

Public Hearing for Rackham East Annexation and Rezone (H-2022-0085) by Brighton Development, Inc., Annexation located at 1032 S. Silverstone Way, south of Interstate 84, northeast of Overland Rd. and Eagle Rd. and Rezone located at 1074 S. Silverstone Way, south of Interstate 84, northeast of Overland Rd. and Eagle Rd.

- A. Request: Annexation of a sliver of property currently zoned RUT in Ada County as part of the overall Eagle View Landing project on 0.143 acres of land with a C-G zoning designation.
- B. Request: Rezone of 3.938 acres of land from the C-G zoning district to the R40 zoning district for the multi-family portion of the project previously platted as Lots 18-19, Block 1 of Rackham East Subdivision.

Seal: With that I would like to open File No. H-2022-0085, Rackham East annexation and rezone and we will begin with the staff report.

Hersh: Good evening, Mr. Chair and Commissioners. The applicant submitted an application for Rackham East annexation and rezone and they submitted the applications annexation and rezone. The annexation is actually a sliver of property that consists of 0.143 acres of land that's currently zoned RUT and part of the overall Eagle View Landing project with a C-G zoning designation and that is located at 1032 South Silverstone Lane -- or Way. The rezone site consists of 3.938 acres from C-G to the R-40 zoning district for the multi-family portion on the south next to the R-40 that's already zoned, that was previously platted on Lots 18 through 19, Block 1, of Rackham East Subdivision located at 1074 South Silverstone Way. There is an approved development agreement on the property that was approved in 2022 and the Comprehensive Plan FLUM designation is mixed-use regional and the outparcel on the -- along the northern boundary of the site was owned by a third party and not part of the development agreement originally and during that public hearing process for this development the applicant placed the parcel under contract. The property has now been acquired, included in the overall Eagle Landing project. City staff requested that the applicant rezone the R-40 -- the southern portion to R-40 and for the multi-portion of the development to more accurately -- accurately reflect the uses in the development on the site when looking at the zoning map. Ultimately the project was approved with a C-G zoning designation for the multi-family portion of the development and both office buildings and multi-family development are currently under construction and were approved with the -- with certificate of zoning compliance and design review for both properties. A condition of approval of the Rackham East Subdivision in Eagle View Landing project required the applicant to annex -- annex the outparcel along the north along I-84 and rezone the western C-G portion of the multi-family development to R-40 within one year of the recordation of the development agreement. The application request is to initially ensure the cleanup of the zoning of these areas and there wasn't any written testimony and staff approves the requested annexation and rezone with the conditions in the staff report and I stand for any questions.

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

Wardle: Good evening, Commissioners. For the record my name is Jon Wardle. 2929 West Navigator Drive, Suite 400, Meridian, Idaho. 83642. On behalf of the ownership, which Brighton is part of that, we submitted this application in -- to do this cleanup. These were previously approved. We agree with the staff report. I have got a lot of history with the project. So, if the Commission has questions specifically I can answer those. But we have nothing to add or to change to the report that's in front of you this evening. So, with that I can answer any questions you might have.

Seal: Commission, do we have questions for the applicