal: Second still stand?

Smith: Second stands.

Seal: All right. Thank you very much. With that it's been moved and seconded to recommend approval of File No. H-2023-0045 for Farmstone Crossing Subdivision. All in favor please say aye. Opposed nay? Approved. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

7. Public Hearing for Reveille Ridge Subdivision (H-2023-0050) by Bailey Engineering, generally located on the west side of S. Eagle Rd., approximately 1/2 mile south of E. Lake Hazel Rd.

- A. Request: Annexation of 59.97 acres of land with an R-8 (34.69 acres) and R-15 (25.28 acres) zoning districts.
- B. Request: Preliminary Plat consisting of 247 building lots and 37 common lots on 59.77 acres of land in the R-8 and R-15 zoning districts.

Seal: All right. Finally get comfortable, but not too comfortable. At this time I would like to open File No. H-2023-0050, Reveille Ridge Subdivision and we will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next applications before you tonight are a request for annexation and zoning and a preliminary plat. This

site consists of 59.97 acres of land. It's currently zoned RUT in Ada county and it's located at 7355 South Eagle Road. The Comprehensive Plan future land use map designation for this property is low density residential on the eastern portion of the property. And that's approximately 31 acres of land. And medium density residential on the western portion of the land, which is approximately 28 acres. The low density residential designation allows densities of three or fewer units per acre and the medium density designation allows between three and eight dwelling units per acre. The applicant is proposing to annex 59.97 acres of land with R-8 zoning, which consists of 34.69 acres of land and R-15, which consists of 25.28 acres of land for the development of a residential subdivision. A mix of dwelling types are proposed consisting of 170 single family residential detached homes, 14 single family residential attached homes and 62 townhome units. The gross density is 4.13 units per acre overall and, then, broken down that's 2.96 units per acre in the low density residential designated area and 5.3 units per acre in the medium density residential designated area and that is consistent with the underlying future land use map designation. And note just -- I saw some -- several comments in the written testimony tonight and I just wanted to clarify that the density is no longer associated with zoning districts in the Unified Development Code. That did change back in 2017. The future land use map designations in the Comprehensive Plan dictate the density of each residential land use designation and no changes are proposed to the future land use map with this application. There is an existing home and accessory structures on this site that will be removed with development. A driveway exists from Eagle Road that will be replaced with a public collector street. Discovery Park, a 75 acre city park, exists to the west of this site. ACHD's master street map depicts two collector streets across this property. One from the southern boundary -- along the southern boundary, excuse me, and one along the western boundary of the site. Land transportation improvements in this area. Lake Hazel Road is scheduled to be widened to five lanes from Locust Grove to Eagle Road in 2024 and two five lanes from Eagle to Cloverdale in 2025. The intersection of Lake Hazel and Eagle Road is scheduled to be widened to five lanes on the north leg, four lanes on the south, four lanes on the east, and three lanes on the west leg to be reconstructed in 2024. No improvements are planned to Eagle Road directly abutting the site. A preliminary plat is proposed as shown to subdivide the property consisting of 246 building lots and 38 common lots on 59.77 acres of land. The plat is proposed to develop in four phases as shown on the phasing plan on the right. The first phase is located along the southern boundary of the site and includes construction of all collector streets within the site. Second phase is in the northeast portion of the development. The third phase is centrally located and contains the pond and most of the common open space for the development, including the linear open space within the Williams Pipeline easement. The fourth phase is the northwest portion of the development. Staff is recommending that the phasing plan is revised to switch phases two and three, so that the open space is provided in an earlier phase for the enjoyment and use of the residents. Access is proposed via South Eagle Road with stub streets to adjacent properties for future extension and interconnectivity. Collector streets are proposed in accord with the master street map, along with local streets, alleys and a common driveway for internal access. A 25 foot wide street buffer is required along Eagle Road, an arterial street, and 20 foot wide buffers are required along collector streets,

landscaped in accord with UDC standards. There is a large existing pond on the western portion of the site shown there on the plan before you that is proposed to remain as an amenity for the development. The Farr Lateral runs along the northern boundary of the eastern portion of the site within a 55 foot wide easement, 30 feet of which is on this site. The Williams Northwest Gas Pipeline bisects the site within a 75 foot wide easement. The applicant is requesting a waiver from Council to UDC 11-3A-6B-3A to allow the Farr Lateral to remain open as linear open space and not be piped. A six foot tall wrought iron fence is proposed adjacent to this southern boundary of the easement to preserve public safety. Common open space and amenities are proposed in accord with UDC standards. Based on the area of the site a minimum of 8.97 acres or 15 percent qualified open space is required. A total of 11.77 acres or 19.69 percent is proposed as shown on the common open space exhibit, consisting of open grassy areas of at least 5,000 square feet in area, linear open space, a pond with picnic areas and active and passive open space areas. A minimum of 12 site amenity points is required with at least one from each category. Twelve points are proposed, consisting of three picnic areas and a fitness course with six stations from the quality of life category. A half mile of multi-use pathways from the pedestrian amenities category along the Farr Lateral and along the Williams Pipeline easement. And a tot lot from the recreation activity category and a bike repair station from the multi-modal category. A six -- six foot wide pedestrian pathway is also proposed as an amenity within the common area around the pond. Staff is recommending a ten foot wide pathway proposed -- excuse me -- provided along TAPS for connection between the two multi-use pathway segments. So, real quick here are the -- the Farr Lateral is in this location right here, if you can see my cursor. This is one of the ten foot wide multi-use pathways along here. The other one is within the Williams Pipeline easement that bisects the middle of the site here and, then, the staff recommendation is to provide a ten foot wide multi-use pathway connection in between here. Several conceptual building elevations of one and two story single family residential detached, front-loaded and alley loaded. Single family attached and townhome dwellings, front loaded and alley loaded, were submitted as shown. Building materials consist of a variety of horizontal and vertical siding and stucco with stone and brick veneer accents. Final design of the attached units and townhome units are required to comply with the design standards in the architectural standards manual. Written testimony was received from the applicant Kelly Black, Bailey Engineering. They are in agreement with the conditions in the staff report. And 15 letters of public testimony in opposition to the development were received and are included in the public record. Some of the reasons for opposition include the following: Opinion that the proposed density is too high. The proposed development will greatly overburden already overcrowded schools and area roadways and will negatively impact property values of existing homes. Staff is recommending approval of the proposal with the requirement of a development agreement per the provisions in the staff report. Staff will stand for any questions.

Seal: Thank you, Sonya. Would the applicant -- applicant like to come forward.

Garrett: Mr. Chairman, I'm going to recuse myself from this conversation.

Seal: All right. Thank you.

Garrett: My primary residence is very close to this.

Seal: Okay. Thank you very much.

Allen: Mr. Chair, can you give me just a moment here before we start the time --

Seal: Absolutely.

Allen: -- get the presentation up. There we go. Thank you.

Seal: Thank you.

Bailey: Thank you, Sonya, and thank you, Mr. Chairman, Commissioners. My name is David Bailey. Bailey Engineering. My office address is 1119 East 8th Street in Eagle. Representing Trilogy Development for the Reveille Subdivision and thanks to Sonya for being really complete on all that stuff and Kelly Black with our office has spent a lot of time working through any issues we might have had at this and so we are -- I will show you a presentation here, but we are really pleased to bring you a plan that meets all your codes, meets all your requirements and exceeds, you know, what we would expect to see with -- within a development of this size as far as the open space and product mix and we think it's just a really fantastic product to go in that area. So, as Sonya said, it's -- it's west of Eagle Road and south of Lake Hazel and the city park is just to the northwest -- actually, our -- our pathway doesn't quite reach it, but it will reach it through -- it -- we actually touch at the very northwest corner and there is a subdivision approved to the north for Brighton -- I think it's Brighton -- that will actually continue our pathway along the Farr Lateral to connect to the park also. So, we expect a lot of great connectivity to go in that area. The future land use map shows this as civic with the park, medium density residential on our west side and low density residential on the east portion, as Sonya pointed out. So, low density residential is a -- is kind of an enclave of that designation within the FLUM. So, to the east of that is back to the medium density residential and to the south of that is as well. So, that's a piece that splits this in half. We were constrained by and met with the requirements of making sure that the development within the low density residential met the -- the requirements of that -- of the future land use map in that area. The pond in here -- this is the previous site of the -- of the Bogus Creek Outfitters and so it's a really nice pond, a really nice landscaping that we are going to retain quite a bit of and even make better and add more landscaping throughout the site and as Sonya pointed out, the -- the Williams Pipeline goes through the center, which is a restriction for us and we have got extra work to do to cross that. On the other hand, it provides a great central amenity and a great open space and Williams Pipeline does allow us to improve those with landscaping and pathways along them. So, it's a really great -- great amenity we can use in there. The zoning -- we are requesting for this site as -- as she said, R-8 and R-15 and the R-8 will be limited by -- in that northeast corner by our preliminary plat. So, we are proposing lots that are from R-2 in the northeast and -- and the north and the

east on that side or actually meet R-2 dimensional standards, R-4 transition and, then, down into the R-8 as we get closer to the west here and then -- so, we are -- we are -- we really think that we have made, you know, some -- some great efforts to meet the future land use map, but also to buffer and provide this really gradual transition of -- of lot sizes from those larger R-2 lots to the north. So, we have matched them exactly on the R-2 -- R-2 dimensional standards, at least on the abutting lots up there that were separated by the Farr Lateral. A hundred single family -- 170 single family detached lots total, 62 townhomes centrally located, most of them around the pond -- or access to the park and the pond specifically. Now, 14 duettes, which are two unit townhomes on there and the total, as she said, of 4.12 units per acre on the project. That shows a little bit where they are laid out and where the single family versus the townhouses and that are set together. We are required on the site -- you know -- and it shows up on the -- on the map and we are following through with that -- to bring the collector street all the way through from the western end of this, connects to the park through this area and, then, connects us all the way to -- to Eagle Road through this area. So, we are building the majority of that. There is -- another developer is working on the portion to the south who would build a half -- a portion of half of it on the very south end there when they bring in their project on that end. And one of the conditions pointed out is that we continue this regional pathway that goes through the Williams Pipeline across that little section to the south of our collector street there, which we are happy to do there and that will connect into their -- their pathway as well. Amenities for the site. We do have the -- the picnic tables with the shelters. The fitness stations along that pathway there. We really think this is going to be a great walkable community. A tot lot in here and bike repair station. And, then, we are in agreement with the requirement to add the -- the multi-use pathway, the wider pathway along the Tap Street that connects the Williams Pipeline pathway to the Farr Lateral pathway at the north end and there is a comment in the staff report -- and I think we got it resolved about extending our pathway along the Farr Lateral and the first thing I would point out is that there is the easement for the Farr Lateral, 30 feet there. We provide an additional 20 feet outside of that, right, and so -- that our pathway is in and there would be actually an open fence on both sides of that adjacent to the Farr Lateral easement and, then, those lots would have an open fence adjacent to that pathway along there, too, to keep that open. Those lots along that area are fairly large, too. You know, those are the R-2 side lots, so they are really -- really nice lots in that area. Several multi-use pathways and we talked about adding on there. I get ahead of myself here. Kelly's going to give me a hard time. Farr Lateral. And go back there. Go back. So, on the phasing plan we had originally planned to work over in this area. This first phase, you know, is the tough one for us, as we are building all the collector on the west side -- side and building the collector all the way through the site to connect to Eagle Road and we need that for -- and we are also bringing the sewer in from the west. So, we want to start in -- start in on that end. So, we were going to get across the Williams Lateral there and do some more lots in this phase two here. I understand the city's code requirement to make sure that our amenities are -- are not backloaded too far within the development and so the developer has agreed to the condition to swap phase two and three within the development here. To move those around. Meets the objectives of the Comprehensive Plan, as Sonya pointed out. We have a variety of housing types in here. The neighborhood connectivity, through

connected pathways, which we think we do a great job of in this -- in this here. Timeline on a build out for this would be in the range of -- you know, we will get through the process, we might be building the first phase in 2025 and, then, we usually do a phase every year and a half to two years moving through that -- that area there. So, we are looking at a 2031 possible build out on this if everything went right, subject to market demand, of course. We provided some elevations for the buildings in here and we do understand that the -- while the single family houses -- homes don't undergo design review, all of the duettes and attached housing need to go through design review with the -- with the city, as well at the CZC after that. Anyways, they have to go to design review if they are attached units. And that's all I have. I would be glad to stand for any questions you may have.

Seal: Thank you. Commissioners, do you have any questions for the applicant?

Smith: Mr. Chair?

Seal: Mr. Smith, go ahead.

Smith: Just to confirm I think I saw on the last slide -- you don't have any issue with any of the conditions in the staff report?

Bailey: We do not.

Smith: Thank you.

Seal: Okay. All right. I will just have you sit down, because we are pretty sure there is -- I'm pretty sure that people in the room are here for something and this is the last application, so --

Lomeli: Mr. Chair, Dave White I have signed up.

Seal: For anybody coming up to testify, we will need your name and address for the record when you -- before you start.

White: I'm Dave White. I live at 2884 East Darcy Drive in The Keep that's north of the subdivision. We have lived in either Century Farm or The Keep for the last three years and it's been a challenge moving in and out of south Meridian. Obviously, we know that, you know, development is a part of -- of living here and we love it. My -- our only request really was on the densities. I don't know -- based on my research it seems like it fits within what the staff is recommending that our infrastructure in this area, even with the widening and everything that's going on, it seems like when one road opens another closes and so it's really challenging for us. We also have a lot of kids that live in all these neighborhoods and we just want to make sure that we are not putting too much density all collected around, you know, this intersection, so specifically from a traffic and safety perspective. So, that's my -- that's my thoughts.

Seal: Thank you, sir.

Lomeli: Mr. Chair, the next person I have on my list is Jeff Lucky.

Lucky: Mr. Chairman, Council Members, my name is Jeff Lucky. I'm currently residing at 4355 South Langdon Avenue in Meridian. I sent a letter. I don't know if you had the chance to read it. If you want a feel good you might, because I complimented you significantly in there for what I see is people embracing the vision and values of the community for growth and frankly think you have done a very nice job. I purchased a plot of land at The Keep three years ago. I waited to begin building until just recently. I made the decision. I saved up all my pennies and I decided that I could afford to live in a low density housing community and I made that decision on the data that I read from June of 2022, which showed the land here in question as low and medium density. So, that's why I'm standing here. I am seeing what I believe in that vicinity -- what I think -- and I'm not an expert -- a -- a disproportionate amount of medium to high and high density approvals for -- for zoning, but I'm not challenging that, because I actually think you are doing a wonderful job in managing the growth of the community. What I am challenging is the concept of annexing further and, then, compression -- compressing what was already color coded as low and medium housing and making it something different. I started researching this when I heard this was coming about and for the life of me I cannot find anything that talks to growth of Eagle Road south of the intersection at Lake Hazel. The intersection coming. The feeders going all the way down to Locust Grove and the other way -- all of that is -- you know, huge roundabouts looking fantastic, but you take one step south of Lake Hazel on Eagle and all you see is a sidewalk for The Keep across the street -- if you step off the road you are going into the ditch and I mean you are going down. You go up a little further you have got Sky Break -- I'm going to round up to 300 or so homes in there and, then, you go down further, you go past the church that's there and, then, you get to some properties that this property that we are here in question kind of wraps around and my question is was there a study done for traffic improvement that would support five seven -- one thousand doors in that short vicinity along Eagle Avenue? And if there hasn't been a traffic and safety impact study -- I would first ask why, but I would also caution you to think about it, because I am trying to figure out how a child gets on a bicycle and goes down the road towards the intersection of Lake Hazel. Now, it may not be this developer's problem, but it's somebody's problem and the safety of the children is paramount. So, growth is one thing and challenging the rate of growth, but you have to do what you have to do. I would ask you to take pause and think really hard about annexing compressing without something factual about the safety of the roads right outside the property.

Seal: Okay. Go ahead.

Lomeli: Mr. Chair, those were the two that we had called marked that they wished to testify. The others on the list did not mark that they wished to testify.

Seal: Who would also like to testify? Just have to raise your hand. Come on up, sir.

Miller: My name is Brian Miller. I live at 6876 South Pemberley Place and my -- my house essentially backs up -- I think we saw it in one of the pictures that was up, so -- so, I -- I appreciate that you have been willing to take the comments on this subdivision. I'm here to express my -- my position that this should not be approved at the current density that the developer is talking about. Many organizations in our communities make their plans around our future land use plan that has been in place now for several years. When the plan -- as we have talked about roads before, it's simply the rebuilding the Eagle and Lake Hazel Subdivision -- or intersection right now based on what was probably what they thought would be the use going south. If you are in any of those subs -- any of our other organizations who are also making plans around that, could probably reasonably expect that land to have had 80 to a hundred houses on it based on that designation and now it's over 250 is the proposal. I mean that's a massive expansion. If we were to consider for the schools, for instance, right now Mountain View and -- and Victory Middle School have the highest attendance in the -- in the West Ada School District. This is an area in which I'm not sure if the developers contemplated which school will these -- the subdivision would attend, because the school district boundary cuts the -- the development essentially by about one-third into Kuna and about two-thirds into West Ada. Kuna is so overcrowded they can't pass a bond. They are bursting at the seams. They have been asking for developers to contribute at least 3,200 dollars per house to the building fund, so that they can help contribute to new schools, because they can't fit anymore students in. Meridian Fire Department in their comments on this very subdivision pointed out that there was risks associated with it, that they can't meet the current response times, that they don't have water rescue. There is both a canal and a pond has been pointed out in this subdivision, yet many of these kinds of concerns could simply be allayed by reducing the density. By reducing the number of people in that area we reduce the risks of needs for the fire, for water rescue, we can reduce the need to have additional buses on roads and additional schools being built. I'm not saying that subdivisions should not be built, simply that the density is too high. All of these answers -- all of these entities in our neighborhood and our communities have planned on being able to build around this. I would like to point out that in -- as -- in the proposal Bailey Engineering offers no compelling reason why they should go to high density, simply that they would like to build a lot of houses. They don't say that there is any benefit. They point out things that there are connectivity and -- and amenities, but all those could be done with low density housing as well. There is no compelling reason to do this, except for the developer's profit. I mean there is people here today in this meeting who have made their decisions, who have made their plans, in addition to all these organizations in our community. Those should matter more than developer's profits. It's nice to see them want to turn a profit. I'm sure they can on a medium and low density housing. There is no reason -- Bailey has nothing that says, yes, this fits and that's all I really have to say.

Seal: Thank you very much, sir. Appreciate that. Anybody else? Sir, come on up. Good evening.

Langston: Good evening. My name is Jarron Langston. 6865 South Pemberley Place. Meridian, Idaho. 83642. So, I know a lot of you guys. I was a developer of The Keep

Subdivision and so I get all the feedback -- the colorful feedback. I think really the biggest concern for -- for the residents in my community there is really, obviously, the density. We have talked about safety. You know, I'm currently in the process of developing another phase of The Keep, which will be on the west side of The Keep phase one and when I had my neighborhood meeting with the residents there I kind of proposed a more medium density of development, of which, you know, they kind of -- the neighbor came to me and said, hey, we are nervous about the kids, we are nervous about safety or we are nervous about what this could potentially do to our property values. Is there any way you could do something similar to what you did with The Keep, you know. So, me, just like Bailey Engineers and their -- and their developer you want to be profitable. So, I went back to the drawing board, looked at, okay, what do I need to do and I went from 38 lots to 22, which is where I'm currently at, and so I think a lot of the concern here is that transition; right? They said that, yes, they have met the designation for the R-2 zoning -- or the size requirements. The average lot size in The Keep was 33,000 square feet per lot. The smallest lot in the community was 24,000 -- just over 24,000. Their biggest lot that's neighboring The Keep is about 12,500 maybe on average. So, I think if there was a transition of one to one at a minimum I think that would appease a lot of feelings within our community, especially for those residents that -- I know the Smiths that have a five acre parcel to the west and so do the Wilkins, who is a deputy for Ada county, and they have got, you know, now -- I don't even know. It's larger lots, you know, upwards of five or -- five to ten lots per their five acres, which, again, you don't expect a one to one maybe on the five acres, but, again, I think that transition -- if it could be a little bit healthier, a little bit larger would -- would appease a lot of problems and -- yeah, I think that's everything I would like to share. Thank you.

Seal: Thank you. Appreciate that. So, anybody else? Sir, come on up.

C.Smith: Craig Smith. I have the property at 7191 South Eagle Road, which directly borders the east portion of this -- this proposed development. I'm under construction right now and it just -- I echo what everyone else has said and it just -- I have five children and this is my forever home. I have five acres right here. I bought it. I paid a premium, because I thought that this was going to be low density, and it scares me for one thing to know that this road right in front of my house -- I think -- I mean like most of this community is going to be passing right by my property with my five kids. I also wish that right here where they have got -- it looks like about five dwellings per acre butting up against my property and the Wilkins just south of me, which are both five acre parcels, which there is no intent of ever putting any more homes on those parcels. That would just make a huge difference to me if -- if it just wasn't such a -- like they made concession to The Keep, but I even have a larger -- I mean I have got five acres there and we have got all these homes butting right up against us and I just -- it just makes me really sad to see that after what I have tried to create for my family. That's all I have.

Seal: Okay. Thank you, sir. Is there anybody else who would like to come up and testify? Ma'am, come on up.

C.Miller: Commissioners, my name is Carrie Miller. I live at 6876 Pemberley Place in The Keep. Maybe I'm a little too close to that. I just, first of all, want to thank you for being here and letting us talk to you. A little bit of my background. I grew up on a farm and my dad raised cattle and he had 10,000 acres of land and there was a spot on his farm where there was a preexisting pond that he asked that he could build a reservoir and that was to irrigate some of our crops and it was already on our property and in our thoughts it was going to provide more places for wildlife to be. However, it was denied for my dad and at the time I thought how could it be denied? And now I live in The Keep and my house butts up to this subdivision that is being proposed and if you had gone to the subdivision is this -- this -- this area behind our house, it is beautiful. The pond that they already pointed out and the big trees -- huge trees that are going to be cut down that are mature and absolutely gorgeous area. I'm not proposing that we don't have a subdivision, I am proposing that the subdivision that they are asking for isn't at all what we said that we were going to have when we first moved into this property. We have lived in Boise for 18 years and 17 of those years we have been saving to build our forever home and right now when we decided to build that place we were told that this was going to be completely different than what is being proposed and I feel like that some of that should be respected, some of those feelings and concerns that we have for those of us that have saved for a very long time to be able to build our forever homes. Thank you.

Seal: Thank you, ma'am. Anybody else like to come up? Going once, going twice. Oh, sir. Come on up. Give us your name -- name and address and ask for whatever you would like.

Pond: Matthew Pond. I live at 2865 East Wickham Court in Meridian in The Keep. Is there a picture of -- that's panned out with the -- the -- like the satellite view?

Seal: I don't know.

Pond: I thought I saw one that kind of showed the proposal with the other neighborhoods. Yeah. If we can kind of look at that and kind of toggle back and forth between that plat plan -- because the thing we were talking about -- they, you know, talking as everybody else has said -- and I honestly haven't spoken at a city council meeting since I was 12 years old for my Boy Scout award -- Boy Scout merit badge, so if we can look at The Keep plan, that -- that satellite view and we are talking about that transition. If we look here we have -- I count the two five acre properties, low density residential, plus one, two -- what is that four lots there in The Keep, zoned at the R-2 low -- low density residential and if we fast forward, the transition to the plat plan, looking at just that one area there is now where there were four lots we have one, two, three, four, five, six, seven -- at least eight lots I'm looking at, without looking at it there. So, I think a lot of people say -- and I'm just going to reiterate it again to beat that dead horse, you know, that transition -- it may be meeting the overall letter of the law, but definitely not the spirit of the law as far as, you know, that low density, the transition. You take away that little bit of a green space in the middle and you just kind of cover up like this, we are not meeting any of it. So, that the transition from what The Keep -- as

true low density residential with four lots in that area, up to whatever it was, eight or nine, I think that transition point is kind of what we are focusing on and kind of emphasizing. Thank you.

Seal: Thank you. Appreciate it. Anyone else? Okay. I will take a motion to close the public hearing.

Smith: So moved.

Lorcher: Second.

Seal: Wait. Would the applicant like to come back up? Sorry. It's not that we are getting tired of you.

Bailey: I would be. I get tired of myself sometimes. David Bailey again with Bailey Engineering. Sure appreciate the comments of the neighbors on this and -- and I sure get their concerns, you know, with the project. I guess -- I guess I would start with, you know, when we talk about traffic on this thing is that -- of course you guys and the highway district and everybody, you have done these -- these studies on these, you know, and we do the -- we do the capital improvement plan every -- like every six years. I have participated in three of them over 15 years and we take the city's comp plans first and we take the city's Comprehensive Plan and we decide how many lots are going to be in a particular area, going to impact the roads, and we build a model, which costs a lot of money to build that model and go through and plan these roads way into the future. What's going to happen. Then that boils down to a five year plan and, then, down to an individual plan. So, the improvements that you are seeing being built just to the north of this have been on the books for 20 years and they are -- they -- they come forward, because the model gives impact fees for the lots based on -- it calculates the impact fees based on the cost of the improvements that we are going to have to build when they are built. So, it's a responsive model that we have in the highway district and the cities and they all participate in this responsive model. As we build these we will provide the money to build the roads adjacent to them. In addition for every single project we do that has more than a hundred lots and this clearly does, you know, we provide an individual traffic study that takes into account all of that traffic information, projects that are in the process and have been approved, recent traffic studies and look at whether this is appropriate and it looks at improvements to not only within the site, but all of the major roads around and all of the intersections within a scoping area that they provide at the beginning. So, there is a lot of homework that goes into the traffic for these and one of the issues of this is that that collector street that we built through this whole project benefits everybody in the area. Benefits the projects to the west. There is an L&R project to the west which is -- which is, you know, connected in here, which will connect this street through to Eagle Road. Provides this mid mile collector. Provides fire access. Provides emergency services access and access for people to get to where they want to go, whether it's Meridian Road or Eagle Road in this area. So, you know, the traffic planning really -- really does get a lot of thought and I know I'm preaching to the choir here, but, you know, I guess when we get the questions asked

and I get a podium to answer I'm like -- I think I feel a duty to do that. This -- this project has been accepted and reviewed by Ada County Highway District. They have provided as conditions of approval, which we have agreed to and we are going to meet all the requirements and pay the impact fees they require for this project. We do not have a concern with the roads not meeting the requirements or that the roads aren't going to be there and I get it, Eagle Road is a two lane road right now, you know, adjacent of this site, but probably by the time it's built out we are going to be seeing -- be seeing that -- those lanes built out there and keep our neighborhood safe. I guess kind of the same thing goes for Fire, you know, is that that the Fire Department has reviewed this, they have approved it, we got a recommendation of approval from your staff and they are going to be able to provide, safe, adequate fire service to this site and we are confident of that and if we can't at some point, then, the city stops us regardless of our approvals; right? That's necessary to do. As far as the density of the project, you know, haven't been involved in the process since we use the Comprehensive Plans to build the -- the model that we do for the -- for this area for everybody's planning. They usually use in the mid to upper ranges of the comprehensive designation; right? So, we are talking about three to the acre on the low density portion here, which wasn't even taken up by The Keep. Granted they got bigger lots, but that -- that -- that density of use here for the planning we have done has not been taken up within that area and in the medium density residential they are probably going to use about four to five to the acre when they do their traffic model for that -- that end of it. So, I would argue that the -- the density of this project has been included in the plans of not only the highway district, but of your Fire Department of your city Planning Department, your emergency services, you know, and the sewers -- certainly the sewer water departments have this plan to provide adequate services. Schools as well, although a little more disconnected from this, and certainly the city has the ability to deny an application of the -- if the schools don't have adequate capacity to handle this. But I haven't heard any of that and the schools have -- you know, have not said a comment that we can't serve the children in this community at this density. Comprehensive Plan is what it is. You folks create the Comprehensive Plan and their problem is not necessarily with this particular project, but their comments are about the density that's specified in the Comprehensive Plan and that's what we bring into you is something that is reasonable, has reasonable density transitions on it and provides the open space that you require and provides what we think is going to be a really nice community for these folks and will not negatively impact these neighbors. Large lots next to a five acre lot. That lot could develop into -- into R-4 for reasonably. It's in the -- it's in the low -- you know, you bring that -- bring that in here with an R-4 development on that, even though they don't intend to improve it, it's still eligible for that and so what should we say, well, we will make bigger lots if they want to reduce their density in the future. It just doesn't work that way, you know, as we go along. We think we have provided a great transition across that Farr Lateral, so that these homes in this area will not impact them. We don't connect directly to their subdivision. Traffic won't go through there. Even pedestrian traffic from this development will not go through there, you know, and we have quite a bit of separation between those homes, which are on rather large lots to the nice homes that will be on -- on rather large lots adjacent to that, so -- now as far as a compelling reason, you know, we think this thing brings a lot of benefit to the people who live here and who will be

members of the community and it brings a lot of benefit to the city as well. We get a pathway -- we get pathways in here. We get a collector street built through here. We get nice amenities in here. We get connections to your city park. We get connections between Eagle Road and Meridian Road and we just add to the character of the community, which is very consistent with your comp plan and the goals of that. The landscaping we are doing, everything we do within there is really consistent with building more of the Meridian you asked us to bring you, right, with your comp plan and your standards. So, that's how we got here. I hope I addressed stuff there. But if I didn't I would be glad to stand for any questions.

Seal: Okay. Thank you, David. Commissioners, questions, comment? Oh. Hold on. Hold on a second. Yeah. Generally we are not going to call you back up. So, if there is --

Starman: Mr. Chairman --

Seal: Go ahead.

Starman: Mr. Chairman, you can make a decision, but, you know, we can't have comment from the audience. We can't pick it up for the record. So, I think either you as a chair can make a decision to invite the gentleman back to the podium if you want. That would be atypical for probably not take testimony from -- from the audience, because we can't capture that for the record.

Seal: Understood. So, at this point I -- I -- and I can probably address some of that as we go into comments, so --

Smith: Mr. Chair?

Seal: Commissioner Smith, go ahead.

Smith: I do have a question. So, I'm going to be completely honest, I think the western half of the project I love. I think it's great. And I think I'm close to the eastern half of -- the eastern half as well. I do -- I get some of the concerns about the transition and I know that you have done -- you have made efforts to kind of create a transitory space. Looking at kind of some of the numbers, what it looks like in that low density range, you are kind of pushing the upper end of the low density, but on the medium density area you are kind of right in the middle of what that allotted -- allotted space is, so with that kind of a consideration I am just curious, could you walk me through -- and you don't have to go into detail -- but maybe how you arrived at like this level of -- this gradient I guess of increasing density as you get further west and south and why, just as an example. You don't have necessarily maybe larger lot sizes near the north, offset by maybe some townhomes mixed in at the bottom as to the transition, you know, in -- into that medium density, just -- could you walk me through kind of the decision making for this level of density at the very top and kind of a smoother transition versus maybe

something that is -- starts a little bit less dense and, then, gets a little denser near the bottom. Does that make sense?

Bailey: Mr. Chairman, Commissioner Smith, I want to make sure I understand your first -- your question first, is that I think you are asking should there be -- what was the thought process that went into making the transition? You had this specific level of density -- a specific level of transition and in my experience -- and I laid this out myself, so I'm the right one to talk to about this -- is that usually, you know, we will look at adjacent lots for transition purposes and your code doesn't specify -- there is no specific code for this. Am I wrong on that? Some consideration, but there is no dimensional -- dimensional said you have to meet two for one or anything like that. But we do understand those standards and historically, you know, Boise city used to have a two to one, Kuna used to have a two to one -- or one and a half to one -- or put a number on it: right? The City of Meridian code does not. But we still look at that when we do the transitions that we don't do more than two to one is usually kind of my rule and that's on the adjacent -- immediately adjacent lots; right? And a lot of times we will have requests to not do two stories on those, even if they are two stories on the ones next door and, you know, we often try not to follow those, because they don't make sense. The number -- the distance you are away when you are doing those transitions doesn't make sense, but we don't have that problem here. The other thing we will look to do is if we match the size of the minimum lot size in the zone for the adjacent lots, right, then that -- that -- that in our experience is a really great transition; right? So, I'm not even going two to one from the rezone. So, there could be a lot on that side that would be -- you know, that would be 12,500 square feet. If I meet that, you know, then, here -- and I'm -- we are asking for an R-8 zone, so, obviously, they could be a lot smaller within that, but we didn't think that would be appropriate. So, usually matching that zone minimum size is a really good transition, okay, in my experience, meaning less than two to one is acceptable, right, and, then, matching lot line for lot line if it's close is what I would really love to do in a lot of cases, but, you know, 24,000 square foot lots in here to match those one -- one per one on those lot lines or can I make these 90 feet deep, you know, and -- and 200 feet wide doesn't make any sense either. Matching those -- those one for one on there didn't make sense for this area and -- and for this builder; right? This builder building on a 24,000 square foot lot doesn't make any -- any sense for them. But we do want to provide a transition. What this also does -- it makes those lots really deep, so those houses are going to be closer to the road, you have big backyards, you have the pathway in between that, plus the Farr Lateral as separating view for those. So, that -- that's on the immediate adjacent stuff. When we have really large like five acre parcels in there we will say what could it be zoned to and we would match -- match that zone of what would be reasonable for them to develop. So, that's the east side is what we did here. And, then, we will usually do another tier of -- in between. So, we go from R-2 to R-4 size, which we did there. Those are -- those are matching that size there and, then, we will move down into -- into the next zone from there. So, the R-8 below that. As far as -- you know, we certainly always want to maximize the density on the property without just overdoing it; right? I mean that's just our job is -- is to see that. That provides homes for people at the prices that makes sense for them to buy it at, you know, so all that goes down the road as doing that. So,

the reason we didn't provide more there -- and we just pushed against that -- against that three to the acre limit, you know, but we made sure that we were under that and that we weren't violating any requirements and we think this is a really great transition, you know, for those neighbors there. I can't ask them to agree with me on that. But in my experience -- and a lot of lots I have done this is a really good transition. Thank you.

Seal: Other questions?

Lorcher: Mr. Chair, I have a question.

Seal: Commissioner Lorcher.

Lorcher: When there is -- in regard to transitions from R-2, is there anything in code that says it needs to go to R-4 before it goes to R-8 or is it -- or is there some -- because there is a lateral in between it doesn't -- it's not considered adjacent?

Allen: Mr. Chair, Commissioner Lorcher, Commissioners, there is nothing in the code that requires a transition. There are policies in the Comprehensive Plan and goals so far is transition, but there is nothing specific.

Lorcher: So, it's really up to the discretion of the developer?

Allen: And the -- and the approval body. Yeah. Commission and Council as well.

Lorcher: Thank you.

Allen: Thank you. This is an annexation, so you could require, you know, a greater transition if you would like.

Lorcher: Okay. Thank you.

Smith: Mr. Chair?

Seal: Commissioner Smith.

Smith: I do have one other question I just remembered. I know there was some discussion about trees and maybe some older growth trees. I don't know the specifics of the trees in that location, but have there been any -- is there any discussion or consideration on your end about opportunities to kind of maintain some of those trees where possible or to, you know, transition them somewhere else, you know, rather than cutting them down? Just curious about any of those thoughts or discussions.

Bailey: So, we have had a lot of discussion about that -- that, obviously, and our plan here is to -- you know, to keep some of those around the park, you know, in areas where we can around the area there where we can keep them, but in addition to that, you know, we have a landscape plan that meets the city's requirements for the

preliminary plat, but you do have a landscape ordinance specifically and a -- and a city arborist and the requirement in the condition of approval that we provide all of the mitigation required for all of the trees that are there and so we will follow that plan or landscape architecture will be that and they will be counted -- they will be counted as we go along to provide that mitigation and as we understand there is going to be some mitigation required -- off site probably even, because we probably don't have the room to do it all -- all we need to do here, so -- but we are fully prepared to meet the city's code requirements, you know, and to go through that and meet that.

Smith: Thank you.

Seal: Any other questions? Thank you very much.

Bailey: Thank you very much.

Seal: With that I will take a motion to close the public hearing for File H-2023-0050 for Reveille River Subdivision.

Smith: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close public hearing for File No. H-2023-0050. All in favor, please, say aye. Opposed nay? The public hearing is closed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: I will jump in on this and try and address both sides of it. So, first off I will just address the school. So, my -- my least favorite issue and the thing that I disagree with probably the most adamantly is how the cities do business. So, their models are you -- if you build it we will -- we will come. You know, that's how they fund this. That's how they build these. That's why the schools get super overcrowded and, then, they build a new school and, then, they are not overcrowded and, then, they build in -- you know. And, then, they get overcrowded -- so I mean it just -- that's just the way they operate and to me that's frustrating. So, it's gotten to the point in Meridian where they don't even submit a report anymore, because it was just -- it was -- it provides no value. Basically they can't say they cannot service it. So, I recommend that you go to the school board for this and let them know that that's not okay, because to me it's not okay. It's why -- you know, my son attends a charter school, because the public schools just -- I have had other children that were in our public schools that went through this. Overcrowded, not overcrowded, overcrowded, not overcrowded as communities grow. So, I don't necessarily agree with the model that they use for that. Unfortunately, it's the model that they use. You know, as far as the roads and just the way that I go about some of this stuff, because I think that the growth in Meridian -- in order to be responsible that we have to look for areas that we can pump the brakes, so schools are one of them. You know, if the school presents a really good case -- and, again, I have

been doing this for six, seven years now. I have never had the school district present a good case as to why not to do this. They have always said yes. That's all they ever say. So, ACHD, they have submitted reports that show that the roadway systems are not going to support what's going in. Don't currently support it, won't support what's going in. Great reason to pump the brakes, you know, and we have. You know, we have recommended denial or denied applications that have come through on that. So, you know, we try to be mindful of that as -- as we move forward. Fortunately or unfortunately, this area looks really good as far as roadways. I mean the roads around this whole area are set to develop to accommodate all this traffic. That's not something we are used to. I live in the area of Black Cat and Ustick where those two roads intersect. Trust me, I feel your pain every time I have to go through that intersection. Before there was a stoplight in there it was -- it was almost impossible to take a left turn to go west on -- on Ustick. So, I completely understand what you are saying. But, again, this -- this area to me has developed better than a lot of places in the city. I started -- my first home was in Kuna, so I completely understand. You go south of Amity or other roads that are out there, yeah, there is not a lot -- there is not a lot out there, but I guarantee there will be. Last time I drove -- drove down Ten Mile Road out to Kuna I had to pull over, because I thought I was lost. I thought maybe they extended the road over the river or over the creek out there, because there was just so much development out there. I didn't even recognize it until I got to what's now the junior high. So, surprising amount of development that's happening out there. So, as far as the application itself, I do agree that the transition could be better, but it's really hard to make -- it's hard to develop a product at this stage of our growth and how much housing costs that's going to align correctly with that, you know, adequately. One to one is probably never going to happen. So, I mean the -- the idea that, you know, acre lot to five acre lots are going to be readily -- readily available in Meridian is probably a thing of the past, just because it's -- it's just so expensive to do that. You know, there is just so few people that can actually do that anymore. So, being responsible about the lot lines and having just the acknowledgement that two to one is really what we try to do and we really press hard on people to try to meet that requirement, try to align the lot -- you know, try to line things up as much as humanly possible. Where you do have yards that backup to each other, don't put windows on the second story, just things like that we have -- you know, we have been through this and we fight pretty hard for those things as they come through. This application, honestly, there is no shared driveways. You know, the transition to me looks like something that was very well thought out, because we get so many applications in here that are just cookie cutter and they are literally designed to cram a house on every square foot that they possibly can. They are pushing every -- every limit that they can on there as far as, you know, how many houses they can put in there. The least amount of amenities they can put in there. They don't want to put in ten foot pathways. They kind of argue everything as -- as it goes forward. This is not one of them. I mean they basically have a park in the middle of this thing. They are doing ten foot pathways. They are working with their neighbors to connect the ten foot pathways to provide safe connectivity to the park system. So, speaking to the gentleman that has kids, this is going to help your kids safely get to the park. I mean this right here is golden to me. I -- where I live at there is a section that's between Liberty Road and Ten Mile Road that has this -- basically the same thing there.

A ten foot pathway with little amenities along the way. Little tiny parks, little tiny tot lots and things like that there along the way. I can't describe how much better that makes the community to have that safe passage between two very very busy roads. Unfortunately, it just ends at Linder Road. It just comes out, spills on a road that has a lot of schools, doesn't go anywhere. So, we have a lot -- a lot more work to do. But things like this to me definitely do provide some of that safety that you are looking for for your children. So, you know, as I think about, you know, they are going to want to go to the park, what's the safest way to get there? You have a ten foot way -- you know, pathway in the middle of a giant green -- you know, green section that's going to get them there. So, that -- that helps. As far as the -- you know, the higher density housing that's out there, I also have a son that's -- you know, he is -- wants to stay in this community. Really really does. Has a great job. He is an engineer out at Micron. Got married and struggles to afford a house. You know, every time he thinks he's got 20 percent socked away he goes and tries to bid on a house and gets outbid by ten grand. It's tough. It's hard play. You know, he is a smart kid. He has done everything right. It's hard for him to live in the community. So, that's what this -- you know, a lot of this housing to me represents, you know, the -- the ability for somebody to have some affordable housing in there and there is all kinds of people that are going to be living in our communities. So, I live in a nice house on a nice size lot. I can appreciate the fact that not everybody can do that. So, I don't look at those -- you know, I don't look at people that can't live where I live or how I live is that they are going to lower my property values, so -- I haven't seen a property value in Meridian lower since I bought my house over a decade ago. So, they are still a pretty hot commodity. So, I -- there is not much that's going to drive down the value of property in -- in -- in Meridian at this point. I mean if -- if development stops, then, yeah, that will drive down the price of your house. So, anyway, I hate to get too preachy on this, but I really liked this application for a lot of the reasons that I just mentioned. I mean they are not using every square foot to try and cram everything in here. They are just doing a lot of things right here. So, to be honest, I wish more developers develop like this. So, that's all I got., So sorry to get a little preachy there.

Smith: Mr. Chair?

Seal: Go ahead.

Smith: I wanted to add some thoughts. I think you covered a lot well. As I may not look it, but as someone who has only been able to afford a home in the last couple of years despite the balding head and starting a young family, it's a -- I have been in the position that you are talking about of not being able to afford to live in your hometown and so I get that. I also get the concerns of -- you know, concerns around transitory -- your transition space and things like that, but I think you are spot on. I live in a spot near Settlers Park, but there is a development between and rather than an obstacle, that is the route we take, rather than walking down Meridian. It feels safer. It feels more pleasant. You can ride your bike down and not have to worry about constantly looking over your shoulder at traffic, making sure that you are safe. One thing I wanted to add regarding this -- I think -- I agree that this is -- is developed really well relative to some

other areas in the city. I would encourage you guys to look at the integrated five year work plan that -- that the city submits to ACHD every year. There are some areas that are not in very good shape, you know, on -- been on that list for a bit. But I think another thing that's helpful is with an integrated five year work plan it is -- it is rolling and so we are constantly looking five years out. I have the pleasure of sitting on the Transportation Commission as well and we just passed -- we just put to the City Council what we think should be in the integrated five year work plan and we are constantly tweaking that and making adjustments based on developments and changes to traffic patterns and things like that and working with staff to make the -- the asks that we make to ACHD -- or recommend City Council make to ACHD fit the neighborhood and I think one thing that we didn't mention that I really appreciate, especially given the -- some of the concerns is that phasing plan that we have an integrated five year work plan and that the phasing plan is six years long. I think there are some benefits there of being able to keep an eye on things and -- and monitor and by the time -- you know, if something happens in phase one of this development, by the time the rest of the development is complete there is potential to have addressed it in the -- in the five year work plan. So, I will stop myself from getting preachy, but I just -- I wanted to also just extend that as a resource to keep an eye on and if you have concerns there are other outlets to -- to bring them to -- you know, bring them to -- in the city and other commissions, to ACHD, and they are heard, they are, you know, worked on and they are addressed, so --

Seal: Commissioner Lorcher, anything?

Lorcher: Yes. Briefly, Mr. Chair. I was concerned about the one person who testified that there was a bait and switch, that they were told one thing and it became something else and I -- I think about the story that you tell about Rock Harbor Church on Chinden. It's right in front of Spur Wing Country -- Subdivision Country Club over there. Originally it was proposed to be storage units -- single story storage units and a person who lives in that subdivision said, you know, not in my neighborhood, it's not going to happen. So, they got the storage units out there that were going to be single story and, then, a three story Rock Harbor Church went right in front of her subdivision and, you know, blocked everything. And kind of channeling Commissioner Yearsley from years ago, we can only -- you can only control where you live and the surrounding areas around you, you know, we don't own and so if a developer comes in three years, five years down the line and fits the code, it's very difficult for us to say no, because it was already slated to be that way at the beginning. So, I don't like the transition between the lateral to the -- the lower density, you know, because they are R-2 and you are going straight to R-8, but I understand that it's everybody's backyard and there is a lateral and there is a pathway in between there, but I have a five acre parcel as well and I have the benefit of having five acre parcels behind me, so I don't -- I don't have to look at that; right? It's not going to be part of my vision and whereas you are going to be looking at your backyards and you are going to see, you know, these houses, whether they are one story or two. So, from a design standpoint of the subdivision I would love to see a little bit more less density just on that portion of it, but as residents of The Keep whatever that real estate person told you what was going to happen, you know, may or may not

have come to fruition, because they don't own it. It wasn't their development to be able to -- you know, to tell you and so it concerns me that if a person is telling you one thing and it turns out to be something else and they are not informed and that's -- that's a disservice to you as homeowners who are buying something that you think you are going to get and, then, all of a sudden, you know, it turns into something else. So, overall I do like the plan. I would like to see that transition a little bit less dense for those people who are in The Keep or whomever have those larger lots, because they talk about that to have that open space, but I agree with Commissioner Smith and you, Mr. Chair, that these pathways are actually a huge benefit to this community.

Seal: Thank you.

Sandoval: Mr. Chair, one thing --

Seal: Commissioner Sandoval, go right ahead.

Sandoval: Mr. Chair, I will be quick. I echo everyone's thoughts up here and I appreciate the testimony and concern. It does appear that it adheres to all the UDC and comp plan requirements and I think the distribution density is fair. That's all I have.

Seal: Thank you. Commissioner Smith?

Smith: Yes. Sorry about that. I do think from the question we asked the applicant and if -- so, if I'm incorrect someone please correct me. I do think that transition, just speaking to Commissioner Lorcher's comments -- like the zoning is R-8, but from what I understood based on the response is that it is -- the -- the density that they have allocated is as if it is the minimum R-2 lot size and, then, it steps to R-4 and, then, R-8 as it gets south -- and the applicant is nodding. So, I think that is the case. So, I do agree, you know, I do have is -- it is about two to one. If we can make it 1.5 to one or something, just a little bit nicer, that would be nice. But I personally don't have too -- like too much of a problem with it. I think doing that -- I don't even know what other trade-offs of it elsewhere in the development that would create and so I think to me this looks like a good development and I don't want to make the perfect be the enemy of the good I guess.

Seal: Anything else?

Lorcher: Mr. Chair. Is that something that the city -- when it goes to City Council for annexation, is that something that they would take up as well, the transition? Would they, you know, ask the developer to change -- instead of two to one to 1.5?

Seal: Yeah. I have -- I have been -- I mean just on this body alone I have been -- in annexation we have a lot more latitude to kind of make sure that it fits. So, as it's been -- you know, as I have been educated on it, so -- and I mean if you -- if that's something that you feel strongly about what I found is I would be careful about putting something in there that's too rigid as far as a recommendation. That said, you do have to spell it out

pretty well and, Kurt, if -- you know, if you want to add to that statement I just made I would appreciate it for sure.

Starman: Mr. Chairman, Members of the Commission, I agree with that assessment. I think that with annexation you have some discretion and in particular the rules require in the best interest of the city gives you quite a bit of latitude. So, I think it's within your purview to -- to make a recommendation in that regard. So, if the Commission as a whole was inclined to do so, I think that would be appropriate to include it in -- in a motion or recommendation to Council.

Seal: Okay.

Lorcher: I mean I don't think I'm an expert on this, I just want it to be able to point out to the -- to the City Council that we have concerns about the transition. I don't know how to put that in a motion. You know, just be aware that, you know, we have concerns about the transition. I'm not -- I don't have any specific numbers, because I'm not qualified to do that.

Starman: Mr. Chairman, Members of the Commission, I have two thoughts. One is I know for a fact that all of our Council Members review the minutes and/or video of your meetings, so just by having the discussion you had tonight I know that the Council Members will hear that discussion and we will take notes. So, that's a possible course of action. Secondly, if you want to sort of craft a motion that is recommending approval in accordance with the staff report, which the applicant has agreed to in terms of conditions and, then, add a supplemental thought or even a second motion that you would, you know -- I don't want to put words in your mouth, but something to the effect that you would recommend that Council take a closer look at the transition from, you know, The Keep to the northern portion of this particular subdivision. You can probably do it that way as well. So, I think -- but I will take -- you know, I said just a moment ago, I know the Council Members do read your minutes and/or watch your video, so I know they get the message regardless, but you could make it more explicit by taking that second alternative.

Seal: And in the past what we have done -- I mean, essentially, kind of makes -- you know, you get to make City Council -- and they are the decision makers and so I was -- I call them they are the bad guys; right? So -- but what -- what we have done in the past is basically just recommend that City Council, you know, review the transition for appropriateness, just something along those lines, so it's not so rigid that, you know, it's kind of out of our purview, but at the same time it's something that genuinely we know of just by, you know, reading of it that that's something that we want them to take a look at, because, again, I mean outside of that I mean I just -- I -- personally I have no issues with this -- with this development. So, are we ready for a motion?

Lorcher: All right. Mr. Chair?

Seal: Okay.

Lorcher: You might have -- you all might have to help me here, but I will give it a go. After considering all staff, applicant, and public testimony, I move to recommend approval to City Council for File No. H-2023-0050 as presented in the staff report for the hearing date of February 15th and ask that the City Council review the transition of R-2 to R-8 along the Farr Lateral between the two subdivisions as is -- as if to be in the best interest of the city. Is that right?

Seal: That was beautiful.

Lorcher: Okay. That's my motion.

Smith: Second.

Seal: Okay. It has been moved and seconded to recommend approval to City Council of File No. H-2023-0050, with the aforementioned modification. All in favor, please, say aye. Opposed nay? Motion passes. Thank you, everyone. Really appreciate your testimony there.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: Mr. Chair --

Seal: We are not done yet.

Lorcher: We are not?

Seal: We need to get our fellow Commissioner. Okay.

Starman: Mr. Chairman, maybe -- your discretion, but if you want to take maybe a three to five minute break that might be appropriate. We can retrieve our new Commissioner and maybe people would appreciate a quick break.

Seal: Yep. Absolutely. With that we will do a five minute bio break. Thank you.

(Recess: 8:24 p.m. to 8:32 p.m.)

DEPARTMENT REPORTS

8. Overview of Planning and Zoning Commission Best Practices

Seal: All right. We can -- we can go ahead and reconvene and, Caleb, the floor -- the floor is yours.

Hood: Thank you, Mr. Chair, Members of the Commission. My name is Caleb Hood. I am the deputy director in the Community Development Department. We want to take this opportunity this evening to do some -- some training and we are going to try to get

more in that groove. I know we are before you occasionally, but at least a couple times a year to -- a lot of it will be refresher. Obviously we have some new Commissioners tonight, though, so try to get them started off on the good foot and just some best practices type of stuff, both in the legal realm -- we also have a great opportunity -- so, I'm going to start with maybe just an introduction of the team that you have -- that we have before you today. I did my introduction. So, Brad Hoaglund is formally a bad guy. He has now seen the light and he is a layperson currently, but he did serve two full terms on City Council. Not consecutively. He was appointed to his first term then won re-election. Was off for eight years? Something like that. And, then, was elected again and just recently came off. So, before he purges his mind of all the bad memories of being on Council, we asked him to come and address you from a Council person's perspective. So, that's really where I want most of our time this evening to be spent is with Brad, his family -- not only Idaho natives, but Meridian, BridgeTower is his in-laws and his -- that's family; right? So -- but definitely he also served on -- in Mayor Kempthorne's office he said from '86 to '91 and, then, went to DC some time there. But I know his heart is in Meridian and even though he is not there on Tuesday nights, he still cares about our community. So, much that he is willing to spend a good portion of his Thursday evening with you, just sharing some of his experiences on Council and maybe some feedback for you to consider as you make recommendations, like you did this evening. So -- and, then, Kurt -- he doesn't necessarily need an introduction, but he is going to do some of the legal dos and probably more importantly the legal don'ts. He said it's dry and boring, but it's not. He -- I sneak peeked at some of his slides and I think some of the things you see will be -- he will make them entertaining anyways. And, then, finally, I will -- I will finish with just some of, again, best practices, things to consider. Body language. How to ask good questions. The dialogue you should have to be -- to make your meetings most effective and efficient. So, you don't have to take it all as gospel, at least not my portion. I would ask you to listen to Kurt's and follow that advice. Mine is just, again, sort of best practices and lessons learned and stuff. So, with that I think we are going to kick off with Kurt and -- oh, I do want to say, too. Feel free to interrupt us as we go through. There will also be some time at the end, too. So, again, we want to make sure we are addressing any questions, concerns you may have just in general, even if we don't cover the topic here this evening, so --

Seal: Thank you.

Starman: Thank you, Caleb. Mr. Chairman, Members of the Commission, so I really do have the drier portion of the presentation. I am looking very much forward to listening -- or to hearing from former Council Member Brad Hoaglund. I think he has some great tips and I'm hopeful you have a little bit of interaction and some time for questions and answers. So, I will cover my material, but it's dry legal stuff that I thought I was going to start out with -- exactly. I also got off script a little bit. I'm going to say that I -- when it comes to PowerPoint presentations, I'm a real boring kind of guy. Bullet points and so forth. So, I actually -- one of my colleagues Emily Kane produced a version of this and I sort of plagiarized. I want to give her credit, because I would never do anything this clever with owls and things of that nature. So, she deserves all the credit, otherwise, you would be looking at simple bullet points and that would be the extent of it. We had

a flying owl there for -- so, I'm talking about two topics tonight. We have different meetings and from time to time we talk about a lot of different legal topics, but the two I'm going to talk about tonight are the Idaho's Open Meeting Law and, then, also ethics and conflicts of interest. So, those are two topics that come up fairly frequently. Good that we are aware of the rules and we play by Hoyle. So, just briefly, a credit to Idaho and to our legislature. We have had on the books for some time now requirements -- and many states do -- that we do our business in public. You know, our -- our role as volunteer Commissioners, as staff members, as Council Members that we are here to serve the community, to listen to our community and make it a better place to live and work and we do that by being open and transparent and listening and really providing, you know, a conduit for people to testify and to be able to provide meaningful input and so a big part of that is our open meetings law. So, this is -- it's good practice and it's a good way to run government and it's also a legal requirement as well. So, all that comes into play. Let's -- titles reference to state law where that's located at and I think that quote that I won't read in its totality, but the court I think actually does a nice job for -- sort of a legislative intent language out of state code, but I think it does a nice job of really describing -- we are here to serve the people, not vice versa, and for that reason we have open meetings. Spoiler alert. Yes, the Open Meeting Law does apply to the Planning and Zoning Commission as you are all well aware and so it certainly applies to -- in a city context applies to the city council, but also to other sub agencies, which is sort of a term of art used in state law and that definitely includes the Planning and Zoning Commission. So, we as a body are subject to -- or you as a body are subject to that law as well. It applies -- I don't think I have a slide on this. Let me just digress just for a moment. So, the idea is, obviously, when you are talking -- obviously, when you are talking to business -- and in our context what I mean is when you are talking Planning and Zoning Commission topics, whether that's something before you today or something that might be coming before you in a week or a month, that's when, you know, the open meeting law applies and when we need to have everything on the record and be transparent and be open. It doesn't apply to -- you know, you are having a side conversation with your colleague, maybe before the meeting starts or afterwards, about what are you doing this weekend or, you know, how is the family doing? That's all fine and -- you know. So, social type stuff no concerns. The only concerns apply to business-related discussions and material, which means in our context planning and zoning topics. Meetings are defined -- or the terms of what qualifies as a meeting is defined pretty broadly. So, obviously, this is -- you know, what we did here tonight and as you took testimony earlier today on different applications, that certainly is a meeting by anybody's definition. But beyond that it includes that -- that third row called deliberation. If you have a quorum -- and in the case of Planning and Zoning Commission four or more members that are talking about -- even deliberations -- so that means receiving information from one another or from outside sources, exchanging information or exchanging opinions, that all qualifies as a meeting as well, so -- and even if that's done sort of in a serial way where, you know, Commissioner One talks to Commissioner Two and Commissioner Two talks to Commissioner Three and says, well, Commissioner One says they support this and wouldn't you like to support this as well. That very quickly can turn into what's sometimes characterized as a serial meeting and so that is -- would be an issue and a concern relative to Idaho's Open Meeting Law.

I'm not going to spend my time on this, because we have a wonderful city clerk's office and Tina and Chris keep us in good order, so -- in terms of our noticing requirements and making sure we -- we meet our posting requirements and timely and things of that nature, but we need to post our meetings timely. There are provisions that allow us to make amendments even after a meeting starts. That would be very rare and also a limitation in what we can do. So, best practices we try to get you agendas well -- this is the statutory requirement -- at least 48 hours prior to your meeting. We typically try to give it to you several days ahead of your meeting, so you have some additional time to review the packet, because there is often lots of material there. You know, I think tonight is a couple hundred pages or better. So, we are mindful of that. We try to -- to get it to you much sooner, so that you have some extra time to take a look at it. Open to the public. Opportunity for people to participate meaningfully and so forth. We -- that last bullet point under Idaho law we are required to -- at a minimum maintain so summary minutes. Meridian has chosen -- and Dean does a wonderful job for us -- has chosen to do verbatim minutes. I have -- we do that for a few reasons. One is in the land use context it's probably one of the issues that is most ripe for potential litigation and so it's nice to have the verbatim minutes when you need them, because when you need them you need them. But importantly -- I mentioned this earlier -- is that I know several Council Members that tell me and others that, you know, they read the minutes pretty religiously and they like the minutes. Perhaps former Council Member Hoaglund can speak to that when he addresses you as well. But I know that the public reads those minutes. I know that Council Members read those minutes as well. So, they are important for a whole bunch of reasons. This is basically just a -- you know, there are some times there are some creative ways to circumvent limitations and barriers, but the best rule is just use your good judgment. The idea is we want to do everything in an open environment and so if you have any inclination I always think trust your gut and trust your instincts that, you know, the goal here is to adhere not just the letter of law, but the spirit of the law as well and so we are not looking for ways to kind of work around those open meeting requirements, we are looking for ways to comply with the spirit of the law. We talk, you know, probably more than occasionally about ex-parte communication and we just did some training with our new Commissioners a couple days ago and talked about that as well. But that's a difficult topic, because sometimes you can't control that. So, I think everybody -- all the Commissioners are pretty well aware of that -- are mindful of the fact that what we do we do in the open. We have lots of information presented, so everybody has the same information, they have it at the same time, we have a record that people can refer to. There is no surprises. There is no backroom deals. There is no secrets. Everything's done in an open environment. So, I think we -- you all do a fantastic job of adhering to those rules and the part that sometimes gets tricky is sometimes things just come out of the blue at you and you -- you -- you know, before you know it someone's already bending your ear about a project that might be coming before you or you receive an unsolicited e-mail or a phone call and so, again, I ask you to use your best judgment, but all those things fall into that category of ex-parte communication, which is problematic, because -- again I mentioned what sort of -- in the area of land uses -- an area that's litigious and one of the -- the issues there is that you are really sort of -- much like a court proceeding, all the parties have to be in the room hearing information at the same time and when we are having

individual or sidebar conversations that becomes -- that becomes a potential legal problem, as well as there is the due process and fairness type issue as well. So, it's important for us to nip that in the bud if you can. If someone starts to bend your ear a bit and you kind of quickly pick up on what that's about just, you know, politely say time out, I'm -- you know, I actually serve on the Planning and Zoning Commission. I think this is a topic that's going to be coming before us, so for that reason I really can't engage and you can be polite about that. I think most people would honor that. Same for e-mail and phone calls and things of that nature as well. It's important to try to honor that. There is a fix for that. So, the best way is just avoid -- try to avoid that happening or nip it in the bud very quickly before it goes too far. I recognize -- and you probably had some experiences where just things happen and you didn't solicit it and just -- not much you can do about it, since it's already occurred. There is a fix for that and occasionally we do that from the dais as well and that is that -- you know, if that does happen when the -- when the Commission as a whole is considering that item, I would ask you as a Commissioner to make that disclosure at that time and say just for the record, Mr. Chairman, you know, for the record I would like to disclose that so and so approached me -- Developer A approached me six months ago, I didn't realize this was coming before us and I just wanted to briefly describe the nature of that conversation. Just put it on the record and that gets us back onto the right track. So, we try to avoid that -- the need for that -- number one is Plan A. Plan B is when -- when that doesn't work out so well, full disclosure, just a quick summary of what happened and that gets it onto the record and it kind of gets us back on track. I'm going to go through the rest of -- the open meeting stuff pretty quickly. You are aware that we can do, you know, particularly -- after the -- during the COVID period and post-COVID period we become more adept at things like Zoom and telephone conferences and so forth. But the law does allow us to -- we have to have a commissioner -- at least one in the room whenever we are having a meeting, but other commissioners can and often do participate by Zoom and we use the old fashioned telephone from time to time in a pinch when technology has let us down. Commissioner Lorcher recalls that one. Let's see. Oh. What I'm going to mention here is you could -- again, I won't read that verbatim and you know much of this already, but I do want to just reinforce that -- because we don't talk about it often enough probably -- that second bullet point about public records. So, just as a reminder, really anything you do -- even though you are a volunteer commissioner and you get a big whopping paycheck of zero every month -- sorry about that. But even so you are conducting the city's business. You have been appointed to serve on the Commission and you are doing the community's business and the public's business and so records that you produce that are city related for city purposes are public records and that means -- whether it's created on a city computer or on your personal laptop or your text -- on your text message on your phone, you know, hypothetically if we are involved in litigation a year from now and someone says I'm making a public records request for every communication that dealt with Project Y, that would include things of that nature. So, just be mindful that and, again, the idea is to having aboveboard and in the record and so there is no surprises on that. I will just say there are -- just briefly in terms of violations, there are jurisdictions that have had that issue and it's -- it's a painful process. Number one, you get chastised by the court and may end up paying attorney's fees and, then, the cherry on top is you have to go back

to cure it -- to cure the violation you have to go back to square one and do everything again from -- from the very beginning to cure it and make it -- do it the way it was supposed to be done the first time. So, it's something we all want to avoid whenever we can. I guess I should skip -- I shouldn't skip over that last bullet point, too. There are -- if -- if a public official knowingly -- and that's a high standard -- that he knowingly -- that means you are intentionally violating the open meeting laws -- that is subject to criminal prosecution. So, there are some more severe sanctions if you are intentionally trying to evade the Open Meeting Law. On ethics I want to talk about two things. The first very briefly. One is there are some specific requirements that apply to all public officials and that means you, as well as Commissioners appointed by the Mayor and confirmed by the Council to serve on this Commission, that apply to ethical considerations and rules that apply to you. So, the first is, you know, kind of just as a general rule that you as a Commissioner ought not be personally involved in business with the city. So, contracts -- hypothetically if you owned a business and you wanted to sell services or products to -- to the city, that's typically not allowed and would be an ethical violation, both in the Meridian City Code, as well as under state law. There are, as I mentioned, that last bullet point. There are a few exceptions -- particularly for non-paid commissioners, which -- so you fall into that category. So, there are some exceptions. My general advice is just try to avoid that altogether. But if there is something specific that pops up, you know, in the context of what you do for a living and something we have to interface with the city contractually, we can chat about that and see if one of those exceptions might apply. But as a general rule, you know, we -- our volunteer commissioners ought not do business with the city in terms of contracting for services, products and things of that nature. The one I really want to talk about in a little bit more detail -- and I'm coming close to ending my presentation, but this one does come up fairly frequently and it does have some penalties -- penalties associated with it, including criminal misdemeanor violation as well. So, this is one of the things of all of our commissions, you all are the lucky ones, the Planning and Zoning Commissioners, you are lucky, there are special state laws that apply to you relative to ethical considerations and economic interest in particular. So, under the Local Land Use Planning Act that states laws pertaining to planning and zoning, there is a special provision that applies in that context, which is -- which is referenced on the screen there, 67-6506. That is fairly stringent, more so than -- you know, certainly more so than our other -- other city commissions. So, it's applies to any economic interest in an application that's before the commission, you really need to disclose that conflict and, then, recuse yourself and step out of the room and we will -- we will, you know, elaborate on that in a moment or two. That applies -- and it also applies a little bit more broadly than some people might initially think about. So, certainly applies to you all as individual commissioners to the extent you personally have some type of conflict and an application before the commission might personally -- you know, might have a positive impact on property you own, for example, or a negative impact, it doesn't really matter which direction that certainly would apply to you. But also in terms of relatives and to the second degree, so -- and that's both affinity and consanguinity, meaning by marriage and by blood. So, secondarily, I always have to pull out a cheat sheet, because my wife is a -- an avid genealogist and I'm terrible at that type of stuff. So, I can never -- I can never figure out the second cousins twice removed type stuff. That's just, you know, a mystery to me.

But to just put some context the second degree, both by marriage or by blood, that includes, obviously, yourself, but a spouse, which would make sense. Your parents to the extent that they are with us still, to our children, that that applies. Father-in-laws and mother-in-laws, daughter-in-laws and son-in-laws would apply. Grandparents. Brothers. Sisters. Brother-in-laws, sister-in-laws and grandchildren. So, it's fairly in that's -- again by blood and by marriage. So, that could be a fairly -- depending on the size of your family and so forth -- might be a fairly broad group. So, that pops up from time to time. Again, my -- I used this expression a little earlier, but I think it's always good to err -- to err on the cautious side and I just would just urge you to kind of trust your instincts and your gut, number one, is to kind of the first test is this, you know, feel odd or any way that I might know someone's associated that might benefit from this decision or this item before the commission, number one, and, secondly, I highly encourage you to -- as the state law, but to give me a call or city attorney Bill Nary, give any of us a call, but the two of us would probably be the best to chat with, but we are happy to kind of brainstorm with that and provide some advice and counsel to you and, then, if you rely upon that advice from -- let's say you consult with me with your potential conflict, that also provides you some protection under law as well, that you have sought legal advice and you adhere to that advice, that provides some additional protection to you also -- potential penalties as well. Oh, I do want to mention the recusal piece a little bit. So, really, best practice on that is -- the language in the code is -- in the Idaho Code is fairly specific about -- you cannot participate in -- in deliberations at all. So, really, best practice is -- and we don't always do this, because we are not quick on the draw sometimes, but best practice is as soon as the item comes up on the agenda, as soon as the chair acknowledges that item is next on the agenda, we are getting ready to talk about it, that would be the appropriate time to say, Mr. Chairman, before we even open that -- even open that public hearing or before we engage with the staff report, I just want to disclose to, you know, the Commission that I have a potential conflict or a real conflict of interest, here is what that is, and for that reason I'm going to recuse myself. So, you have to give just a brief explanation. You don't have to go long on that, but just a quick little description of what that conflict is or the potential for conflict. Excuse yourself -- or recuse yourself from the meeting and I encourage you to -- don't leave the building, but you ought to leave the Chambers. I think even if you sat in the audience there is a perception that you might be influencing your colleagues in some way with the wink or the grimace or something of that nature. So, my recommendation is make that announcement as soon as the item gets called or when it's next on the agenda, state what the conflict is about, recuse yourself, and, then, I think as -- as Commissioner Garrett did this evening, did it fantastic, just step into the executive -- into the conference room to the side of you there, that's a great place -- or out in the hallway is fine, but outside of the Council Chambers would be my recommendation for you. The last -- I think this might be my last -- or second to the last slide is that we do both in city code, but also state law, there are some restrictions -- and we don't talk much about this, but we ought to, particularly around the holidays, we just got past Christmas and all that kind of good stuff, but there are some -- some fairly -- particularly as inflation has eroded the value of the dollar, there are some -- some kind of low thresholds for gifts in particular that you ought to be mindful of. So, there are some restrictions on gifts from -- obviously, from anybody in the public or from a developer in particular, applicants that

might be coming before you and things of that nature. So, be mindful of gifts. We recognized that -- the law recognizes and we are all human that we all, you know, exchange a gift from time to time for the holidays, birthday, things of that -- things of that nature. So, it's not prohibited, but there are restrictions attached to it. One is that the value cannot exceed 50 dollars. And -- and today 50 dollars isn't going to go all that far, quite frankly. So, when you get that big giant box of candy, if you think it might be more than 50 dollars, maybe you -- you know, you would say really, that's pretty generous, but I can't accept that and maybe other things sometime -- tricky things of that nature that are almost can be communalist to say, you know, accepted on behalf of the Commission as a whole and we will share it with everybody; right? I'm going to share it with all Commissioners and staff and spread the wealth and that's a way to kind of deal with that sometimes as well. But there is a cap. It's in state law and in the Meridian City Code of 50 dollars -- no gift greater than 50 dollars and, then, regardless of the size of the gift, if it's -- if it's clear that the gift is intended to influence your decision in some way regarding -- even if it's under 50 dollars, that is not allowed as well. You know how to get in touch with me by e-mail and otherwise, but as I said for things like conflict of interest or any other legal topic, we are happy to help you out. Bill Nary is my boss. Our city attorney has a ton of experience -- 20 plus years of city attorney work and, then, has served as a planning and zoning commissioner in the past and as a city council member in the past, so super smart and seasoned guy and, of course, I'm happy to help you as well and so feel free to call or pop by and we are happy to do that. I will pause and see if there is any burning questions about any of that, but really important I wanted to get to former Council Member Hoaglund. He is the main attraction type. Any -- anything I can answer that I glossed over?

Lorcher: Only that chocolate should be mandatory --

Starman: Yes.

Lorcher: -- sharing.

Seal: Yeah. I was going to say --

Lorcher: Especially dark chocolate.

Seal: Yeah. If -- if we get 60 dollars worth of chocolate I'm sharing ten bucks worth with -- with you guys and I'm keeping --

Lorcher: Thank you very much.

Seal: Yes. Thank you, Kurt.

Starman: So, I'm going to reintroduce Council Member Hoaglund, who is -- I think is really going to have some good material for you.

Hoaglun: Thank you, Kurt. Appreciate it. Good to be here and for the record I guess I have to do this, since I'm in front of the Commission here. I'm Brad Hoaglun. Reside at 2470 West Trestle Drive in Meridian, Idaho. And, Dean, for old time's sake if I move too far away from the mic just tell me to speak into the mic, please. You know. Kind of miss that part of it. No. First of all, I want to thank you for serving. Just for some of you who have served for several years -- and it's -- there is a lot of work to it. For you that are -- that are new, thank you for agreeing to it. You probably don't know everything that you have gotten yourself into, but you will soon learn and I'm sure they are -- they are filling you in. But this is what makes our community work. It's the involvement of our citizens. I'm actually not a native. My wife is the native. I am a transplant from that far off cold state called Minnesota. My parents got tired of winters in northern Minnesota and we came out to Idaho in 1966 to Canyon county and moved to Meridian in 1970 and I went to sixth grade starting in Meridian Elementary School. So, I think the 1970s the population -- the census came to about 4,900 people. So, I remember the creamery. We would ride our bikes when the volunteer fire departments -- the siren went off downtown. That quintessential small town experience and -- and, yes, I do miss elements of that. It really is a place that I enjoyed growing up and during high school I worked on a dairy farm behind Kohls. In fact, you can see the outbuildings there. It was the farm of Tom Davis and that white building -- in fact, I have talked to Blaine Johnston about it -- is the old ice house. They used to have the interurban run through there and the farmers would bring their milk to that building and you can see it if you look kind of beyond -- you got the brick house and, then, there is this white building and the farmers would bring their milk there to keep cool and, then, they would load it on and go to the creamy -- I think at Caldwell at the time. So, just those historical aspects when we talk about the -- the silos at the Eggers place and, of course, Todd, the youngest boy and I went to high school together and Drew -- I know Drew very well, but it just -- it was a great place to live even today and I have got -- our oldest son and my grandkids -- three grandkids that live in this community and, you know, that was my purpose for serving, it was just to make Meridian the best it can be, even though it's not going to be what it was when I was a kid, and I know all of you want that and that's why you are serving. So, kudos to you and to Commissioner Smith, I think you are double or triple dipping in this commission work, so you get extra extra okays. As you heard -- and I have kind of split this up, because there is things you guys already know, but might be to help reinforce for the new folks, so I kind of bounce back and forth here. But land use is different than any other issue. Mr. Starman laid that out there. It's -- it's one of those things where that word quasi-judicial body is really true. We are deciding things and there is -- what comes out of this at the Council is a findings of facts and conclusions of law and that's what -- if we go to court over anything that's what is being presented. So, you help us establish those findings of facts, conclusions of law as the staff in bringing that forward and helping us make that decision. So -- so, that's the difference. When -- when people come up to the in store -- and I had to get used to this coming from a legislative background, we are used to talking about anything that you -- you know, that's before the body. You are used to talking to people. But land use someone approaches you in the grocery store, you really can't. You say, hey, you know, if you wouldn't mind send me an e-mail. I will forward it to the clerk or come to the meeting, you know, we have to have this on the record. It's one of those things. In

fact, I have got -- you know, as a council member people would e-mail us with things coming up and I had a form basically written up -- I would just send back to them, thank you for your comment. I'm forwarding this to the city clerk for the record and da, da, da, da, that sort of thing. So, it's different than if we are doing a dog ordinance and people say, well, yes, I like this or, no, they have to be on collar and whatnot. Don't let them run around in parks. We can talk all day about that and not have to worry about it, but for land use issues it's -- it's very very specific. But one thing I would encourage you to do is talk to staff beforehand. If you are going through the packet and you have questions, they are there to help you. I mean they -- they go through that information and they report -- you know, they prepare their analysis and it's good information, so -- and it really is about the details. As you guys know who have done it for a while, there are so many details that you have to review and take a look at. In fact, I went back -- I listened to one of your earlier meetings and -- and it was about -- the big thing there was traffic flow. Can they move the traffic and when they stop and let people out and all those things and they had a traffic consultant and all -- going through those details, that's -- that's critical information, because that can make and break a project. But there is a phasing plan. There is -- and we saw that tonight. Road expansions. There is just a whole host of things that we have to look at that by staff looking at it, you guys looking at it, and, then, Council looking at it, we come to the best decision possible I think. The hard part of all of this is that there is not necessarily a right or wrong answer. There is a lot of gray in this work. There is -- there is things that you -- you prefer. Staff will align everything to the code. Now, I know that there is trade-offs in projects and I know they have -- they have discussions on the staff level going does this meet code? Does it not meet code? And there are things that they go back and forth on. So, there is this -- this -- I don't want to say -- there is not necessarily unanimity in what they decide. Same thing that's going to happen at this level and, of course, at Council level same -- same situation that occurs. Just because the -- we are just dealing in -- in some -- some gray areas where there is not right and wrong answers. Like we have preferences. But because there is a lot of gray, this is my advice and try to give you perspective from that Council area, make sure that your voice is heard on issues of concern and you do that and having read -- and I'm a minute reader -- minutes reader, so I know some on Council will watch the video or listen to audio. To me I can read much faster and, you know, they are long. These -- these meetings can go very long, so -- and I'm mindful of that tonight, too. You are doing this at the end of the meeting. But, really, there is great value for the staff -- for the -- for the Council to understand why you made the decision you did, because, like I said, when we read things and, yeah, we could go there, does it mean -- it could, but maybe not. And there is differing opinions. How you got to that decision you made -- again, it's -- I don't view it as right and wrong -- or wrong, it's just, okay, that was the process and what you considered to get to that point and that's -- that's helpful to us. We just want to know the basis of your recommendation and decision. That -- that just is what we are looking for. How did you get there? And your reason we like hearing the debate and discussions. I like reading that, because we do the same thing, we talk about why we think this is a good project or concerns you have with a project, like you did tonight, and because I read the minutes, I read the staff reports, I go through there and I kind of form an opinion. I wasn't like, oh, yeah, we are going to do this. It's like, okay, here is how I'm leaning and I would go into the hearing

kind of thinking, okay, I'm thinking this -- and everybody does it differently. I'm just telling you how I did it and so I'm leaning one way or another, thinking, man, I'm concerned about this or I can -- oh, this -- there is a lot of things that look good about this, but as you listen to testimony and you go through reading staff tests -- the staff report, reading your -- your minutes, reading testing -- or going through the testimony that's there, reading new testimony that comes in via e-mails, so you get a flavor and a sense and, then, listening to Council Members and you are going to do that, too, and I'm sure you do it here -- is the fact that you hear other people and their viewpoints and going, you know, maybe -- I think that's changing my mind and I -- I have been swayed by arguments and perspectives on Council before by people who said, you know, here is how I see it and why and -- and people have told me that -- because of your argument I decided to support or oppose that issue because of how you -- how you looked at it and I didn't realize these perspectives. So, that -- that's important. So, what you say and how you say it and what you think is important is -- is really important. Elevate remaining issues. You did that tonight. The silos is a great example of that. You know, hey -- and I think that's a great thing to do, because, yeah, your opinion is important. You are here to serve and you have opinions about it. To say we think you ought to preserve those silos and try to do something with them. Right. Yes. Now, it comes to Council and we go, okay, there are so many -- you get -- then we get into the details. What's this going to take and all that. Oh, it's going to cost that much? I don't think so. Well, we can afford that. Where do we put them? Where do we find the money? So, there is a whole host of things, but that opinion is important that we need to preserve some -- some of our -- our history in Meridian. I agree with you, Commissioner, we haven't done enough. I would love to see more, you know, but it is hard. It is very hard. But, anyway, I guess I wanted to just say I have to remember everyone has the best interest of the city at heart. Staff does. You do. City Council members do. Even when we disagree at the Council level, I knew that if Commissioner Cavener voted opposite of what I voted, I mean Luke wasn't wrong, he just saw the process to make Meridian the best it could be was different than my idea of what the best it could look like on that particular issue. So, it's -- it's -- it's -- it's a good way to go about things. We didn't question each other's motives and same here with Council. So, I guess I also want to say, then, if Council does it different than what you recommend, don't take it personal -- personally. I know staff doesn't. If the staff makes a recommendation, sometimes you go a little bit different and, then, we go a little bit different. But from when it gets to the Council level sometimes things have changed from what you have done. Because of the issues you have raised you have made it a better project. They know going forward that we are paying attention to what you guys do here. So, those issues that you have raised, they might come back on this -- as a project and I can speak to it, because I'm not on Council, but they might come in and they might change that density. I don't know if they will or not, but they might change that density a little bit on some of those frontage areas, so -- but because you raise the issue. So, elevate those -- those issues, you know, highlight the things that you think deserve closer examination, because that is -- that is helpful. Yeah. And the failure -- you know, don't think of it as failure if we don't go -- if the Council -- it's a Commission recommendation, because, like I said, the changes and you have six people up there, plus the Mayor, who sometimes can have strong opinions about things and we can be like herding cats. You know, serving as

Council President as I have done two different times, that's an interesting dynamic trying to keep people going in the same direction and coming to a conclusion. But, again, I know everyone had that -- had the best desires for our community at heart. I just wanted to touch on things. Schools. That's a great issue. We looked at what ACHD says about and we are involved in that as, you know, in the traffic commission. The five year plan, making recommendations, what the priorities are for community. Schools is a different animal, Mr. Seal. You are right. We had a meeting with the school board and Dr. Bub and -- because that was an issue, state law gives us that much wiggle room on moratoriums, because we are -- you know, thinking do we need -- in south Meridian due to the school issue, moratoriums, but really from a legal perspective it's -- it's a very small area that we can operate. Usually it's a lot of emergency type stuff to place a moratorium. But the school came back and said, look, we have different things that we can do. We will move people. We will bus people. We will change boundaries. All these things -- it's on us. So, that's why we kind of went, okay, I mean they are elected officials, they are -- and growing up here when -- having moved when Meridian is where Cole Valley is now that was used as the junior high and, then, the -- I forgot the -- the junior high out on Eagle Road and named for the former principal -- superintendent of schools. Yeah. Lowell Scott. And I should know, because he was the one that hired my dad for -- as a teacher and a coach at Meridian. But we went to Lowell Scott when it was brand new for 8th grade and people thought we are going to be corrupted by Norm's bar across Eagle Road and all that, so, then, we came back and what was the -- the junior high was now a mid school, ninth grade only for several years. Went to the old Meridian High School, which is now the junior high and, then, second class to graduate from Meridian High School and within a few years it was overcrowded until Centennial came along. My kids raised them here. Did spend four years back in DC. My wife made me promise to come back and which -- which we did. But growing up here they are in portables. They are dividing lines that were -- because we lived on the north side of Ustick Road and on the west side of Linder, they were going to have him go to -- when he started middle school to Eagle Middle School. It's like, wait a minute, that's not my community. I mean we are -- what about -- what's wrong with Meridian and are -- or Lowell Scott or those types of things. So, yeah, it's -- it's a difficult one and we have never built roads in advance of the growth, we have never built schools ahead of the growth and it's interesting to see how that trend -- and we see it in Nampa as well, how it impacts certain areas, but overall the enrollment is not skyrocketing like we thought it would. I think it is because of charter schools, because of private schools, because some families having fewer kids and some who move here, they are coming back to be with family and as -- as -- as grandparents. So, anyway, I thought that the best thing would be to allow you to ask questions of me. Having that perspective, it's still fresh, brought back a lot of memories. I just lost that twitch, too. But what do you have questions of and I will try and answer for you about being on Council and things you might go why do you guys do this. So, I can give you my opinion. But happy to answer anything that you want to ask.

Seal: Well, I will start out -- it's something that I have kind of tried to get -- talked to the Mayor about a little bit, but the -- we used to have joint meetings between City Council and -- and Planning and Zoning and we haven't had any for quite a while and I -- is that

something that -- that you see value in? I mean because I did when we -- I had only done two of them, but at the same time I found a lot of value in those when we did them, just because of the -- being able to kind of speak freely about, you know, and ask questions of -- of Council people as far as, you know, why they thought about, you know, a project in a certain way or something like that.

Hoaglund: Sure. And, Mr. Chairman, I think -- and Commissioners, I do like that idea. We have to make sure that it's -- it's done properly, because there is always legal issues and are we treading into areas that we shouldn't, but to have that ability to see how Council looks at things or understand if staff has an issue that they think, hey, we are going to present to the Commissioners about, because we are changing, we want to do some changes to the Comprehensive Plan and we are also going to go to the City Council with it, maybe that's an opportunity for a joint meeting, because then -- because I think it does help. There is -- there is a -- there is a unity aspect to it I think. Again, there might be differences of opinion on whether we do this or do that, but, then, you can deliberate in your body on things and we do it in the Council level, but I -- I'm always a fan of more collaboration than less collaboration in terms of working together, even though because of the rules and the issues that we deal with you can't -- you can't be talking about that stuff, but on things that staff might have that would benefit both -- both bodies, I like that idea. But I don't have any pull anymore, so --

Seal: Okay. Thank you. Commissioners? Commissioner Smith, go ahead.

Smith: I'm still in the public hearing mode. So, had a drawing on when -- my first year in Transportation Commission, they are still kind of -- each commission kind of had an -- almost an ex-officio member and Councilman Cavener was on the -- you know, serving as an ex-officio there and I remember a lot of times him being kind of a valuable resource in some deliberation, but kind of really being careful about the why of not dictating what Council wanted to see. So, now that you are not in that position where you have to worry about kind of -- are there any times where, you know, you kind of get something and you go, oh, I wish the transportation -- or the -- I wish the Planning and Zoning Commission -- or I wish, you know, whatever commission would have thought about X or -- or brought up this issue, et cetera. You know, obviously, none of us are -- all of us are human thing and we don't know everything --

Hoaglund: Yeah.

Smith: -- but are there times where you just like -- or specific focus areas where like, oh, they really missed the mark here?

Hoaglund: Yeah. I don't think the commissioners necessarily missed the mark. It's just sometimes things change or they may not know from a Council perspective what we are looking at maybe long range in areas that we may understand and trying to plan. I remember when I was previously on Council we were working on the Ten Mile -- Ten Mile plan and, you know, there is a lot that goes into it and there is a lot of moving parts and you aren't sure what's going to happen. So, the traffic commission, for example,

may be thinking about things without really -- and I think about traffic commission at some point, but that's -- that's been a lot of years ago and I came in kind of in the middle of it, they had already started it and back then Council was only four members and I pushed for six. I was the only one who worked a full time job. Everyone else was retired or semi-retired and I'm thinking, yeah, we need to expand -- expand to six and, then, when I decided not to run and I had changed jobs and the flexibility wasn't there to serve, because it does take a lot of time and meeting times, you are like this, but that packet -- there is a lot of reading to do and -- and -- and, oh, I -- and I'm going to jump aside real quick while I remember this thought for the new members. Once you get some meetings under your belt and you are participating and whatnot, go back and read the minutes. It was helpful for me. I hated it, because it will make you more succinct in your comments and how you -- how you do things, because you see the -- because I know how to read the minutes and you go, man, I started that sentence three different times. What is wrong with me, you know. You hate doing that. But do it every now and then just to check on yourself and see how you are doing. But it's going to take a while before you are -- you are talking like these do and making motions and it does take a while, because it's a unique process, so -- but back to you. It's -- sometimes it's just not having the full information and I do think that's where liaisons can be helpful. The downside of us growing as a city and having more work was when I became council president the last two years when I was setting that up and people were going -- and everyone in that group works in full-time jobs and some travel and saying I don't have time to do everything that needs to be done. So, there has been some loss and I know some liaisons -- I did hear back that they don't show up very often. You know, it's just an occasional type thing, which I understand. So, it does help if you get folks who can serve as liaison. I do think, again, not that they weigh in, but sometime can give guidance on perspective of future things or how it's viewed from a big picture standpoint. So, yeah, if we get people who can -- can do that, it's -- it's a good thing. But I don't know when -- if -- it really depends on the individuals and their workload and it's -- it is tough now, because it's a -- council members do get paid. It's a little bit. I think we figured out one time -- it depends on the week, but that week was seven dollars an hour, you know, so --

Seal: I will ask a question that we actually ask a lot of the candidates, just from your perspective. In Meridian we talk about responsible growth and what does that mean to you? And I mean I just -- I value that perspective from Council Members.

Hoaglund: We want to have it orderly. As you know, we don't like leapfrog development and I remember -- I wasn't on Council then, but, you know, the discussion with Owyhee High School, you know, because we know going out beyond -- and Meridian High School is the same thing. That was out there, you know, because Meridian city limit -- and it is still within limits, but really hadn't grown to that -- that point yet. Because you know it's going to -- it's going to impact in the area and it will change and, of course, the state highway running through there is -- is a big change. Orderly growth does mean different things to different people and, you know, we have a state Local Land Use Planning Act that dictates some of the things that we have to follow and private property rights -- if you look at the state code and different things, they have -- private property

up there is number one and so -- and that's the thing that I -- you try to explain gently to people sometimes and as chairman you did a good job tonight, you know, trying to frame the argument that, you know, we have a Comprehensive Plan, we have zoning, we have different things that we set out as rules and if they follow the rules -- there is not much -- unless we want to be seen as a city and pay -- end up paying big bucks of hard earned taxpayer dollars, we kind of have to do certain things. So, that orderly growth -- would I like to see it a little slower at times? Yes, I would. But how do you do that when all the rules are met? It's contiguous. It follows the comp plan. ACHD says the roads can -- well, by that time will meet the -- what's necessary. There is not much to hang your hat on to -- to issue a denial. But at the same time, too, there are developers that you really have to keep a close eye on, who really try to barely get by and if you deal with them, we deal with them and there is the other developers, you know, that, hey, they are going to do the things that -- what's not asked of them, because they -- they really want to make a better community as well and make their project the best it could be. So, that's -- that's a tough one, Mr. Chairman, because people do see it differently and with -- within the rules that you have to play by there -- it's -- you are limited by how much you can do to kind of squeeze that down. I wish I had a great answer for you, but I really don't.

Seal: No. And it is, it's -- it's -- it's definitely something that's -- I mean it's a -- it's a private answer for every individual. So, I know -- you know. And I know both sides of it. So, I have lived on the outskirts of Meridian three times now. So, you know. Now I don't live on the outskirts anymore and -- and, you know, but right in the middle. Exactly. So, you know, that's -- that's just something that you -- you know, I have gotten used to that. I'm never going to live on the outskirts of Meridian again, because it's just going to move -- you know. And I can appreciate having, you know, bought when the market was affordable and now having a son who is trying to find his way in this market, I -- I have had tremendous growth and that just looking at things differently where when I first started it was like, oh, my gosh, who puts that many houses in a subdivision. Now I look at it like, you know, it fits there.

Hoaglun: Yeah.

Seal: There is going to be somebody really happy to live there.

Hoaglun: Absolutely. And that's the thing, having a variety of housing -- same thing. Ten years ago my kids were looking for a house and it was just like -- you are going to pay that? Well, that was ten years ago. Just going ouch -- ouch. What in the world. And, of course, mom and dad, can you help, you know, that sort of thing and we can't afford the house we live in now, because when the dairy farmer -- in the last year from when we went away, we kept an acre. Tore down the old farm house and move back from DC that my wife grew up in and built our house there and, yeah, an acre of ground in Meridian now -- it's fantastic. So, when -- it's BridgeTower Subdivision -- the old BridgeTower now -- came in, you know, we talked to the developer and, okay, it was a three to one behind our one acre. Okay. Two and two-thirds maybe. But, you know, it is what it is. There is no -- there is not going to be a one to one. I can't afford it. Unless

-- unless we want to change the look and feel of our communities -- something different, maybe to like our neighbor to the north and we have always been the middle child, if you will, between what that is to the north and maybe to the south. It's -- I think it's a sweet spot, because we do try to have things that are affordable for everybody and that's the thing I think, too -- I'm going to preach a little bit -- affordable housing is not low income housing anymore. It's not. You know. And that's -- that someone -- we put in an affordable housing project over here off of Ustick Road and near Linder -- I mean it's -- it's for working folks. It's people who have jobs. It's people who -- people who just retired and living on their pension and Social Security and the housing market has just gotten so crazy, that it's just -- it's not Section 8 housing and I'm not deriding that, but our community is such that we want to have things for our kids to be able to live in, for grandparents to come back and live near their children and grandchildren and having that variety -- so, that's the challenge, too, is how do you make that look -- just like your project was tonight. Does it fit? Does it flow? Does it, you know, transition well? And those are -- like I said, there is no right or wrong answer, it's just that fear that, okay, is this workable and is this the best thing for our community, so -- you had a good taste of it tonight, so -- from -- from projects already, so -- which is good, so -- other questions? So, then, Caleb, you are going to be up next?

Seal: Thank you, Councilman Hoaglund. I appreciate the -- love the questions and the insight for sure. So, thank you.

Hood: Mr. Chair, Commissioners, before we jump back into the PowerPoint and my slides, I will apologize to Mr. Hoaglund and the great state of Minnesota for claiming him as our own. I guess I remember hearing some of the stories about him growing up and raising his family here and I extrapolated that to be a native, you know, under an enormous bar having a drink and he is telling me these stories about -- no. Anyway, so I -- I do apologize for that. But thanks for setting the record straight and your service to our community and being here this evening. Do appreciate you, Brad, and thank you. And, then, also -- and he did a better job than I will, but I will also just thank you for your service. We don't make light and we do remember, quite frankly, you don't get chocolates, you get a big whopping dollar paycheck every month -- or a zero dollar paycheck every month. So, what you do is commendable and just appreciate your heart for this community as well. So, with -- with that being said I do have a couple of slides. It's actually more than a couple. It's a handful. I'm going to run through them pretty rapidly at this point. I will ask you to look and read more of the slide than listen to me. I'm going to put a finer point on maybe some of the bullet points that are there. I will try to linger for a little bit on each slide, but I'm not going to read them to you. So, this one I think -- I do just appreciate the first two in this one. I appreciate your interest in land use planning in our community and, again, I will reiterate this, I think everyone's just time is dedicated -- not only just on Thursday nights, but even in preparation for Thursday nights and taking some time to read and understand and begin to formulate some thoughts about each project that's on your agenda. So, there is other things, but I think that is -- the top two on this to me are right at the very top of being a successful commissioner. Knowledge -- again, I don't plan on reading too much of this, but just an overall knowledge and understanding at least. You -- you don't need to be planning

staff. You don't need to be a certified planner. Some of the stuff you will wish you didn't know, but you will pick it up over time. We don't ask you to memorize the code. We will write down the applicable parts of the code and the Comprehensive Plan and state code and all that, so -- but, again, you will -- you will -- you will pick up on some of this stuff. But -- but do some of that research on your own, too. Even some of the things with Robert's Rules and how we operate. Again, it's second nature to some and you will -- you will pick it up, so just that willingness I think is great. Listening -- and, again, I don't -- I don't see any of this, but even some of the -- this didn't come up, but I know in the past we have had some that will be on their phone, you know, and you can tell. I mean you can try to be -- and it's not a, hey, this meeting is running late quick text, it's more of a, you know, sitting back slouching, not listening to people talk and I'm disinterested really in that. So, just, you know, make eye contact, appear at least that you are engaged if not fully being listening and those nonverbal cues I guess on this one. So, there is some more of those things about slouching and whatnot. Yeah. This one I will -- again, I will just really let you read this one. And this one I think what I will maybe point out as you are reading it -- and, again, please read more than listen to me. Sometimes I feel like past commissions have all wanted to get to yes and we want that, too. Whether it's a yes to deny or a yes to approve -- it is okay to disagree. Do that respectfully, please. And again, there -- there is not an issue, but just make sure -- and -- and sometimes it seems like it can drag on trying to persuade each -- respectfully trying to persuade each other the other way. Split votes are fine. Honestly. I mean if you can get there and consensus I think is great. You don't have to be. Please just remain respectful, courteous amongst yourselves. We are watching, too, as well, so -- but, again, you don't necessarily have to all agree before a motion is made or if you really don't believe in the project -- and, again, this has happened before. It doesn't have to be a hundred percent of you voting in favor or against a project. So, again, all -- I think we have talked about some of these already. I will say it just one more time, I think. Prepare. And I think Councilman Hoaglund -- Brad, sorry, we are available as staff. So, you read the report and it doesn't make sense to you, you don't understand it, call us, e-mail us, whatever. We are available. You can't talk to pretty much anyone else, but city -- city staff. You can reach out to us. So, please, do if you have any questions. Ahead of time is great. During the meetings is fine, too. But we can have a little bit more frank conversation if you talk to us just one on one. That isn't an ex-parte communication. So, just so you are not confused on that. I won't mess around with this one too much. Kurt covered a lot of the -- the -- when the agenda has to be published and that -- and that type of a thing. We will take care of the minutes. We talked about summary minutes. We do verbatim. Role of the chair. We -- I won't get into that either, but it's -- it's there. It sounds like Commissioner Seal will be chairman again for the next year, but if you are, you know, next year wanting to serve we will help you with some of that, too. There is a cheat sheet that -- that's put together that's handed down now over time, kind of at the beginning where you -- you explain to everybody how the meeting is going to work and things like that, but we can -- we can prep you a little bit more if -- if you are --

Lorcher: Are the remarks that we make okay at the beginning to explain the public hearing process?

Hood: Yes. I -- yeah. They have been -- they have cleared legal and I think --

Lorcher: Okay.

Hood: -- and to me, too, I think it does --

Lorcher: I'm copying his, so --

Hood: I think it helps the public, too. I really do. I know sometimes for me it's almost -- I have heard it before, so I'm not actively listening, but when I do listen to the words that are coming out. I really do think it helps people in the audience understand what's about to happen, so --

Lorcher: I appreciate that. That actually says the public -- I don't know if it's required or not, but to be able to explain that, because all the people listening in there come to maybe one meeting in their lifetime and so to be able to explain that is very helpful and it was challenging, because you want to answer that guy's question who kind of went out of turn, but, then, you are not -- that's not part of it, so --

Seal: And you can't.

Lorcher: Yeah.

Seal: Yeah. I mean the -- kind of the outline from that came from Rhonda and, then, a little bit earlier and, then, Commissioner McCarvel took it and really amplified it, because she was like -- she just really wanted to get that information out there. So, that pared it down a little bit and, you know, whoever goes next will do what they want to, so --

Starman: Reinforce two things. I agree with all that a hundred percent. So, just two pretty much related thoughts. So, one is I agree with Commissioner Lorcher's comment one hundred percent. For most people -- not our applicants necessarily, but for most people, you know, they might come to one of these meetings in a lifetime, maybe twice. It's intimidating. It's foreign. They really don't understand how it works or what the process is and so I think that's super helpful and I share your thoughts on it. I think it's really helpful -- for just kind of our lay audience members in particular, this may be their first and only time they ever come and just understand what's going on and the other observation that's going to make -- and Caleb hit on this like two or three times now, but I want to compliment the Commission as a whole, but Chairman Seal in particular, that it is super intimidating for many people to come to a podium like that and people hate to speak in public, number one, and this is a very formal kind of intimidating area and so, you know, to make that person feel comfortable -- you have a very nice knack about you, you know, they feel welcome and I think the fact, you know, that -- the idea of listening intently and being able to make some kind of connection, eye contact and so forth, is super important, because people are -- you know, at a minimum they are probably intimidated and some of them are quite fearful and they almost dread coming

up to a podium like that. So, thank you for all you do -- collectively as a commission do a great job and I will single out Chairman Seal in particular, I think he has a really nice touch about that.

Seal: Appreciate that.

Hood: If I can -- maybe in the same vein -- and using tonight as an example, it hasn't happened for a while. You do have -- and Kurt explained it during the hearing. You do have some discretion there. If you want to have -- you know, if an applicant is up here -- and I'm not saying this happened tonight, but there is new information or they are making accusations against -- you know, if you -- and you are like, okay, yeah, we need to have other people come up to rebut what they just said and, you know, don't just drop the mic necessarily; right? You can do that. What -- the approach I would just recommend you thinking about -- it is your discretion, Chair. You could almost informally poll the rest -- you know, you -- you don't have to be the bad guy or the good guy; right? You can say, hey, should we take -- so, that is your discretion. I will also say though -- and I'm sure Mr. Starman would have reminded you, but the applicant does still get the last word, though. They get to come back up -- if you are going to do that -- so, you can reopen a closed public hearing. You can have them testify twice. So, you are basically just going through this loop and the applicant should always have the last opportunity to address you before we close the public hearing. And, then, I will just say this again -- again, if you have any other clarifying things for staff, we can still talk with a closed public hearing, that just means that the audience is done; right? Again, I know most of you understand all that, but just -- so, you do not -- you still have some discretion. You can -- you can undo things you have already done. Like closing a public hearing. But, anyway, so I think that's that slide.

Seal: One thing I would like to add on to that is one of the things that I try to do -- and I didn't do a very good job of it early on -- was I try to get things addressed as part of the public hearing process. So, I can make statements and, you know, put opinions out there and things like that, like I did tonight, but I don't want to surprise anybody with -- with what I -- especially the applicant with what I'm going to say. You know, there is -- the question should have been asked. I mean the idea of -- of how I think about this, whether I support it or not, should be, you know, something that can be inferred fairly easily, so just try and make sure that your -- get your comments, get your points out during the public hearing portion of it, so that way it's not a big surprise when something else is brought up about it, like, you know, I hate the street, you know, or I don't like the design or, you know, whatever that is. I mean those opinions should already be out there.

Hood: I will just add, again, similar to that -- to that comment. This Commission -- and this has been a long standing kind of unwritten rule. You will go down the line and everyone will kind of share their two cents and during the deliberation process, not in the public hearing like you were just talking about, Mr. Chair. But as you are deliberating. That isn't required. You don't have to -- you know, to your point people should know where you are at. It shouldn't be a surprise, but you don't necessarily have

to explain yourself. So, it's -- to each his own and how you are comfortable, that just -- just more for the new Commissioners, you know, you will be asked, but you -- don't feel like you have to say something with every project. That is, again, kind of the long-standing tradition, but that's not a requirement by any means, so --

Lorcher: Yeah. I would say for tonight, you know, Jared and I kind of took the reins to kind of create an example, but there is plenty of times where either of us might say anything on an application and once you get more comfortable with it, then, you will, too, and if you have something to add you can, if it's already been said, then, you don't.

Seal: I'm writing that down that there is times that Jared is not going to say --

Smith: I'm a windbag. I will take your advice and go look back at the minutes and --

Hood: All right. So, just some -- just some thoughts while you are asking questions, maybe prod and -- and thoughtfully inquire. Again, just -- maybe gets the blood flowing a little bit better if you are looking to ask some questions. I think we have covered a lot of this. I believe these are just summary slides here. Do participate and be actively listening. Making motions. Again, we talked about this a little bit on Tuesday when we met for orientation. We do set forward at least the start of a motion in -- I call them outline -- I like to call them the cheat sheet. So, it's -- it's there for you. Yeah. I think that if you have any questions --

Lorcher: Very helpful.

Hood: I was just going to say if you have any feedback on that or questions, we can -- we can amend that, but I think we are in a pretty good point where we try to summarize the high points on a page.

Seal: I find that extremely helpful, so it's --

Hood: And, again, the idea with that is not to -- instead of reviewing the information and reading public testimony and agency comments and all that stuff, but just as -- to have a frame -- maybe something to take notes on and whatnot, so -- and traps to avoid. Again, I'm not going to read them to you. You know, one of the things that we -- we can't do is design it from the dais; right? That's -- that's not a best practice. It's usually not very productive. Not to say you can have some thoughts and whatever, but when we try to design a project you are going to have six, seven different ideas on how it could be done better potentially. So, if you want to direct an applicant to go back to the drawing board and here is some thoughts on when you do that, but on the fly and all that -- it usually doesn't go very well. And this one I think -- I'm getting towards the end here. Again, the first one in -- and follow may even be -- but trust the code, the comp plan and the process; right? Trust your gut. I mean that was said a couple of times. But, really, we do try to put forward those things. I get it. It's tough when you got neighbors here that, you know, I have been saving my pennies and this is -- you know, this is the worst thing that's going to happen and safety and all those things. There has

been thought put into these things and, yes, you are here to kind of decide and tweak and make sure it is right and in the best interest of our community, but the code and the comp plan -- it's not perfect, but that process really does hopefully get things pointed in the right direction. Number five. A good record. So -- and six. So, a good record doesn't necessarily -- you know, Dean's taking the minutes. There is YouTube video we can watch. We will write down the findings and the conclusions, but we really do need your help on, you know, if you are going to add a condition it should be clear the discussion on why that condition. It wasn't just a random -- and build a sidewalk over there. It's like where did that -- we didn't talk about that at all. Didn't come from the public. You know, it's just this -- so, help us and everyone understand the nexus for your conditions or your action, whatever the case may be. So, we will document that, but if you can help us understand the thought process that really will help, so -- again, I think these are -- this kind of summarizes a lot of the previous slides. Then this is my last one. Just a couple of resources. So, if you want to -- I know you have all been to the website, because you look at the packet from the clerk and whatnot. This one -- the Idaho Chapter of the American Planning Association, they have some good resources there. They -- it's not a hundred percent endorsed by the city, but they have some good stuff there. There is this planning tools and guidelines book. It's got everything you could ever want to know about takings and ethics and open meetings and ex-parte. It's not all just legal stuff, but if you really want to get into case law and things there is -- there is really good tools and guidelines. You can kind of jump around, depending on the topic. It's -- I think it's like 700 pages. But the table of contents is really good and if you are curious about zoning and the history of zoning you could go and read some of that. So, I will endorse it. It's not necessarily a tool that we use as a city, but I think it's very helpful, especially if you want to dig a little deeper into some of these things. There is hyperlinks to court cases that kind of explain some of that. AP's website. There is a bunch of different journals and excerpts on topics. Housing; right? Housing is a big topic. Best practices that way, too. So, anyways, just some websites and resources. The last one -- so, the -- the three -- kind of towards the bottom there. Those are books that are, you know, recommended if you want something to put you to sleep at night, but really pretty good, actually, about furthering kind of your role in this process and, then, the last one is just -- we do have -- it's -- it's small, but the Council does -- typically annually and this year is included. We do have a small training budget. So, if you see something at one of these websites and say, hey, you know, there is a conference coming, it's 200 bucks, can I go to that? Will the city pay for me to go to this? I want to learn more and it's related; right? It shouldn't be a culinary class. It needs to be related. But housing or economic development or whatever, let me know and we may be able to send you there. So, look for those things. If you just run across those trainings -- local trainings, especially maybe even regional if we can do it, you know, relatively inexpensively, but if you want to learn more -- become a better Commissioner, I want to support you in that. So, I think with that we will all stand for questions again. Thank you, Brad, for being here. Kurt. And the Commission for your time this evening.

Seal: The only thing I will add to that -- and you kind of touched on a couple of times, Caleb, in here, is just don't be afraid to be the voice of dissent or the voice of optimism when everybody else is not looking that way. So, every opinion is appreciated for sure.

And I can tell you when -- when Rhonda was chair it was -- we had a lot of tiebreakers that went down and it's when I learned the most, to be perfectly honest, just because there was just so many differing opinions on stuff. But at the end of the day, you know, when -- after the -- you know, the vote was held we were back to being good neighbors. So, you can disagree respectfully, make your point and everything, and truly it is appreciated. So, you know, the idea is that we are all going to think differently. That's why there is seven of us. So, appreciate any -- any and all input, as long as it's respectful.

Hood: Mr. Chair, I did have one more thing. I know it wasn't part of my -- my presentation, but I did want to -- the question you asked Brad about a joint meeting. So, I have talked to the Mayor's chief of staff about that again and I have over time. This ties in a little bit with maybe -- if there is an opportunity. We are working on revamping the staff report and I know you have heard about that, because we have been working on it for over a year off and on, but we are gearing back up and you and the Council are super users of our staff report. So, to me that is a good workshop item to sit and share with you before we start using it and publishing it and you can play with it and we can explain it to you and even receive feedback. Hey, you know, this section maybe -- what about if you moved it down? Maybe Council says, nope, we like it where it's at. But you understand that and you all are using it and so if you are overruled or -- or you all agree, but at least you understand kind of how we got there with that. So, just so you know, I am somewhat lobbying for that. I'm advocating for that anyways. Either way we will come to you as a body and them as a body. If we can do that together I think that's even better. But that's not my call. So, I just want to let you know we are working on the staff report and here in the next couple of months even, if not sooner, we will be back before you and kind of run through that with you again here, so, I'm sorry, I had that --

Seal: That's okay, because I had kind of one more thing, too. So, Caleb, and I -- we are just going to go back and forth all night. No. And I actually wrote it down, because I didn't want to forget about it and some mistakes that I made early on. So, one thing I will say is when -- when you are asked about your attendance, if you are going to be able to attend the meeting, please, reply to all, so that's helpful for me just to keep track of it. We -- we are kind of spoiled with our -- with our clerk. He treats us very well. Thank you very much. But -- and the other part of that is if you do have questions of staff, ask staff independently and if it's something that they think needs to be disseminated or you would like them to disseminate that information have them and do that, so that is on the public record and it becomes part of the record. So, definitely give that advice.

Parsons: Mr. Chair, I had one comment, thinking about Rhonda. Ms. McCarvel. The reason why we developed that -- that outline was that -- if you recall some of the Commissioners were asking a lot of questions of staff before the applicant could even go --

Hood: Yeah.

Parsons: -- and get to their portion of the project. So, she felt we were getting off topic and the meetings weren't being very efficient. So, I would just ask that you guys keep that in mind and keep that practice going as well, because that is a best practice in my opinion. It works well, because sometimes your questions may get answered by the applicant or they may be the best person to answer it for you. Even though we are subject matter experts with the comp plan, code, but maybe they had a different vision or they designed it a certain way because of their thought process and it's good for you to hear that side as well.

Seal: Appreciate that. Any other questions? I was going to say we don't often get to grill all these people, so -- appreciate everybody's time tonight for certain. So, thanks -- thanks again for letting us pick your brain and -- and giving us the information that we have here. Appreciate it. So, with that Commissioner Lorcher?

Lorcher: Mr. Chair, I motion we adjourn.

Smith: Second.

Seal: It's been moved and seconded that we adjourn. All in favor, please, say aye. Opposed nay? We are adjourned. Thanks, everyone.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 9:49 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

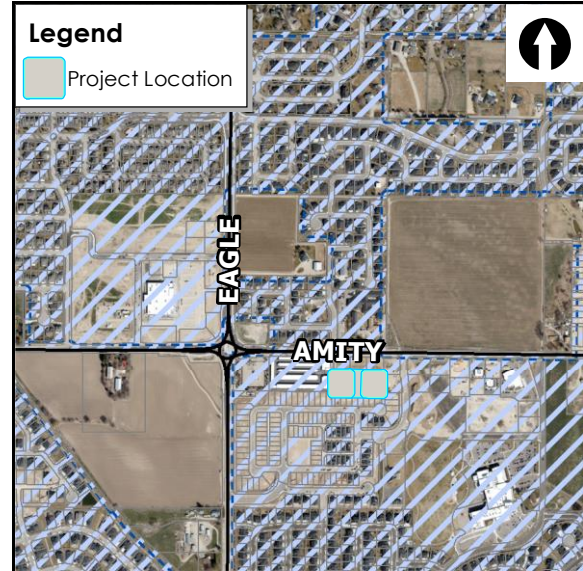
ITEM TOPIC: Public Hearing for Everbrook Academy at Amity (H-2023-0051) by Paul Tucci, Oppidan, Inc., located at 4845, 4855 and 4867 S. Tavistock Ave.
Application Materials: <https://bit.ly/H-2023-0051>

A. Request: Conditional Use Permit for an 11,300 square foot childcare center on 1.509 acres of land in the C-N zoning district.

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

HEARING DATE: March 7, 2023
 TO: Planning & Zoning Commission
 FROM: Linda Ritter, Associate Planner
 208-884-5533
 SUBJECT: H-2023-0051
 Everbrook Academy at Amity – CUP
 LOCATION: 4845, 4855, and 4867 S. Tavistock Avenue, in the NW ¼ of Section 33, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

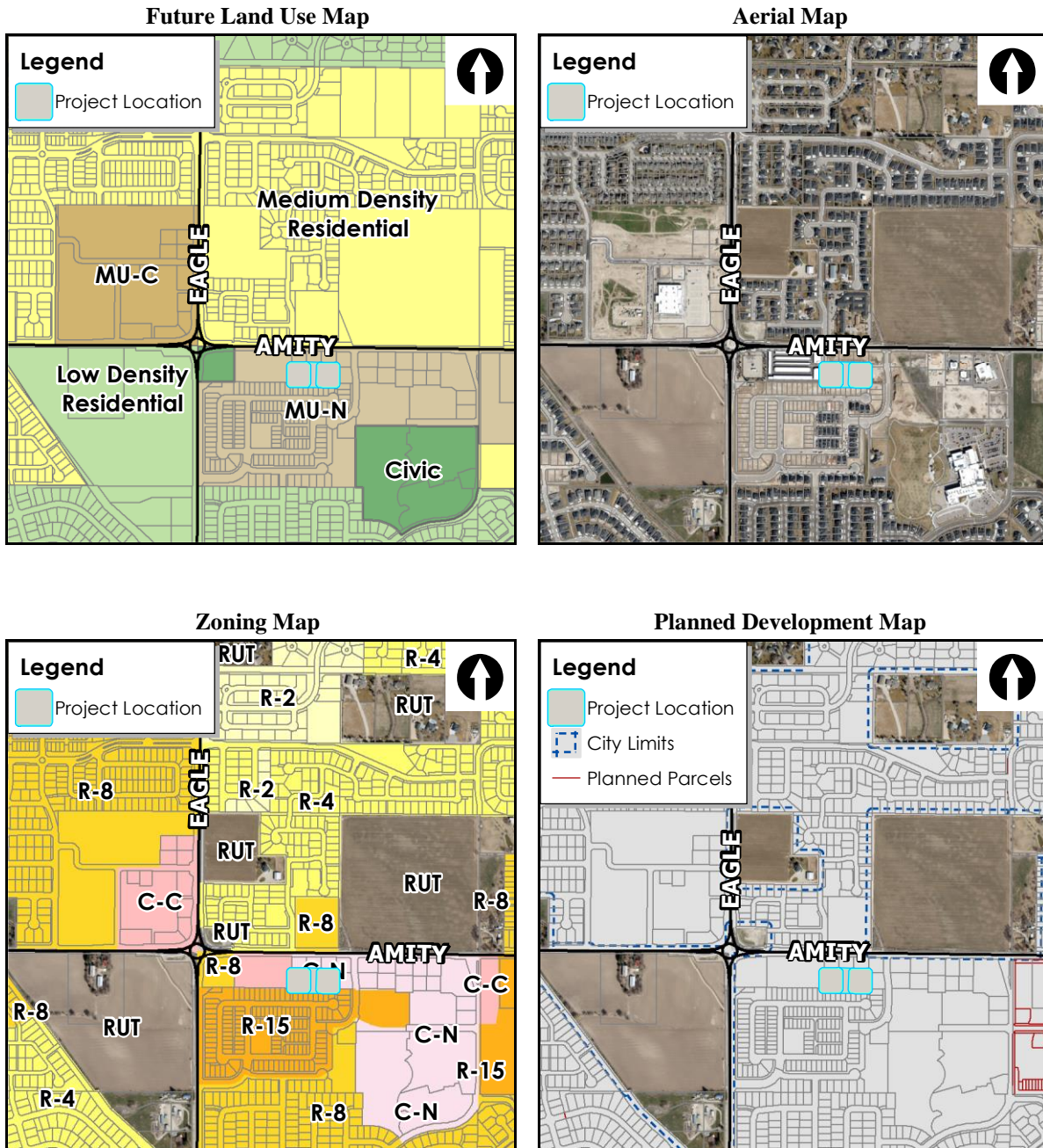
Conditional use permit (CUP) for a daycare center providing childcare for up to 120-150 students in the C-N zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	1.509-acres	
Future Land Use Designation	Office	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Daycare Center	
Current Zoning	Neighborhood Business District (C-N)	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	07/31/2023	
History (previous approvals)	CPAM-15-001, AZ-15-004 (DA #2015-061375); H-2016-0092 (MDA #2016-119080); H-2018-0087 (CUP for cell tower); H-2018-0127 (MDA - 2nd Addendum to DA #2019-033207); H-2019-0134 (MDA – 3 rd Addendum DA #2020-059662); H-2020-0080 (MDA 4 th Addendum DA 2020-117720); H-2020-0055 Hill’s Century Farm North No.1 Final Plat	

A. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Paul Tucci, Oppidan, Inc. – 400 Water Street, Suite 200, Excelsior, MN 55331

B. Owner:

Watson Land Holdings, LLC – 2929 W. Navigator Drive, Suite 400, Meridian ID 83642

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Newspaper Notification	2/20/2024
Radius notification mailed to properties within 500 feet	2/16/2024
Site Posting Date	2/16/2024
NextDoor posting	2/26/2024

V. STAFF ANALYSIS

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

Mixed-Use Neighborhood (MU-N): The purpose of this designation is to assign areas where neighborhood-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to avoid predominantly single-use developments by incorporating a variety of uses. Land uses in these areas should be primarily residential with supporting non-residential services. Non-residential uses in these areas tend to be smaller scale and provide goods or services that people typically do not travel far for (approximately one mile) and need regularly. Employment opportunities for those living in the neighborhood are encouraged. Connectivity and access between the non-residential and residential land uses is particularly critical in MU-N areas. Tree-lined, narrow streets are encouraged.

*The proposed use of a Daycare Center (more than 12 children) is a community-serving commercial use that fits within the future land use designation of MU-N. The proposed use can serve both the immediate area and the nearby community at large. The proposed location is adjacent to commercial development and existing residences to the south and southeast. Staff finds the proposed use will provide a needed use for the nearby community and offer employment opportunities beyond typical retail jobs. The daycare use is a needed use throughout the City and providing it nearby residential meets many of the City’s desired outcomes for commercial development. **Specific policies are noted and analyzed below but Staff finds the proposed use to be consistent with the future land use designation of Mixed-Use Neighborhood, especially in combination with the existing commercial uses in the Hills Century Farm North and Commercial subdivisions.***

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

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work nearby, thereby reducing vehicle trips, and enhancing overall livability and sustainability” (3.06.02B). *As noted, the subject area is part of a mixed-use designation on our future land use map. Staff finds adding a daycare use in this location introduces a needed community serving use to the immediate area and is located within walking distance of several existing residences. Further, this property will have convenient pedestrian access to the adjacent subdivision to the south, therefore promoting overall sustainability and the benefits of having a supportive commercial use nearby residential.*
- “Encourage the development of supportive commercial near employment areas” (3.06.02C). *The subject daycare is proposed within an existing commercial development and is also directly north of the Hill Farm North No. 2 subdivision and east of the Hill’s Farm Commercial No. 2 subdivision which will include multiple commercial uses. Therefore, the proposed daycare should provide a supportive use to all of the businesses along this E. Amity Road frontage.*

- “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). *See above analysis—Staff finds the proposed location and use to be consistent with this policy.*
- “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 location of the subject daycare is proposed within an existing commercial development with drive aisles to the north and access to the site from a private drive off Tavistock Avenue. The Applicant is required to provide a landscape buffer along the private drive to the north and a 20-foot wide landscape buffer will be constructed to the south providing for additional screening between this commercial development and the existing subdivision to the south.*

An 11,300 square foot daycare center is proposed in the C-N zoning district which is designed to accommodate a maximum of 120-150 students and 15-25 employees. A daycare center requires Conditional Use Permit (CUP) in the C-N zoning district as set forth in UDC [Table 11-2B-2](#) and is subject to the specific use standards listed in UDC [11-4-3-9](#).

Specific Use Standards: The proposed use is subject to the specific use standards listed in UDC [11-4-3-9](#) – Daycare Facility, as follows:

- A. General standards for all child daycare and adult care uses, including the classifications of daycare center; daycare, family; and daycare, group.
 1. In determining the type of daycare facility, the total number of children at the facility at one time, including the operator's children, is the determining factor.

The applicant proposes to provide childcare for up to 120-150 children; because the daycare plans to provide care for more than 12 children, it's classified as a daycare center.
 2. On site vehicle pick up, parking and turnaround areas shall be provided to ensure safe discharge and pick up of clients.

On-site vehicle pick-up, parking and turnaround areas are provided. For safety, Staff recommends the row of parking on the east side of the property be restricted to Staff members only and signed accordingly.
 3. The decision-making body shall specify the maximum number of allowable clients and hours of operation as conditions of approval.

The maximum number of allowable clients should be limited to those specified in this application (i.e. 150).
 4. The applicant or owner shall provide proof of criminal background checks and fire inspection certificates as required by title 39, chapter 11, Idaho Code. Said proof shall be provided prior to issuance of certificate of occupancy. The applicant or owner shall comply with all State of Idaho and Department of Health and Welfare requirements for daycare facilities.

The Applicant shall provide this information to the Planning Division as required.
 5. In residential districts or uses adjoining an adjacent residence, the hours of operation shall be between 6:00 a.m. and 11:00 p.m. This standard may be modified through approval of a conditional use permit.

Residential use exists on the property to the south, zoned R-15. The proposed hours of operation are Monday through Friday from 6:00 am to 8:00 pm, which will not exceed

regulated hours.

6. Prior to submittal of an application for an accessory daycare facility in a residential district, the applicant or owner shall hold a neighborhood meeting in accord with subsection 11-5A-4.B of this title. Notice of the neighborhood meeting shall be provided to all property owners of record within one hundred (100) feet of the exterior boundary of the subject property.

Not applicable

The applicant shall not exceed the maximum number of clients as stated in the approved permit or as stated in this title, whichever is more restrictive.

B. Additional standards for daycare facilities that serve children.

1. All outdoor play areas shall be completely enclosed by minimum six-foot non-scalable fences to secure against exit/entry by small children and to screen abutting properties. *The applicant is proposing a 6-foot-tall vinyl fence around the playground area which provides screening and is non-scalable.*
2. Outdoor play equipment over six (6) feet high shall not be located in a front yard or within any required yard.

All playground equipment is located within the rear of the building enclosed by a 6-foot-tall vinyl fence that will screen the playground equipment.

3. Outdoor play areas in residential districts adjacent to an existing residence shall not be used after dusk.

The daycare is not located within a residential district but is adjacent to an existing residence. Compliance with these standards is required.

C. Additional standards for family daycare facilities conducted as home occupation accessory uses.

1. In no way shall the family daycare emit lighting, noise, fumes, smoke, dust, odors, vibrations, or electrical interference that can be observed outside the dwelling. A sign may be displayed for advertising the family daycare facility in accord with the standards set forth in subsection 11-3D-8.B of this title.
2. Off-street parking shall be provided as set forth in [section 11-3C-6](#) of this title, in addition to the required off-street parking for the dwelling.

These standards are not applicable.

Based on the above analysis, Staff deems the proposed use to be in compliance with the specific use standards as required *if* the Applicant complies with the conditions of approval in Section VIII.A.

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

Access: Access is proposed on the site plan from S. Tavistock Avenue onto a private drive.

Parking: Off-street parking is required to be provided in accord with the standards listed in UDC 11-3C-6 for non-residential uses which requires one (1) space per 500 square feet of gross floor area. Based on 11,300 s.f., a minimum of 23 spaces are required; a total of 35 spaces are proposed, including two (2) ADA compliant spaces.

A minimum of 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 capable of holding a minimum of two (2) bicycles has been provided in accordance with this requirement and depicted on the site plan.*

Pedestrian Walkways: A continuous internal pedestrian walkway that is a minimum of 5-feet wide is required to be provided from the perimeter sidewalk to the main building entrance and should be distinguished from vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4. *The applicant is proposing to match the existing sidewalk along the private drive with a 5-foot wide sidewalk within the landscape buffer along the entire frontage of the property. The sidewalk will facilitate pedestrian connectivity and easy access throughout the development. There is also a 6-foot wide pathway along the entire length of the west side of the property.*

Landscaping: Parking lot landscaping is required to be provided in accord with the standards listed in UDC [11-3B-8C](#) as shown.

A 20-foot wide landscape buffer is required to be provided to adjacent residential uses in the C-N zoning district per UDC [Table 11-2B-3](#); landscaping is required to be installed within the buffer in accord with the standards listed in UDC [11-3B-9C](#). Landscaping shall comply with the requirements in UDC [11-3B](#). A residential use exists to the south of the property requiring the 20-foot landscape buffer.

Street buffer landscape along the private drive is required to be installed.

Landscaping for the pathway on the west side of the property shall be installed per UDC [11-3B-12](#).

The site/landscape plan submitted with the Certificate of Zoning Compliance application should reflect compliance with this standard.

Outdoor Lighting: All outdoor lighting is required to comply with the standards listed in UDC 11-3A-11C. Light fixtures that have a maximum output of 1,800 lumens or more are required to have an opaque top to prevent up-lighting; the bulb shall not be visible and shall have a full cutoff shield in accord with Figure 1 in UDC 11-3A-11C.

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](#). If mechanical equipment is proposed to be roof-mount, all equipment should be screened and out of view as noted above.

Building Elevations: Conceptual building elevations were submitted for a single-story building as shown in Section VII.C that incorporate a mix of materials consisting of cultured stone, exterior insulation finishing system (or equivalent), fiber cement siding, precast stone sills and glass with an asphalt shingle roofing.

Final design is required to incorporate some of the same or similar design elements and materials as those in the development agreement and shall comply with the design standards listed in the [Architectural Standards Manual](#).

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 VIII, UDC standards, design standards and the development agreement.



ADA
ARCHITECTS

BASE PROTOTYPE
CITY OF SEASIDE
1000 S. MAIN ST., SEASIDE, CA 92082
TEL: (949) 440-1111
WWW.ADAARCHITECTS.COM

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RENDERINGS
DATE: 06/09/22
JOB NO: 19516
SK-1

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. Future development of this site shall comply with the previous conditions of approval and terms of CPAM-15-001, AZ-15-004 (DA #2015-061375); H-2016-0092 (MDA #2016-119080); H-2018-0087 (CUP for cell tower); H-2018-0127 (MDA - 2nd Addendum to DA #2019-033207); H-2019-0134 (MDA – 3rd Addendum DA #2020-059662); H-2020-0080 (MDA 4th Addendum DA 2020-117720); H-2020-0055 Hill’s Century Farm North No.1 Final Plat and the conditions contained herein.
2. The applicant shall receive written approval of the City of Meridian Planning Division that the final property boundary adjustment is in conformance with UDC 11-6B-8 prior to building permit issuance.
3. The fire truck turning radius submitted is not approved. The landscaped island may need to be altered in order to meet the requirements. Revise the site plan to meet the Fire Department requirements.
4. A maximum of five (5) additional trees needs to be added to the landscape planters per UDC 11-3B-8C. Three (3) on the east side of the property and one each in the landscape planters at the entrance to the property.
5. Compliance with the standards listed in UDC 11-4-3-9 – Daycare Facility is required.
6. The applicant or owner shall provide proof of criminal background checks and fire inspection certificates as required by title 39, chapter 11, Idaho Code. **Said proof shall be provided prior to issuance of Certificate of Occupancy.** The applicant or owner shall comply with all State of Idaho and Department of Health and Welfare requirements for daycare facilities.
7. The maximum number of allowable clients shall be 150 as proposed with this application.
8. The business hours of operation shall be limited to the hours between 6:00 am 11:00 pm in accord with UDC 11-2B-3B.
9. Outdoor play equipment over six (6) feet high shall not be located in a front yard or within any required yard in accord with UDC 11-4-3-9B.2.
10. The row of parking on the east side of the building shall be restricted to staff member parking only and signs shall be erected accordingly.
11. Protect the existing landscaping on the site during construction, per UDC 11-3B-10.
12. 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.
13. 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 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. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331377&dbid=0&repo=MeridianCity>

C. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331382&dbid=0&repo=MeridianCity>

D. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331965&dbid=0&repo=MeridianCity>

E. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=332247&dbid=0&repo=MeridianCity>

F. BOISE PROJECT BOARD OF CONTROL

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=332247&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.

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

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 daycare center is 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.

Staff 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.

Staff 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.

Staff 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.

Staff 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.

Staff 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)

Staff 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: Public Hearing for Keep West Subdivision No. 2 (H-2023-0047) by Jarron Langston, located at 2625 E. Lake Hazel Rd. and 6519 S. Raap Ranch Ln.
Application Materials: <https://bit.ly/H-2023-0047>

A. Request: Annexation and zoning of 16.25 acres of land from RUT to R-2 (low density residential) zoning district

B. Request: Preliminary Plat consisting of 22 buildable lots, one existing home and 5 common lots on (16.25 acres of land) in the R-2 zoning district

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



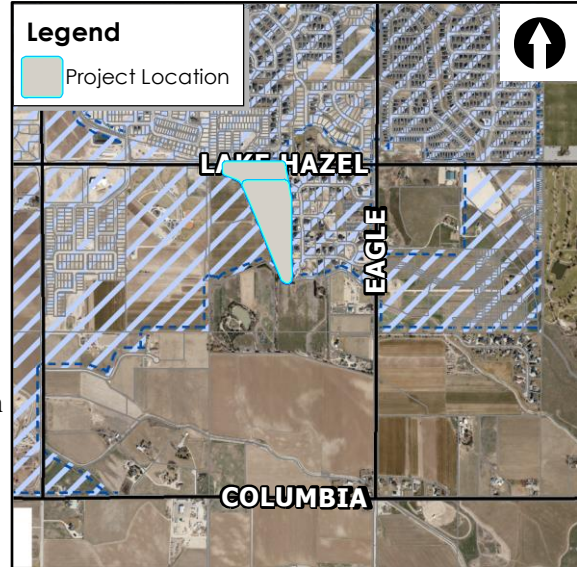
HEARING DATE: March 7, 2023

TO: Planning & Zoning Commission

FROM: Linda Ritter, Associate Planner
208-884-5533

SUBJECT: Keep West Subdivision – AZ, PP
H-2023-0047

LOCATION: 2625 E. Lake Hazel Rd. and 6519 S. Raap Ranch Ln., in the NE 1/4 of Section 5, T.2N., R.1E. (Parcel # R7317670010 and R7317670020)



I. PROJECT DESCRIPTION

Annexation and zoning of 16.25 acres of land from RUT to R-2 (low "density residential") zoning district and a Preliminary Plat consisting of 22 buildable lots, one existing home and 8 common lots on 15.76 acres of land in the R-2 zoning district for Keep West Subdivision.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	Annexation 16.25 acres / Preliminary Plat 15.76
Future Land Use Designation	Medium Density Residential (MDR) and Low Density Residential (LDR)
Existing Land Use	Rural Urban Transition (RUT)
Proposed Land Use(s)	Single-family detached dwellings
Current Zoning	Rural Urban Transition (RUT) in Ada County
Proposed Zoning	R-2 (Low Density Residential)
Lots (# and type; bldg/common)	23 building (1 existing)/ 3 common/2 irrigation easement lots
Phasing plan (# of phases)	1
Number of Residential Units (type of units)	23 single-family detached units, including one existing home
Density (gross & net)	1.46 units/acre (gross)
Open Space (acres, total [%] / buffer / qualified)	1.30-acre (or 8%) consisting of street buffer and open space area.
Amenities	NA
Physical Features (waterways, hazards, flood plain, hillside)	The Farr and Grimmet Laterals run along the west & east boundaries of the site.

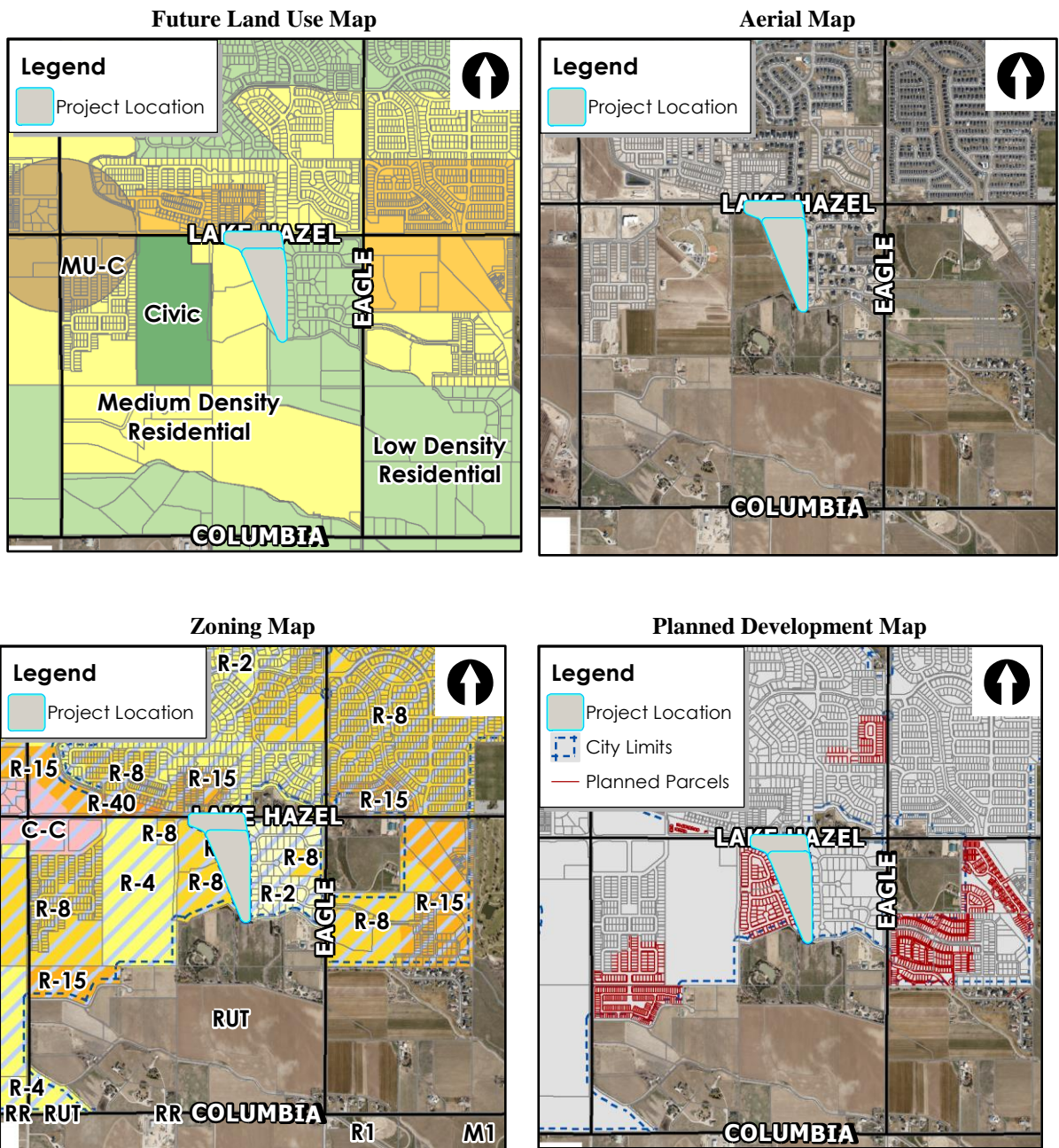
Neighborhood meeting date	1/4/23
History (previous approvals)	Raap Ranch Subdivision recorded in 2013

B. Community Metrics

Description	Details
Ada County Highway District	
<ul style="list-style-type: none"> • Staff report (yes/no) 	Yes
<ul style="list-style-type: none"> • Requires ACHD Commission Action (yes/no) 	No
<ul style="list-style-type: none"> • TIS (yes/no) 	No (not required)
<ul style="list-style-type: none"> • Level of Service (LOS) 	Better than “D” at PM peak hours, which is an acceptable LOS for a 5-lane principal arterial (Lake Hazel Road).
<ul style="list-style-type: none"> • Existing Conditions 	There are three existing driveways serving the existing homes via E. Lake Hazel Road.
<ul style="list-style-type: none"> • CIP/IFYWP 	Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP): <ul style="list-style-type: none"> • Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Cloverdale Road to Eagle Road and is under construction with a completion date later in 2023. • The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 6-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 6-lanes on the west leg, and signalized in 2024.
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Two (2) accesses exist via E. Wickham Street and S. Netherfield Way, local streets. The existing access from E. Lake Hazel Road will be residential access will become an access for emergency vehicles only. No direct access is proposed via E. Lake Hazel Road.
Proposed Road Improvements	
Fire Service	This project currently falls in an area where we don’t have total response times for an effective firefighting force to meet NFPA 1710 standards or current City of Meridian adopted standards. The first due station is Fire Station 7. This fire station is approximately 1.0 mile from the project which is good for the first due engine. See attached comments https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330404&dbid=0&repo=MeridianCity
Police Service	<i>No comments received</i>
West Ada School District	<i>No comments received</i>
Wastewater	
<ul style="list-style-type: none"> • Distance to Sewer Services 	Directly adjacent
<ul style="list-style-type: none"> • Sewer Shed 	
<ul style="list-style-type: none"> • Estimated Project Sewer ERU’s 	See application
<ul style="list-style-type: none"> • WRRF Declining Balance 	
<ul style="list-style-type: none"> • Project Consistent with WW Master Plan/Facility Plan 	Yes
<ul style="list-style-type: none"> • Impacts/Concerns 	Flow is committed

Water	
• Distance to Services	Water is available at site
• Pressure Zone	
• Estimated Project Water ERU's	See application
• Water Quality Concerns	None
• Project Consistent with Water Master Plan	Yes

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Jarron Langston – 9563 W. Harness Drive, Boise, ID 83709

B. Owners:

Brian D. and Mary L. Affleck – 6519 S Raap Ranch Lane, Meridian, ID 83642

C. Representative:

Ted Burke, EDM Partners – 2815 E 3300 S, Salt Lake City, UT, 84109

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	2/20/2024	
Radius notification mailed to property owners within 300 feet	2/16/2024	
Public hearing notice sign posted on site	2/24/2024	
Nextdoor posting	2/26/2024	

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Low Density Residential (LDR), which allows for dwelling units at gross densities of 3 dwelling units per acre; and Medium Density Residential (MDR), which allows for dwelling units at gross densities of 3 to 8 dwelling units per acre on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#).

The Comprehensive Plan allows an adjacent, abutting designation, when appropriate and approved as part of a public hearing with a development application, to be used. Over half of the property has a future land use designation of low density residential, the applicant has proposed to continue that use for the entire development as allowed in the Comprehensive Plan.

The Applicant proposes a 23-lot subdivision for single-family residential detached homes at a gross density of 1.46 units per acre, which meets the comprehensive plans desire of larger lots in the LDR designation. The property is surrounded by single-family residential homes zoned R-2 and R-4 (Low Density Residential), R-8 (Medium Low-Density Residential), and R-15 (Medium-High Density Residential) indicating a mix of low and medium density residential zones.

Staff has considered multiple factors, including the surrounding mix of low and medium density residential zones, the presence of irrigation ditches on the east and west sides of the property, and the proposed gross density of 1.46 units per acre. In light of these considerations, staff is supportive of the applicant's request to zone the property as Low Density Residential (LDR) for the proposed 23-lot subdivision.

TRANSPORTATION: The Master Street Map (MSM) does not depict any collector streets across this property. Lake Hazel Road is scheduled in ACHD’s Integrated Five Year Work Plan (IFYWP) to be widened to 5-lanes from Cloverdale Road to Eagle Road and is under construction with a completion date later in 2023. The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP

to be widened to 6-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 6-lanes on the west leg, and signalized in 2024. Lake Hazel Rd. is currently improved with 2 travel lanes (one in each direction) and has no curb, gutter or sidewalk.

ACHD's Roadways to Bikeways Master Plan (BMP) identifies Lake Hazel Road as Level 3 facilities that will be constructed as part of the aforementioned Lake Hazel Road IFYWP ACHD project.

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

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

The proposed single-family detached dwellings offers a mix of home and lot sizes that should contribute to the variety of housing options in this area and within the City as desired.

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21.

- “Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.” (3.07.01A)

The proposed site design with larger lot sizes abutting similar size lots to the east in the Keep Subdivision and smaller size lots to the west in the Vertex Subdivision No. 1 and 2 will provide a good transition in density and lot sizes to abutting parcels.

Although the FLUM designation for the proposed preliminary plat is MDR and LDR, the applicant has chosen to move forward with LDR as it is located between two irrigation ditches (Farr and Grimmer laterals) and will be similar to the existing Keep Subdivision to the east.

- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)

The proposed and existing adjacent uses are all single-family detached residential homes, which should be generally compatible with each other, thereby reducing conflicts and maximizing use of land.

- “Support infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.” (2.02.02C)

Development of the subject infill property will not negatively impact abutting existing development due to the similar lots sizes and density proposed. The property is separated from the adjacent developments by irrigation ditches on the east and west side of the property. The density is similar to the existing Keep Subdivision to the east.

- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)

The proposed development, including the existing home, will connect to City water and sewer

systems with development of the subdivision; services are required to be provided to and though this development in accord with current City plans.

- “Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D)

Per ACHD’s staff report, Lake Hazel Road is currently being improved to 5-travel lanes, vertical curb, gutter, 4-foot wide permeable pavers, and a 10-foot wide concrete sidewalk abutting the site. Sidewalks are proposed throughout the development along the proposed streets. The sidewalk along E. Wickham Street will provide a pedestrian connection to the development to the east and along S. Netherfield Way to the west. Currently there are no pedestrian pathway stubs to this property from adjacent developments.

- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)

Urban sewer and water infrastructure and curb, gutter and sidewalks are required to be provided with development of the subdivision.

- “Eliminate existing private treatment and septic systems on properties annexed into the City and instead connect users to the City wastewater system; discourage the prolonged use of private treatment septic systems for enclave properties.”

With redevelopment of the site, the existing home is required to connect to City water and sewer service and the existing septic system and well should be abandoned.

- “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)

There are three (3) access points on E. Lake Hazel Road for this property (and an irrigation access). With development, this access will be closed and access will be provided internally from within the subdivision via the extension of E. Wickham Street and S. Netherfield Way. There is will an emergency access where the existing access for the remaining home is currently located.

- “Maximize public services by prioritizing infill development of vacant and underdeveloped parcels within the City over parcels on the fringe.” (2.02.02)

Development of the subject infill parcel will maximize public services.

VI. STAFF ANALYSIS

A. ANNEXATION (AZ)

The Applicant proposes to annex 16.25 acres of land with an R-2 zoning district and develop 15.76 acres of land with single-family homes at a gross density of 1.46 units per acre, this is consistent with the LDR FLUM designation as discussed above in Section V.

A legal description and exhibit map for the annexation area and property is included in Section VIII.A. This property is within the City’s Area of City Impact boundary.

A preliminary plat and conceptual building elevations were submitted showing how the property is proposed to be subdivided and developed with twenty-two (22) new single-family residential detached dwellings and retention of the existing home (see Section VIII).

Single-family detached dwellings are listed as a principal permitted use in the R-2 zoning district per UDC [Table 11-2A-2](#). Future development is subject to the dimensional standards listed in UDC Table [11-2A-6](#) for the R-2 zoning district.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **To ensure the subject property develops as proposed, Staff recommends a DA is required with the provisions discussed herein and included in Section IX.A.**

B. PRELIMINARY PLAT (PP):

The proposed preliminary plat consists of 22 building lots and eight (8) common lots on 15.76 acres of land in the proposed R-2 zoning district as shown in Section VIII.C. Proposed buildable lots range in size from 12,099 square feet (s.f.) (or 0.28 acre) to 27,957 s.f. (or 0.64 acre). The subdivision is proposed to be developed in one (1) phase.

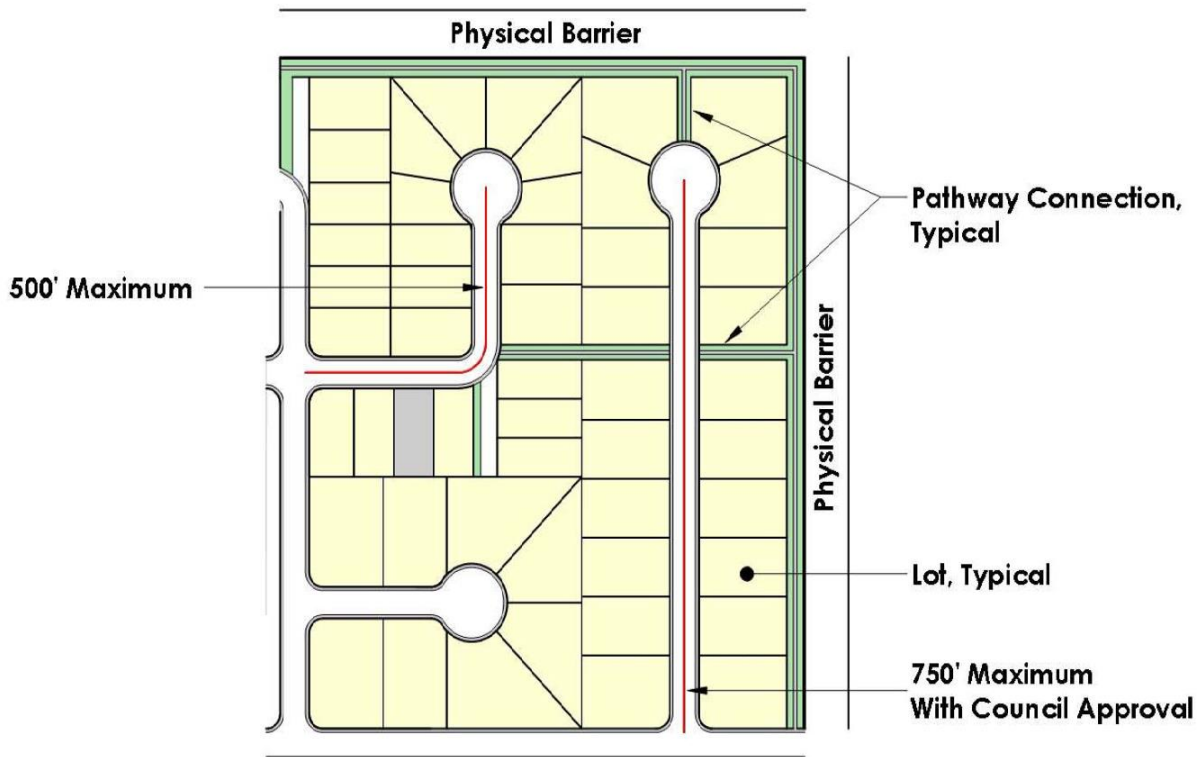
Existing Structures/Site Improvements: There is an existing home and several other structures on the property. The existing home is proposed to remain on Lot 36, Block 1, all other structures are proposed to be removed. **Prior to the City Engineer's signature on the final plat, all existing structures that don't comply with the setbacks of the district shall be removed. A new address will be required for the existing home.**

Dimensional Standards (UDC [11-2](#)): The proposed plat, existing home and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2A-6](#) for the R-2 zoning district. The proposed lots comply with the minimum dimensional standards. The existing home shall comply with the setback requirements of the district.

Subdivision Design & Improvement Standards: The proposed subdivision is required to comply with the design and improvement standards listed in UDC [11-6C-3](#).

Dead End Streets: Per UDC 11-6C-3B4, the City Council may approve a dead end street up to seven hundred fifty (750) feet in length where an emergency access is proposed; or where there is a physical barrier such as a steep slope, railroad tracks, an arterial roadway, or a large waterway that prevents or makes impractical extension; and where a pedestrian connection is provided from the street to an adjacent existing or planned pedestrian facility. See diagram below.

The cul-de-sac for the proposed plat is greater than 900 feet which would exceed the maximum approval allowed by City Council of 750 feet in length. The applicant needs to revise the plat map shortening the length of the cul-de-sac and submit a revised plat map fifteen days prior to the City Council meeting.



Access: There are three (3) access points on E. Lake Hazel Road, an arterial street, for the existing homes and structures. The Irrigation District takes accesses to the property via the parcel to the west. The driveway for the existing home will remain and be utilized as an emergency access only.

Access is proposed via the extension of E. Wickham Street at the east boundary of the site, which terminates onto S. Netherfield Way. Direct access is not proposed or allowed via E. Lake Hazel Road. A common driveway is proposed for access to Lots 22 and 223. An exhibit for the common driveway was submitted as shown in Section VIII.D that complies with the standards listed in UDC [11-6C-3D](#). **A perpetual ingress/egress easement shall be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of such should be submitted with the final plat for City Engineer signature; or, a plat note could be included on the plat that includes this information.**

Landscaping: A 25-foot wide street buffer is required along E. Lake Hazel Road., an arterial street, per UDC [Table 11-2A-6](#), measured from back of the sidewalk. A buffer is depicted on the landscape plan that appears to meet this requirement. **The buffer has been depicted on the plat in a common lot as proposed with landscaping per the standards listed in UDC [11-3B-7C.3](#).**

There are several existing trees on the site, where possible existing trees should be retained. Mitigation is required in accord with the standards listed in UDC [11-3B-10C.5](#); calculations demonstrating compliance with the aforementioned standards should be depicted on the landscape plan.

Common Open Space & Site Amenities (UDC [11-3G-3](#)): The applicant is proposing 1.48-acres of open space consisting of 50% of the street landscape buffer along E. Lake Hazel Road, parkway, pathway along emergency access, covered pavilion, sports court and grassy areas. The

applicant provided 1.48 acres of open space (9.41%) exceeding the 8% (64,589 sf or 1.48 acres) requirement.

Per UDC 11-3G-4, for each five (5) acres of gross land area, one (1) point of site amenity is required. As the property is 15.76 acres, a total of 3 amenities points is required. The applicant is proposing a covered pavilion (picnic area – 2 points) and sports court for pickle ball (4 points) as amenities which totals 6 amenities points. The amenity points are in excess of the required three (3) points. Staff recommends a provision to the Development Agreement requiring the installation of the amenities as proposed.

Pathways: All pathways should be constructed in accord with the standards listed in UDC [11-3A-8](#). A 10-foot wide sidewalk is required along the northern boundary of the site in accord with the Pathways Master Plan. A 14-foot wide public pedestrian easement is required for the pathway (see Park’s Dept. comments in Section IX.G), unless ACHD requires with the construction of the Lake Hazel road widening project.

Sidewalks (11-3A-17): Ten-foot wide detached multiple-use pathways (MUP) is required within street buffers along arterial streets.

Parking: Off-street parking is required to be provided for each home based on the total number of bedrooms per unit as set forth in UDC [Table 11-3C-6](#).

Waterways: The Farr Lateral exists along the west boundary (within a 50-foot easement) and the Grimmet Lateral along the east boundary within a 40-foot wide easement, measured from centerline). The applicant shall submit documentation from the Irrigation District verifying the easements and any restrictions within the easement.

The UDC (11-3A-6E) requires irrigation easements wider than 10 feet to be included in a common lot that is a minimum of 20-foot wide outside of a fenced area, unless modified by City Council at a public hearing with notice to surrounding property owners. The applicant proposes to place the Farr and the Grimmet Laterals within common lots as required.

All other irrigation ditches crossing this site that aren’t being improved as a water amenity or linear open space as defined in UDC [11-1A-1](#) shall be piped or otherwise covered as set forth in UDC [11-3A-6B.3](#), unless otherwise waived by City Council.

The applicant is proposing to pipe the Grimmet Lateral and has been working with the Boise Project Board of Control for approval. The Farr Lateral will remain open. If piped, the Boise Project Board of Control will not approve any landscaping other than gravel within its 25-foot easement. No variances will be given.

Fencing: All fencing is required to comply with the standards listed in UDC [11-3A-6C](#) and [11-3A-7](#), as applicable. The landscape plan depicts existing fencing along the north boundary of the site. A 6-foot tall privacy fence is depicted along the west, south and east boundaries of the site. A 4-foot tall privacy fence is proposed along internal common lots.

Utilities (UDC 11-3A-21): Connection to City water and sewer services is required in accord with UDC 11-3A-21. **The existing home is required to connect to City water and sewer service within 60 days of it becoming available and disconnect from private service, as set forth in MCC [9-1-4](#) and [9-4-8](#).**

Street lighting is required to be installed in accord with the City’s adopted standards, specifications and ordinances.

Pressurized Irrigation System (UDC 11-3A-15): Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC [11-3A-15](#).

Storm Drainage (UDC [11-3A-18](#)): An adequate storm drainage system is required in all developments in accord with the City’s adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC [11-3A-18](#). A Geotechnical Report was submitted with this application.

Building Elevations: Several conceptual building elevations of homes were submitted as shown in Section VIII.G. Building materials consist of a variety of stone/brick veneer accents and stucco. Design review is not required for single-family detached structures.

VII. DECISION

A. Staff:

Staff recommends approval of the proposed annexation with the requirement of a Development Agreement, and preliminary plat per the provisions in Section IX in accord with the Findings in Section X.

VIII. EXHIBITS

A. Property Description and Exhibit Map



Client: Jarron Langston Land Development
Date: February 22, 2023
Job No.: 0323



PROPERTY DESCRIPTION

A parcel of land being a portion of the W 1/2 NE 1/4 of Section 5, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a found Aluminum cap stamped "PLS 4431" marking the NE corner of said NE 1/4, (Section corner common to Sections 4 and 5 of Township 2 North, Range 1 East, and Sections 32 and 33 of Township 3 North, Range 1 East), said corner bears S.89°56'45" E., a distance of 2659.14 feet from a found Brass Cap marking the NW corner of said NE 1/4, (North 1/4 corner);

Thence along the Northern boundary of said NE 1/4, N. 89°56'45" W., a distance of 1522.85 feet to a found 5/8 inch diameter iron pin with an illegible cap;
Thence leaving said Northern boundary, S. 10°16'52" E., a distance of 25.52 feet to the POINT OF BEGINNING, said point monumented with a found 5/8 inch diameter iron pin stamped "PLS 14221"

Thence S. 09°35'51" E., a distance of 540.33 feet to a point;
Thence S. 00°23'31" E., a distance of 1213.70 feet to a found 5/8 inch diameter iron pin stamped "PLS 14221";

Thence S.00°22'25" E., a distance of 45.93 feet to a point on the centerline of the Farr Lateral. Said point bears S.00°22'25" E., a distance of 45.93 from a found 5/8 inch diameter iron pin witness corner stamped "PLS 14221";

Thence along the centerline of said Farr Lateral the following Courses and Distances;

Thence N. 49°59'57" W., a distance of 27.51 feet to a point;

Thence N. 22°30'24" W., a distance of 1518.71 feet to a point;

Thence continuing, N. 25°12'14" W., a distance of 135.17 feet to a point marking the beginning of a tangent curve to the left;

Thence a distance of 153.60 feet along the arc of said curve to the left, having a radius of 200.00 feet, a central angle of 44°00'08", the long chord of which bears N. 47°12'21" W., a distance of 149.86 feet to a point;

Thence N. 69°12'33" W., a distance of 194.76 feet to a point;

Thence leaving said Farr Lateral, N. 00°09'59" W., a distance of 40.74 feet to a found 5/8 inch diameter iron pin stamped "PLS 4998";

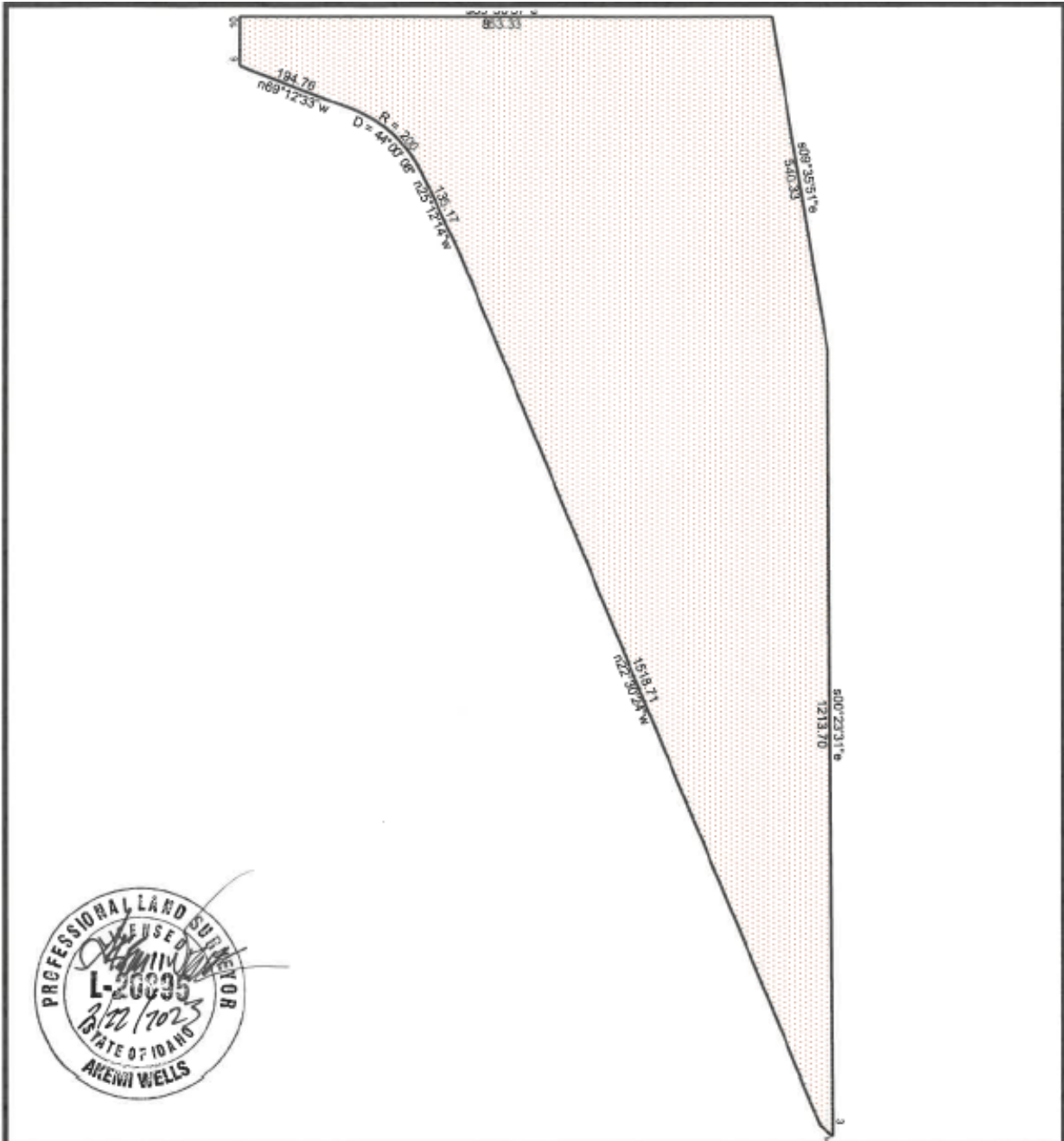
Thence N. 00°10'55" E., a distance of 38.42 feet to a found 5/8 inch diameter bent iron pin without a cap on the Southern Right-of-Way of East Lake Hazel Road;

Thence along said Southern Right-of-Way, S. 89°56'57" E., a distance of 853.33 feet to the POINT OF BEGINNING.

This parcel contains 15.76 acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.

623 11th Ave. South, Nampa, ID 83651 • T. (208) 442-0115 • C. (208) 608-2510 • rgray.cls@gmail.com



raap ranch boundary closure 2/22/2023

Scale: 1 inch= 212 feet | File: raap ranch boundary closure 02222023.ndp

Tract 1: 15.7622 Acres, Closure: n13.2204w 0.01 ft. (1/554101), Perimeter=4762 ft.

01 s09.3551e 540.33	10 n00.1055e 38.42
02 s00.2331e 1213.70	11 s89.5657e 853.33
03 s00.2225e 45.93	
04 n49.5957w 27.51	
05 n22.3024w 1518.71	
06 n25.1214w 135.17	
07 Lt, r=200.00, delta=044.0008, chord=n47.1221w 149.85	
08 n69.1233w 194.76	
09 n00.0959w 40.74	

B. Annexation Description and Exhibit Map



Client: Jarron Langston Land Development
Date: February 22, 2023
Job No.: 0323



ANNEXATION DESCRIPTION

A parcel of land being a portion of the W 1/2 NE 1/4 of Section 5, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a found Aluminum cap stamped "PLS 4431" marking the NE corner of said NE 1/4, (Section corner common to Sections 4 and 5 of Township 2 North, Range 1 East, and Sections 32 and 33 of Township 3 North, Range 1 East), said corner bears S. 89°56'45" E., a distance of 2659.14 feet from a found Brass Cap marking the NW corner of said NE 1/4, (North 1/4 corner);

Thence along the Northern boundary of said NE 1/4, N. 89°56'45" W., a distance of 1522.85 feet to the POINT OF BEGINNING, said point monumented with a found 5/8 inch diameter iron pin with an illegible cap;

Thence leaving said Northern boundary, S. 10°16'52" E., a distance of 25.52 feet to found 5/8 inch diameter iron pin stamped "PLS 14221";

Thence S. 09°35'51" E., a distance of 540.33 feet to a point;

Thence S. 00°23'31" E., a distance of 1213.70 feet to a found 5/8 inch diameter iron pin stamped "PLS 14221";

Thence S. 00°22'25" E., a distance of 45.93 feet to a point on the centerline of the Farr Lateral. Said point bears S. 00°22'25" E., a distance of 45.93 feet from a found 5/8 inch diameter iron pin witness corner stamped "PLS 14221";

Thence along the centerline of said Farr Lateral the following Courses and Distances;

Thence N. 49°59'57" W., a distance of 27.51 feet to a point;

Thence N. 22°30'24" W., a distance of 1518.71 feet to a point;

Thence continuing, N. 25°12'14" W., a distance of 135.17 feet to a point marking the beginning of a tangent curve to the left;

Thence a distance of 153.60 feet along the arc of said curve to the left, having a radius of 200.00 feet, a central angle of 44°00'08", the long chord of which bears N. 47°12'21" W., a distance of 149.86 feet to a point;

Thence N. 69°12'33" W., a distance of 194.76 feet to a point;

Thence leaving said Farr Lateral, N. 00°09'59" W., a distance of 40.74 feet to a found 5/8 inch diameter iron pin stamped "PLS 4998";

Thence N. 00°10'55" E., a distance of 38.42 feet to a found 5/8 inch diameter bent iron pin without a cap on the Southern Right-of-Way of East Lake Hazel Road;

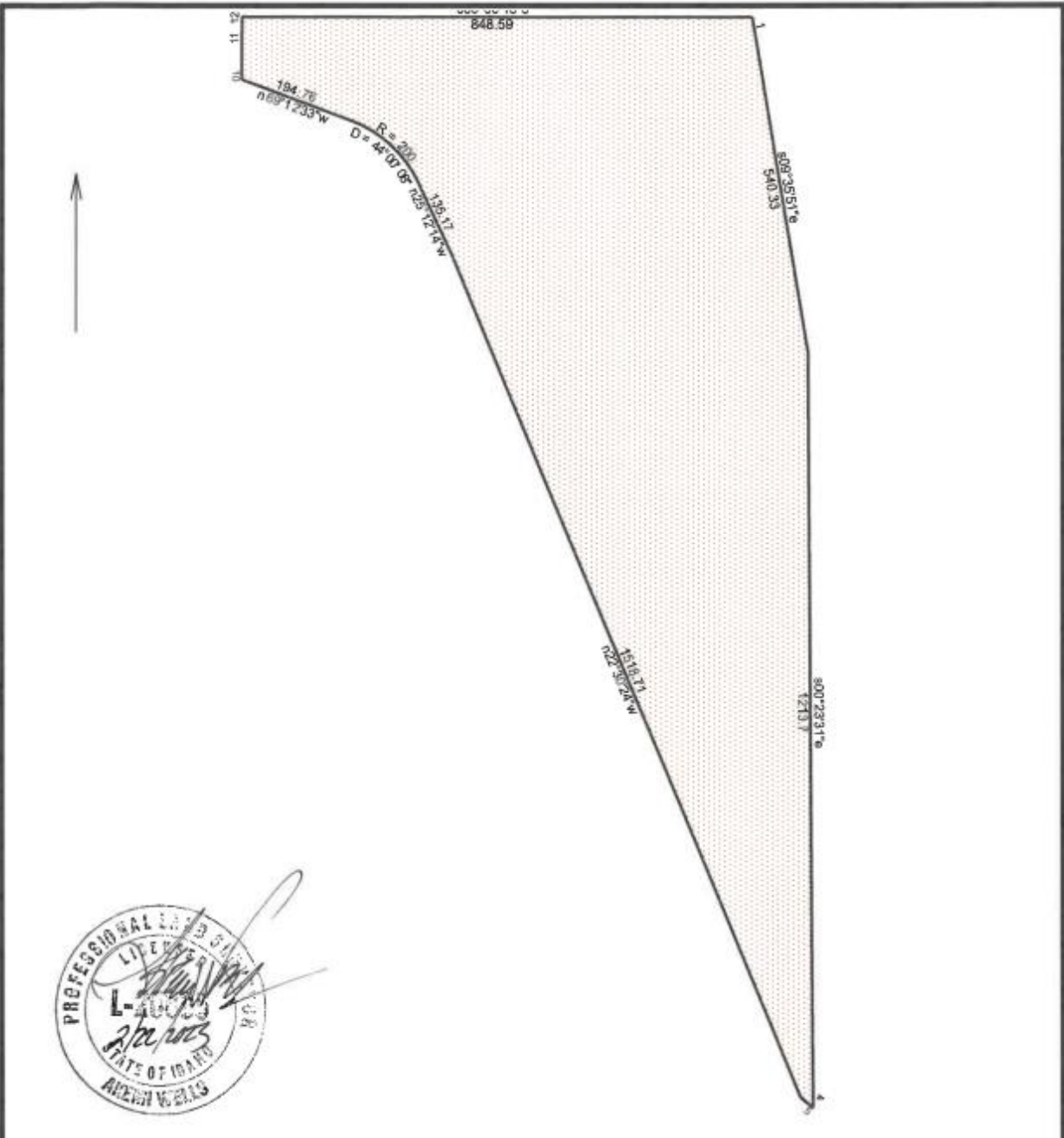
Thence N. 00°25'38" E., a distance of 25.16 feet to a found 5/8 inch diameter bent iron pin without a cap on the Northern boundary of said NE 1/4;

Thence along said Northern boundary, S. 89°56'45" E., a distance of 848.59 feet to the POINT OF BEGINNING.

This parcel contains 16.25 acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.

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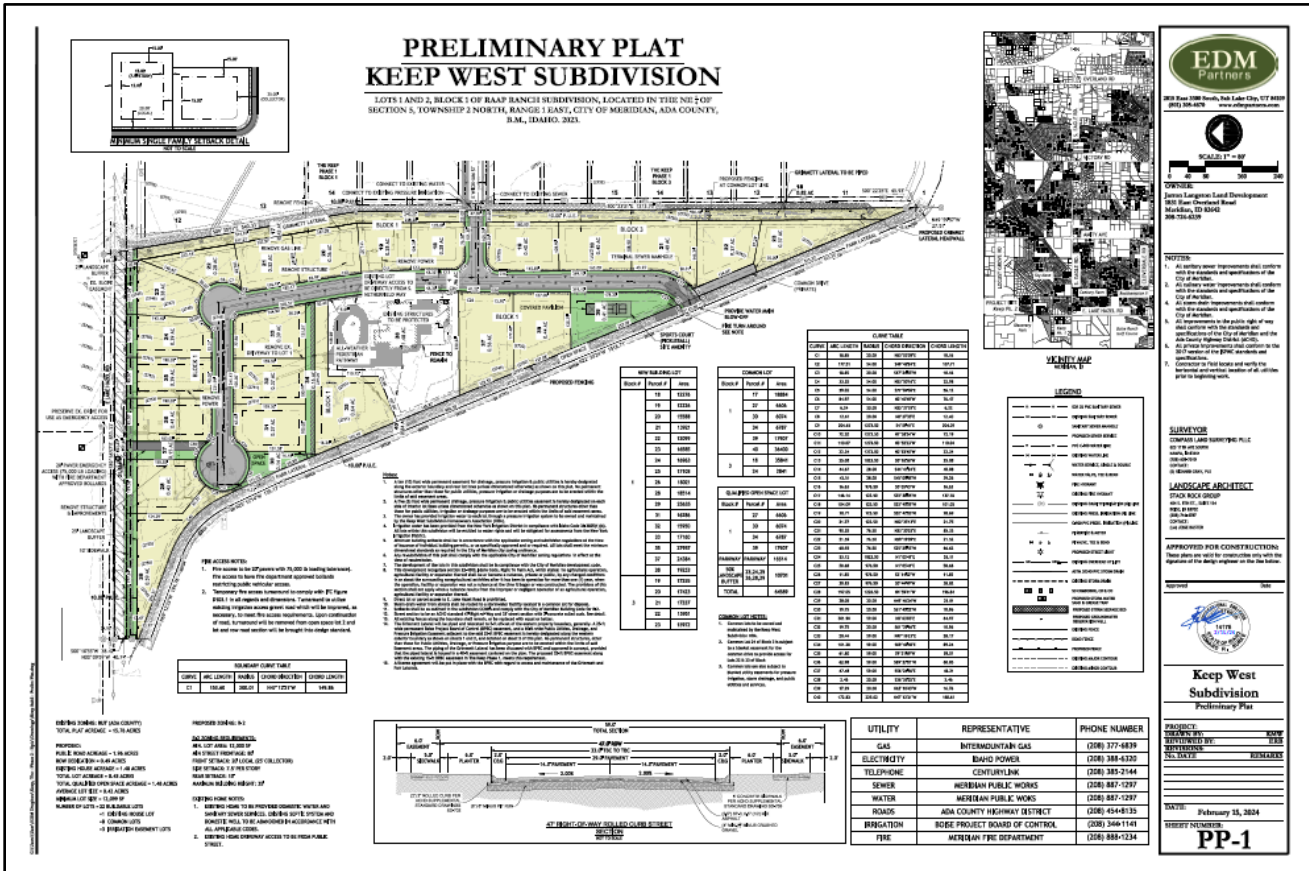
Raap Ranch Annexation Closure 2/22/2023

Scale: 1 inch= 221 feet | File: Raap Ranch Annexation Closure 02222023.ndp

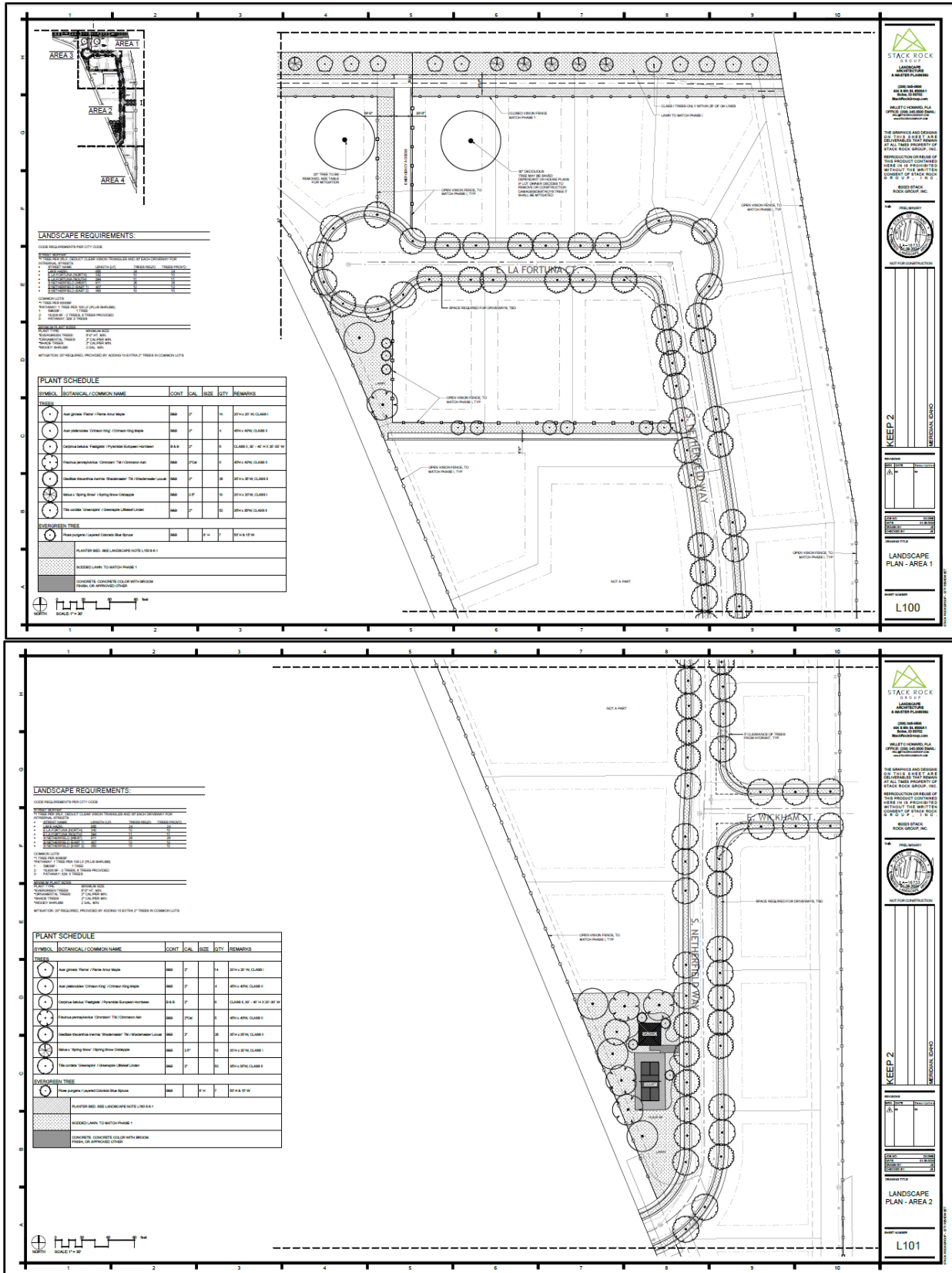
Tract 1: 16.2532 Acres, Closure: n43.5224w 0.01 ft. (1/774805), Perimeter=4808 ft.

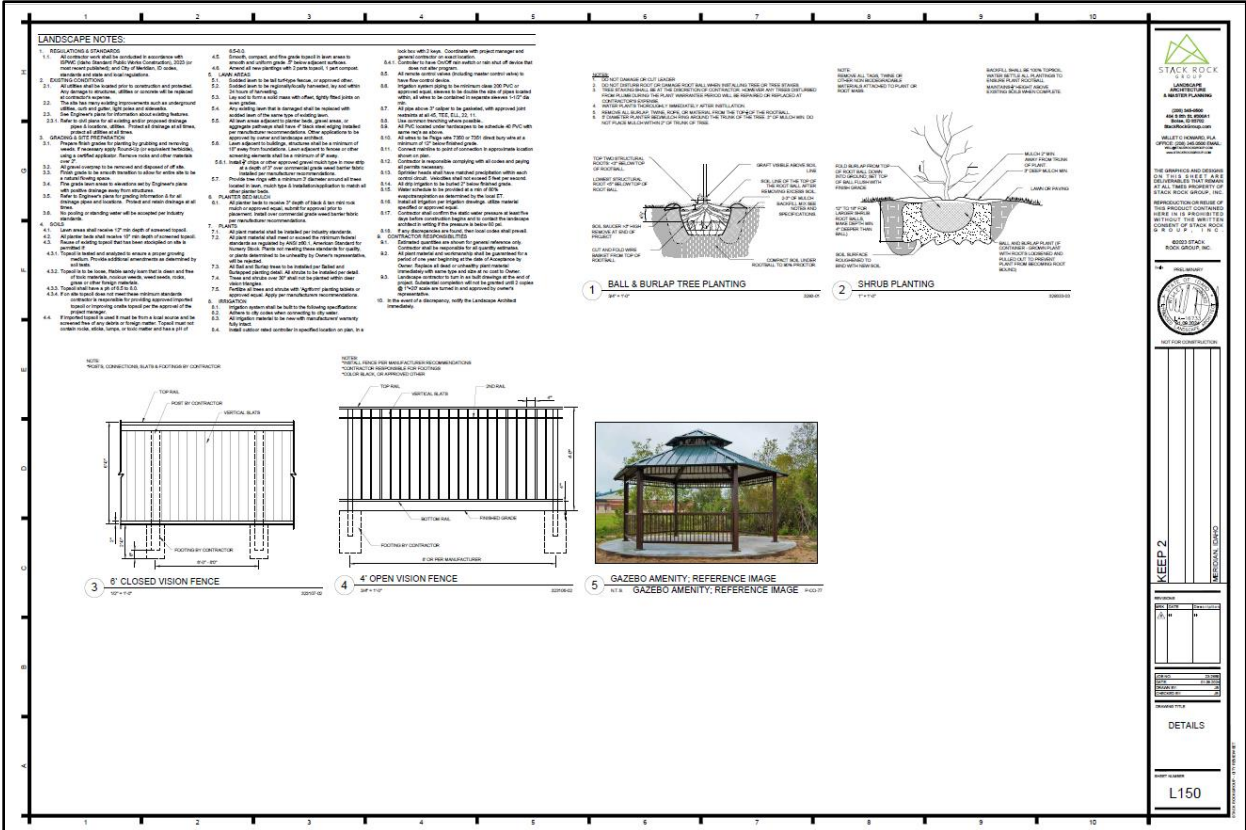
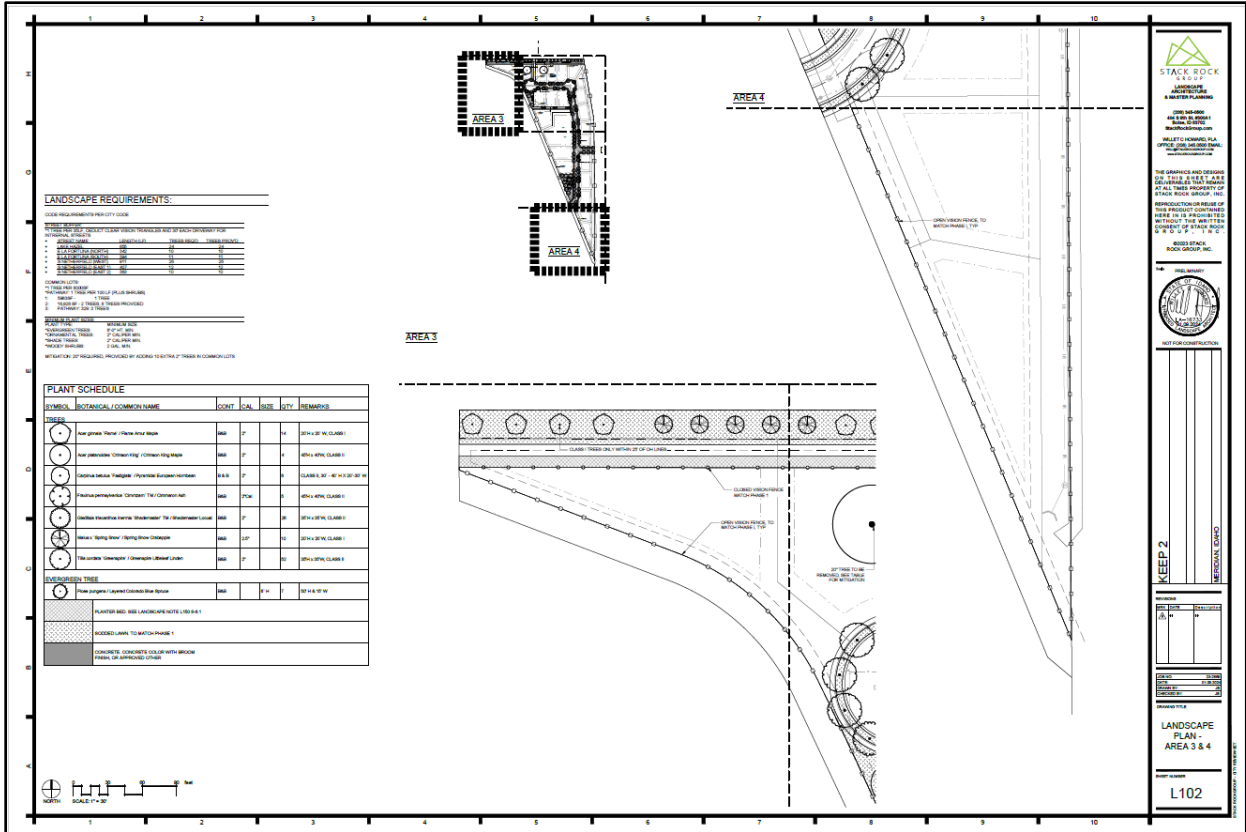
01 s10.1652e 25.52	10 n00.0959w 40.74
02 s09.3551e 540.33	11 n00.1055e 38.42
03 s00.2331e 1213.7	12 n00.2538e 25.16
04 s00.2225e 45.93	13 s89.5645e 848.59
05 n49.5957w 27.51	
06 n22.3024w 1518.71	
07 n25.1214w 135.17	
08 Lt, r=200.00, delta=044.0008, chord=n47.1221w 149.85	
09 n69.1233w 194.76	

C. Preliminary Plat (dated: 2/15/24)

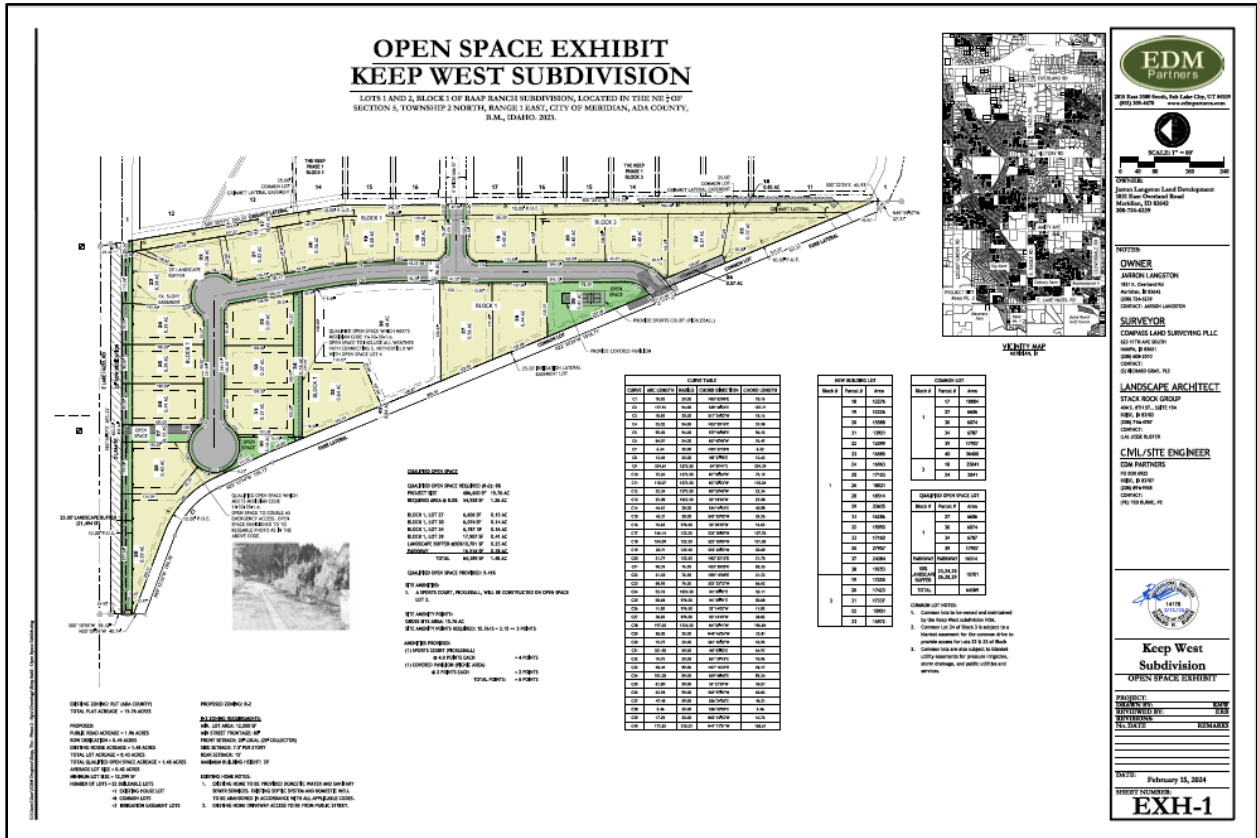


E. Landscape Plan (dated: 1/9/2024)





F. Open Space Exhibit (dated: 2/15/24)



G. Conceptual Building Elevations



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer.

Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. The DA shall, at minimum, incorporate the following provisions *IF* City Council determines annexation is in the best interest of the City:

- a. Future development of this site shall be generally consistent with the preliminary plat, common driveway exhibit, landscape plan and conceptual building elevations included in Section VIII and the provisions contained herein.
 - b. The applicant shall provide a covered pavilion (picnic area) and sports court for pickle ball as amenities for the Keep West subdivision as proposed in the preliminary plat.
 - c. The existing home shall connect to City water and sewer service within 60 days of it becoming available and disconnect from private service, as set forth in MCC 9-1-4 and 9-4-8.
2. The final plat shall include the following notes and revisions:
 - a. Lots 27, 30 and 39, Block 1 are non-buildable common lots and will be owned and maintained by the Keep No. 2 Subdivision Homeowners Association.
 - b. Place the landscape buffer along E. Lake Hazel Road in a common lot.
 - c. Identify the areas of the Farr and Grimmatt Laterals and the common drive as common lots on the plat.
 3. The landscape plan submitted with the final plat shall include the following revisions:
 - a. Include mitigation information for all existing trees being removed from the site in accord with the standards listed in UDC 11-3B-10C.5.
 - b. Provide landscaping along both sides of the pathway per UDC 11-3B-12.C
 - c. Extend the pathway on Lot 34, Block 1 to the cul-de-sac instead of having it dead end at Lot 40, Block 1.
 4. The common driveway for Lot 22 and 23, Block 3 shall comply with the standards listed in UDC 11-6C-3D and the exhibit in Section VIII.C.
 5. The address of the existing home shall change with development of the subdivision.
 6. The Applicant shall obtain a Council waiver to allow the Farr Lateral to remain open in a natural state at the Council hearing, per UDC 11-3A-6. Written documentation from the Boise Board of Project Control approving the tiling of the Grimmatt Lateral is required prior to signature on the final plat OR leave it open in a natural state if allowed. This document shall be submitted 15 days prior to the City Council hearing.
 7. **The applicant shall submit a revised plat map, fifteen days prior to the City Council meeting, showing the cul-de-sac does not exceed the required 750 feet in length.**

8. Except the existing home located at 6519 S. Raap Ranch Lane, all other existing structures shall be removed from the site prior to submittal of the final plat for City Engineer signature.
9. Comply with the subdivision design and improvement standards listed in UDC [11-6C-3](#).
10. Approval of a preliminary plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat. Upon written request and filing by the applicant prior to the termination of the period, the director may authorize a single extension of time to obtain the city engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of this title.

B. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330390&dbid=0&repo=MeridianCity>

C. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330381&dbid=0&repo=MeridianCity>

D. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330404&dbid=0&repo=MeridianCity>

E. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330749&dbid=0&repo=MeridianCity>

F. ADA COUNTY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331610&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330390&dbid=0&repo=MeridianCity>

H. BOISE PROJECT BOARD OF CONTROL

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331610&dbid=0&repo=MeridianCity>

FINDINGS

A. Annexation and/or Rezone (UDC 11-5B-3E)

Required Findings: Upon recommendation from the commission, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an annexation and/or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;

Staff finds the Applicant's request to annex the subject property with R-2 zoning and develop single-family detached dwellings on the site at a gross density of 1.46 units per acre is generally consistent with the Comprehensive Plan per the analysis in Section V.

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

Staff finds the proposed map amendment to R-2 and development generally complies with the purpose statement of the residential districts in that it will contribute to the range of housing opportunities available in the City consistent with the Comprehensive Plan.

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

Staff finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed residential uses should be compatible with adjacent single-family residential homes/uses in the area.

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 City services are available to be provided to this development.

5. The annexation (as applicable) is in the best interest of city.

Staff finds the proposed annexation is in the best interest of the city.

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 in conformance with the UDC and generally conforms with the Comprehensive Plan.

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 conformance with scheduled public improvements in accord with the City's capital improvement program.

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



AGENDA ITEM

ITEM TOPIC: Public Hearing continued from January 18, 2024 for Rosalyn Subdivision (H-2023-0056) by Givens Pursley, LLP., located at 200 E. Rosalyn Dr.
Applicant Materials: <https://bit.ly/H-2023-0056>

A. Request: Annexation of a 0.014-acre of land from RUT in Ada County to the R-8 zoning district including the remaining portion of E. Rosalyn Street cul-de-sac right-of-way.

B. Request: Combined Preliminary/Final Plat consisting of 7 residential building lots and 1 common lot on 0.733 acres in the R-8 zoning district.

C. Request: Alternative Compliance to deviate from the common driveway standards in the UDC 11-6C-3D1.

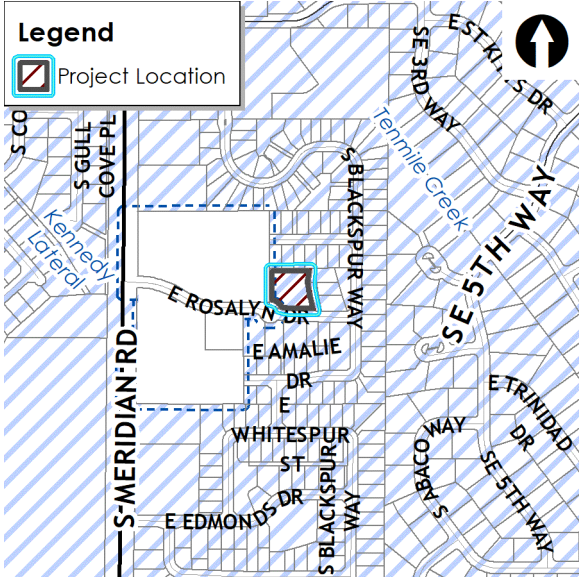
HEARING DATE: March 7, 2024

TO: Planning & Zoning Commission

FROM: Stacy Hersh, Associate Planner
208-884-5533

SUBJECT: Rosalyn Subdivision
[H-2023-0056](#)

LOCATION: 200 E. Rosalyn Drive (Parcel #'s R7699020020 and R2114050060)



I. PROJECT DESCRIPTION

Annexation of 0.014 acre of land with an R-8 zoning district, including the remaining portion of the E. Rosalyn Street cul-de-sac right of way; combined Preliminary/Final Plat consisting of 6 residential building lots and one (1) common lot on 0.733 acres in the R-8 zoning district for Rosalyn Subdivision.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	0.014 Annexation including the remaining portion of the cul-de-sac right of way; 0.733 acres combined PFP	
Future Land Use Designation	Low Density Residential (LDR)	
Existing Land Use	Single-family residential (SFR)	
Proposed Land Use(s)	Single-family detached residential	
Current Zoning	R-8 (Medium Density Residential)	
Proposed Zoning	R-8 (Medium Density Residential)	
Lots (# and type; bldg/common)	6 building lots; 1 common lot	
Phasing plan (# of phases)	1	
Number of Residential Units (type of units)	6 single-family detached units	
Density (gross & net)	6.87 units/acre (gross)	
Open Space (acres, total [%] / buffer / qualified)	0%, not required for developments under 5 acres	

Amenities	None	
Physical Features (waterways, hazards, flood plain, hillside)	None	

Neighborhood meeting date	12/12/2023	
History (previous approvals)	San Gorgonio Subdivision SHP H-2023-0092 (4-Lots); ROW vacation of the E. Rosalyn Street cul-de-sac Instrument #2023-034331.	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes	
• Requires ACHD Commission Action (yes/no)	No	
• Existing Conditions	E. Rosalyn Drive is classified as a local street already improved with curb, gutter, and sidewalk.	
• CIP/IFYWP		

Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	E. Rosalyn Drive is classified as a local street. Access is existing and improvements were constructed previously as required with Larkspur Subdivision No. 2.	
Proposed Road Improvements	None	
Fire Service	<i>No comments received.</i>	
Police Service	<i>No comments received.</i>	

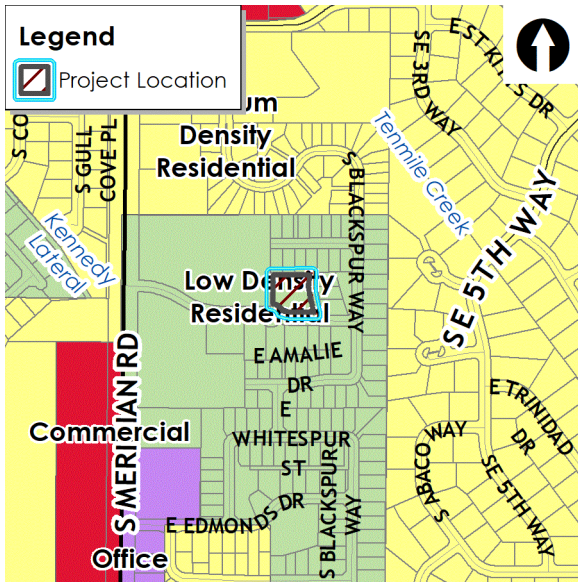
West Ada School District	<i>No comments received.</i>	
Distance (elem, ms, hs)		
Capacity of Schools		
# of Students Enrolled		

Wastewater		
• Distance to Sewer Services	Water available at the site	
• Sewer Shed		
• Estimated Project Sewer ERU's	See application – Additional 900 gpd committed to model.	
• WRRF Declining Balance	WRRF decline balance is 14.62 MGD	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Impacts/Concerns	See Public Works' Site-Specific Conditions in Section B.	
Water		
• Distance to Services	Water available at the site.	
• Pressure Zone	3	

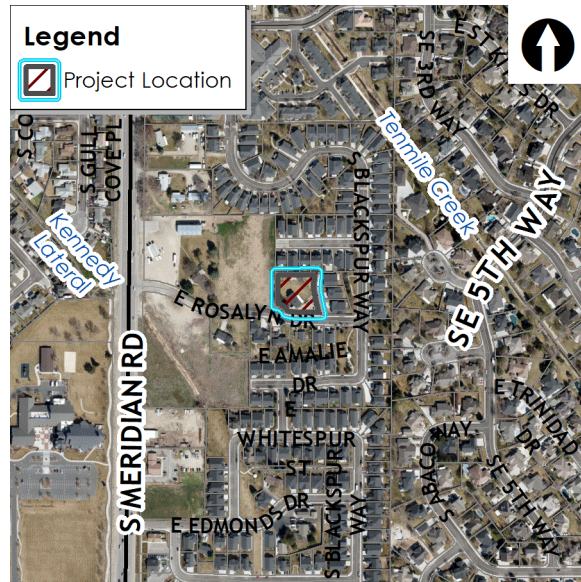
<ul style="list-style-type: none"> • Estimated Project Water ERU's 	See application
<ul style="list-style-type: none"> • Water Quality Concerns 	None
<ul style="list-style-type: none"> • Project Consistent with Water Master Plan 	Yes
<ul style="list-style-type: none"> • Impacts/Concerns 	See Public Works' Site-Specific Conditions in Section B.

C. Project Maps

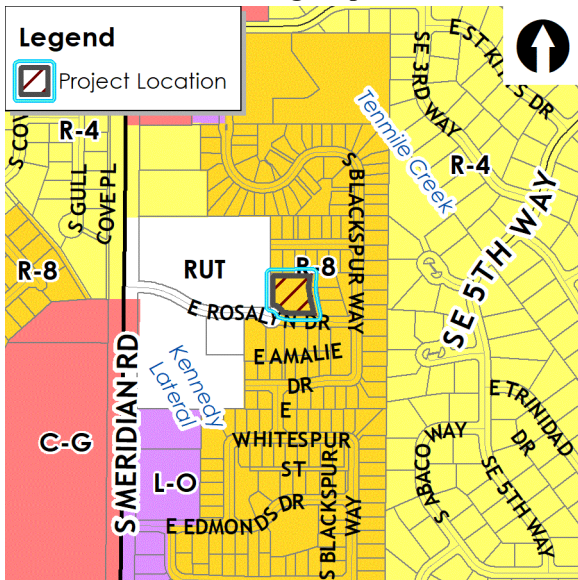
Future Land Use Map



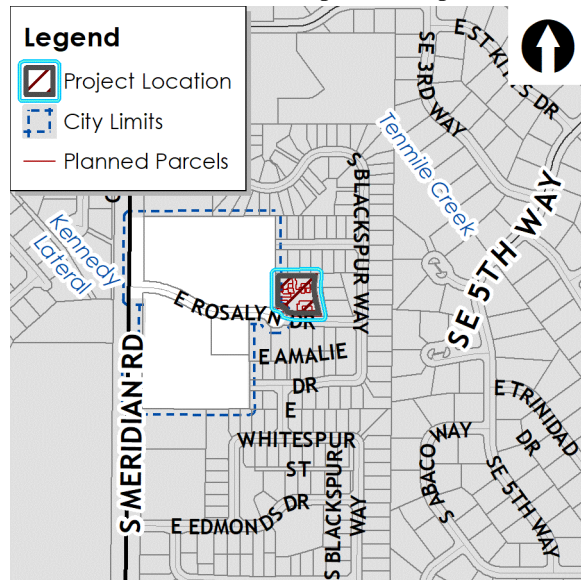
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Brett & Julie Bingham, B-B Rosalyn LLC – P.O. Box 266, Meridian, ID 83680

B. Owner:

Brett & Julie Bingham, B-B Rosalyn LLC – P.O. Box 266, Meridian, ID 83680

C. Representative:

Kristen McNeill, Givens Pursley LLP – 601 W. Bannock Street, Boise, ID 83702

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	1/02/2024	
Radius notification mailed to property owners within 300 feet	12/29/2023	
Public hearing notice sign posted on site	1/5/2024	
Nextdoor posting	12/29/2023	

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Low-Density Residential (LDR) on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#). This designation is intended to allow for the development of single-family homes on large and estate lots at gross densities of three dwelling units or less per acre. This property was annexed in 2005 with and R-8 zone and granted approval for step-up in density which was allowed under the previous Comprehensive Plan. This policy was removed from the Comprehensive Plan with the 2019 update.

The Applicant proposes a 6-lot subdivision for six single-family residential detached homes at a gross density of 6.87 units per acre, which exceeds the density range intended in the LDR designation. Since a majority of the property is already annexed and zoned with the R-8 district staff must analyze the project based on the merits of the governing zoning district regardless of the proposed density. Below is staff’s analysis on how the project meets other pertinent Comp Plan policies.

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

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

The proposed single-family detached dwellings with a mix of lot sizes will contribute to the variety of housing options in this area and within the City as desired. All existing housing in this area are comprised of single-family detached dwellings on similar sized lots.

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)
City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21.
- “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)
This area consists primarily of single-family detached dwellings surrounding the subject property, six single-family detached dwellings are proposed within this development. The proposed development offers lot sizes ranging from 4,060 to 5,219 square feet (s.f.) consistent with lot sizes in the area.
- “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 single-family detached dwellings contribute to the variety of residential categories within the surrounding area as desired.
- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)
The proposed site design provides maximum use of the land with the proposed residential dwelling types. Staff considers the proposed development to be compatible with the existing developments on adjacent properties. The additional lots proposed for this site integrate well with the existing/surrounding residential dwellings. The proposed common drive exhibit appears to comply with the common drive standards outlined in UDC 11-6C-3D in Section VIII.E.
- “Support infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.” (2.02.02C)
The proposed development would not likely have a detrimental impact on the existing abutting developments to the east, west, and south.
- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)
The proposed development will connect to City water and sewer systems with development of the subdivision; services are required to be provided to and through this development in accord with current City plans.
- “Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D)
A 5-foot-wide existing pedestrian sidewalk connection is located along E. Rosalyn Drive. The existing sidewalk provides a link between all subdivisions east of this site.
- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)
Urban sewer and water infrastructure and curb, gutter, and sidewalks are already provided with the proposed development of the subdivision.

- “Maximize public services by prioritizing infill development of vacant and underdeveloped parcels within the City over parcels on the fringe.” (2.02.02)

Development of the subject infill parcel will maximize public services.

Based on the analysis above, staff finds the proposed development is consistent with the Comprehensive Plan.

VI. STAFF ANALYSIS

A. ANNEXATION (AZ)

The Applicant proposes to annex 0.014 of an acre of land with an R-8 zoning district, including the remaining portion of the E. Rosalyn Street cul-de-sac right of way. A legal description and exhibit map for the annexation area is included in Section VIII.A. This property is within the City’s Area of City Impact boundary.

A preliminary plat and conceptual building elevations were submitted showing how the property is proposed to be developed with six (6) single-family detached dwelling units and 1 common lot. The proposed use of the development is consistent with the MDR zoning designation.

Single-family detached dwellings are listed as a principal permitted use in the R-8 zoning district per UDC Table 11-2A-2. Future development is subject to the dimensional standards listed in UDC Table [11-2A-6](#) for the R-8 zoning district.

There is an existing home on this site directly adjacent to E. Rosalyn Drive. The property owner intends to remove the existing home upon development commencing on the site.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **Since the AZ request only includes remnant and existing right-of way, staff is not recommending a DA.**

B. PRELIMINARY/FINAL PLAT (PFP):

The proposed preliminary plat consists of 6 building lots and 1 common lot on a 0.733-acre property in the existing R-8 zoning district. Proposed lots range in size from 4,060 to 5,219 square feet (s.f.) (or 0.093 to 0.12 acres). The subdivision is proposed to develop in one phase as shown in Section VIII.C.

Existing Structures/Site Improvements: An existing home on the property is proposed to be removed from this site. Any outbuildings located on this site should be removed with development of this property. **Prior to the City Engineer’s signature on the final plat, all existing structures that do not conform to the setbacks of the district are required to be removed.**

Dimensional Standards (UDC 11-2): The proposed plat and subsequent development are required to comply with the dimensional standards listed in UDC [Table 11-2A-6](#) for the R-8 zoning district. **The proposed plat appears to comply with the dimensional standards of the district.** Per UDC 11-2A-3B.3, lots taking access from a common drive do not require street frontage.

Access: Access is proposed from E. Rosalyn Drive and a common driveway on Lot 6, Block 1. The interior Lots 3, 4, 5, and 7 Block 1 are proposed to take access via a common drive to E. Rosalyn Drive, meeting the street access requirements of UDC 11-3A-3A.

Common Driveways ([UDC 11-6C-3D](#)): Common driveways shall serve a maximum of four (4) dwelling units. In no case shall more than three (3) dwelling units be located on one (1) side of the driveway. **The Applicant is proposing six (6) dwelling units with four (4) taking access off the common driveway, three (3) dwelling units are also located on one (1) side of the driveway in accordance with the UDC requirements.**

Parking (UDC [11-3C](#)): Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. **Staff has concerns with overflow parking due to the number of units proposed within this subdivision.**

Landscaping (UDC [11-3B](#)): There are no street buffers required along local streets per UDC Table 11-2A-6. The applicant has provided a landscape plan in Section VIII.D. Landscaping is not required per the UDC.

Sidewalks ([11-3A-17](#)): E. Rosalyn Drive is improved with an existing 5-foot wide attached concrete sidewalk abutting the site in accord with UDC standards.

Utilities (UDC [11-3A-21](#)): Connection to City water and sewer services is required in accord with UDC 11-3A-21.

Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances, if required

Fencing (UDC [11-3A-6](#), [11-3A-7](#)): All fencing is required to comply with the standards listed in UDC 11-3A-7. **According to the submitted plans, the Applicant is not proposing fencing with this project.**

Pressurized Irrigation System (UDC [11-3A-15](#)): Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC 11-3A-15.

Storm Drainage (UDC [11-3A-18](#)): An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18.

Building Elevations: Two (2) conceptual building elevations were submitted that demonstrate what future homes in this development will look like (see Section VIII.F). Variations of that appear to be single-story and two-story detached homes with a two-car garage are proposed. **The submitted elevations depict several different architectural and design styles with field materials of lap siding, differing color accents, roof profiles, stone and front porches.**


VII. DECISION

A. Staff:

Staff recommends approval of the proposed annexation, and combined preliminary plat/final plat per the provisions in Section IX in accord with the Findings in Section X.

VIII. EXHIBITS

A. Annexation Legal Description and Exhibit Map



Professional Engineers, Land Surveyors and Planners
 924 3rd St. So. Nampa, ID 83651
 Ph (208) 454-0256
 e-mail: dholzhey@masonandassociates.us

FOR: B-B ROSALYN LLC
 JOB NO.: JY0323
 DATE: December 6, 2023

EXHIBIT "A"
ANNEXATION
OF
E. ROSALYN DR. CUL-DE-SAC

A parcel of land in the NW1/4 SW1/4 of Section 19, Township 3 North, Range 1 East, Boise Meridian, Ada County Idaho, more particularly described as follows:

Commencing at the northwest corner of the NW1/4, said corner lying N. 00° 37' 11" E., 2649.85 feet from the southwest corner of the NW1/4;

Thence S. 00° 37' 11" W., 2296.92 feet along the west boundary of the NW1/4;

Thence N. 89° 44' 39" E., 620.87 feet to the northwest corner of Larkspur Subdivision No. 2 in Book 97 of Plats, Page 12314-12317, recorded in the Ada County Recorder's Office;


Thence S. 00° 17' 40" E., 387.96 feet to southwest corner of Lot 1 Block 1 of San Gorgonio Subdivision and the **POINT OF BEGINNING**;

Thence a distance of 194.29 feet along the curve right, having a radius of 45.00 feet, a central angle of 247° 23' 42", the long chord of which bears S 33° 23' 00" W., a distance of 74.87 feet;

Thence a distance of 23.52 feet along the curve left, having a radius of 20.00 feet, a central angle of 67° 22' 30", the long chord of which bears N 56° 36' 25" W., a distance of 22.19 feet;

Thence N 00° 17' 40" W., 50.00 feet;

Thence N 89° 42' 20" E., 59.98 feet to the **POINT OF BEGINNING**.



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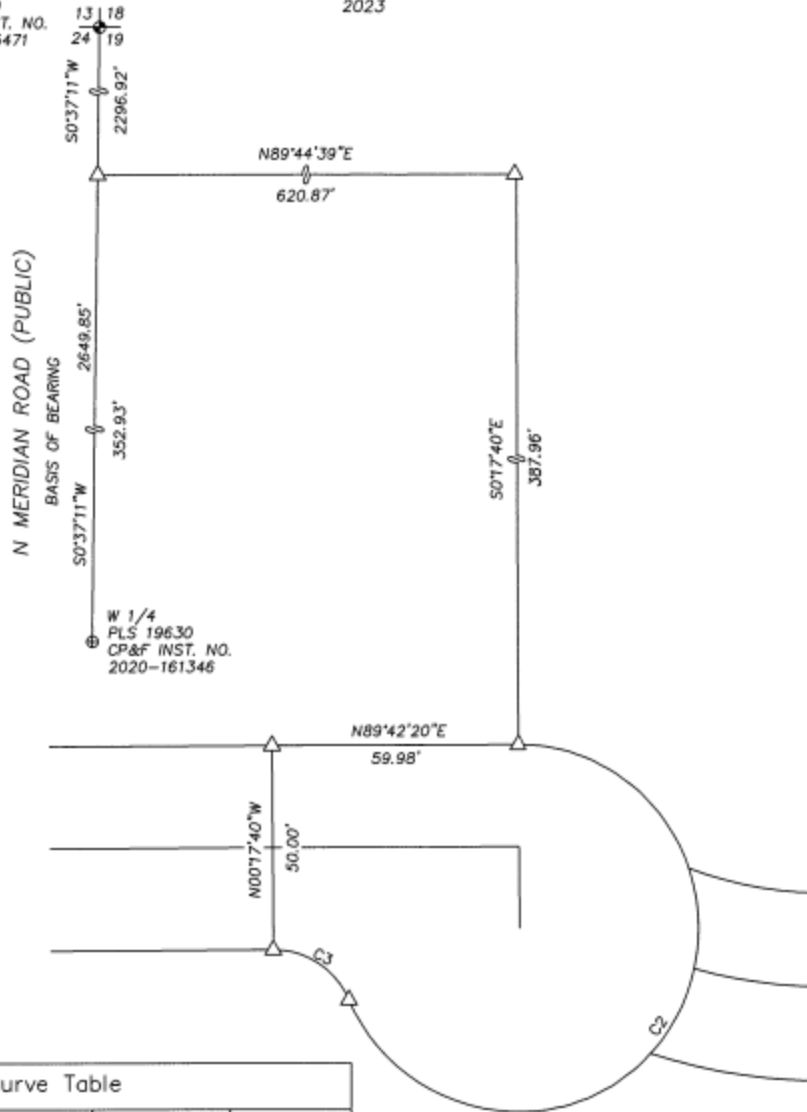


EXHIBIT "B"

A PART OF THE NW 1/4 SW 1/4, SECTION 19, T. 3 N., R. 1 E., B.M.,
MERIDIAN, ADA COUNTY, IDAHO
2023

PLS 7729
CP&F INST. NO.
2019-015471



N MERIDIAN ROAD (PUBLIC)

BASIS OF BEARING

W 1/4
PLS 196.30
CP&F INST. NO.
2020-161346

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C2	194.29	45.00	247°23'42"	N33°23'00"E	74.87
C3	23.52	20.00	67°22'30"	N56°36'25"W	22.19

ANNEXATION OF E. ROSALYN DR. CUL-DE-SAC	
B-B ROSALYN LLC	
<p style="font-size: 8px; margin-top: 5px;">Professional Engineers, Land Surveyors & Planners 84 2nd St., Suite 600 P.O. Box 64200</p>	JOB NO. JY0323
	DWG NO. BDY
	SCALE: N.T.S. REV. <input type="checkbox"/>
	FIELD BOOK NO.
DRAWN BY: DH DATE: 12/06/23	

B. Preliminary Plat Legal Description and Exhibit Map



Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Nampa, ID 83651
Ph (208) 454-0256

e-mail: dholzhey@masonandassociates.us

FOR: B-B ROSALYN LLC
JOB NO.: JY0323
DATE: October 10, 2023

SUBDIVISION BOUNDARY

A parcel of land being all of Lot 1 Block 1 of San Gorgonio Subdivision, in Book 118 of Plats, Page 18079-18081, recorded in the Ada County Recorder's Office and a portion of vacated right of way, in the NW1/4 SW1/4 of Section 19, Township 3 North, Range 1 East, Boise Meridian, Ada County Idaho, more particularly described as follows:

Commencing at the northwest corner of the NW1/4, said corner lying N. 00° 37' 11" E., 2649.85 feet from the southwest corner of the NW1/4;

Thence S. 00° 37' 11" W., 2296.92 feet along the west boundary of the NW1/4;

Thence N. 89° 44' 39" E., 620.87 feet to the northwest corner of Larkspur Subdivision No. 2 in Book 97 of Plats, Page 12314-12317, recorded in the Ada County Recorder's Office;

Thence S. 00° 17' 40" E., 245.00 feet to northwest corner of Lot 1 Block 1 of San Gorgonio Subdivision and the **POINT OF BEGINNING**;

Thence N. 89° 44' 39" E., 179.66 feet along the northerly boundary of Lot 1 to the northeast corner of Lot 1;

Thence along the easterly boundary of Lot 1 Block 1 of San Gorgonio Subdivision the following courses and distances;

Thence S. 06° 21' 41" W., 60.40 feet;

Thence S. 08° 33' 35" E., 60.64 feet;



Professional Engineers, Land Surveyors and Planners
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Thence S. 13° 15' 00" E., 64.29 feet to the southeast corner of Lot 1;

Thence along the southerly boundary of Lot 1 and the vacated right of way the following courses and distances;

Thence N. 88° 53' 28" W., 121.88 feet to the beginning of a curve right;

Thence a distance of 30.84 feet along the curve right, having a radius of 93.00 feet, a central angle of 19° 00' 03", the long chord of which bears N 79° 23' 28" W., a distance of 30.70 feet;

Thence N. 70° 32' 53" W., 46.54 feet;

Thence N. 00° 17' 40" W., 15.30 feet to the southwest corner of Lot 1;

Thence N. 00° 17' 40" W., 142.96 feet along the westerly boundary of Lot 1 to the **POINT OF BEGINNING**.

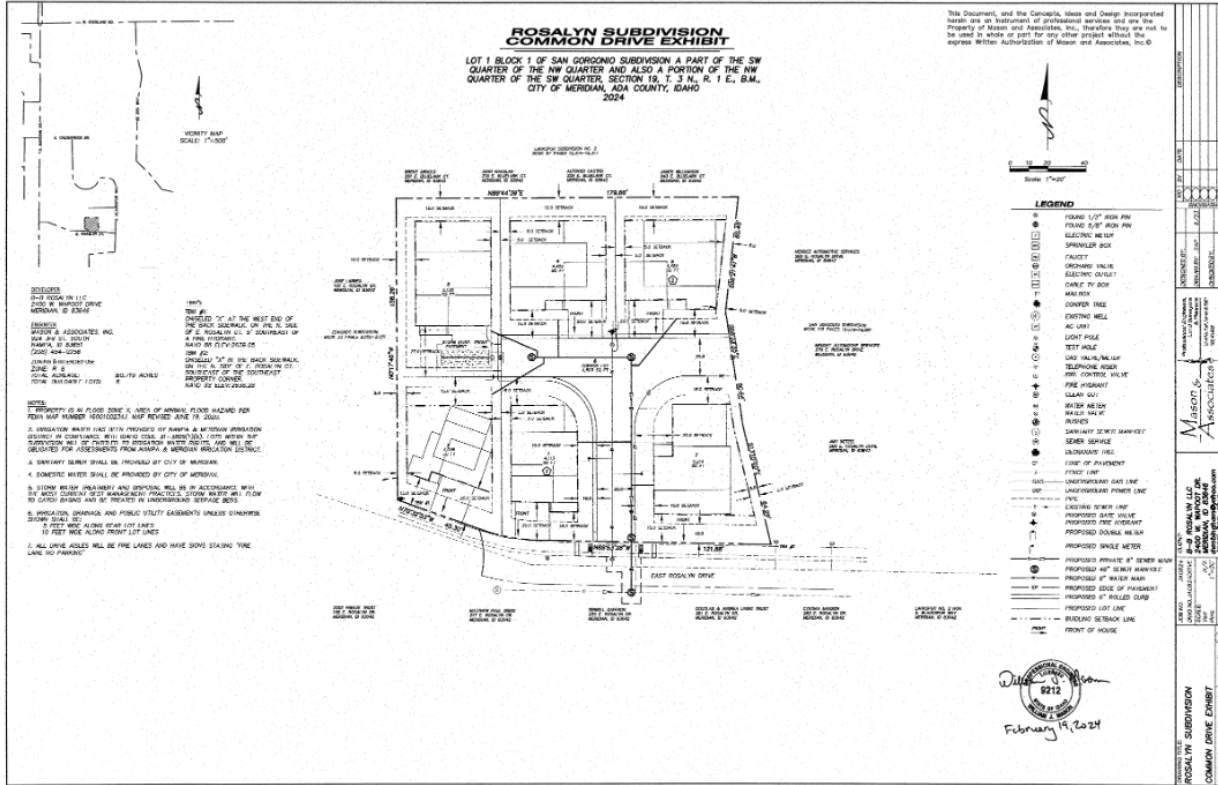
This parcel contains 0.733 acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.



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E. Common Driveway Exhibit (dated: 2/19/2024)



F. Conceptual Building Elevations



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. Future development of this site shall be generally consistent with the preliminary plat, landscape plan, and conceptual building elevations included in Section VIII and the provisions contained herein.
2. The final plat prepared and signed by Darin Holzhey with Mason and Associates on 2/19/2024 is approved as submitted.
3. The landscape plan prepared by Joshua R. Rennaker with Rodney Evans + Partners on 2/22/2024 is approved as submitted.
4. The proposed plat and subsequent development are required to comply with the dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district.
5. Prior to the City Engineer's signature on the final plat, all existing structures that do not conform to the setbacks of the R-8 zoning district shall be removed.
6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
8. All fencing is required to comply with the standards listed in UDC 11-3A-7. If fencing is proposed for the development, the applicant should include it on the site plan submitted with the building permit. Additionally, solid fencing adjacent to common driveways shall be prohibited, unless separated by a minimum five (5) foot wide landscaped buffer planted with shrubs, lawn or other vegetative groundcover in accordance with UDC 11-6C-3D.5.
9. The Applicant shall comply with all ACHD conditions of approval.
10. The applicant and/or assigns shall have the continuing obligation to provide irrigation that meets the standards as set forth in UDC 11-3B-6 and to install and maintain all landscaping as set forth in UDC 11-3B-5, UDC 11-3B-13 and UDC 11-3B-14.
12. The preliminary/final plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer's signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

B. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=312023&dbid=0&repo=MeridianCity>

C. FIRE DEPARTMENT

No comments at this time.

D. POLICE DEPARTMENT

No comments at this time.

E. PARK'S DEPARTMENT

No comments at this time.

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=315578&dbid=0&repo=MeridianCity>

G. ADA COUNTY DEVELOPMENT SERVICES (ACDS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=315717&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

No comments were received from WASD.

I. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=313137&dbid=0&repo=MeridianCity>

J. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=315718&dbid=0&repo=MeridianCity>

K. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=314790&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Annexation and/or Rezone (UDC 11-5B-3E)

Required Findings: Upon recommendation from the commission, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an annexation and/or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;

Staff finds the Applicant's request to annex 0.14 of an acre, including the remaining portion of the E. Rosalyn Street cul-de-sac right-of-way with R-8 zoning and develop single-family detached dwellings on the site are consistent with the R-8 zone and policies in the Plan in Section V. above, if all conditions of approval are met.

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

Staff finds the proposed map amendment to R-8 and development generally complies with the purpose statement of the residential districts in that it will contribute to the range of housing opportunities available in the City consistent with the Comprehensive Plan.

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

Staff finds the proposed map amendment for the R-8 zoning for the 0.14 of an acre that encompasses the remaining portion of the E. Rosalyn Street cul-de-sac right-of-way, should not be detrimental to public health, safety and welfare.

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and

Staff finds City services are available to be provided to this development. Comments were not received from WASD on this application so Staff is unable to determine impacts to the school district.

5. The annexation (as applicable) is in the best interest of city.

Staff finds the proposed annexation is in the best interest of the city if all conditions of approval are met.

B. Combined Preliminary Plat/Final Plat (UDC 11-6B-4)

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 and the Comprehensive Plan.

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 conformance with scheduled public improvements in accord with the City's capital improvement program.

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 should 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)

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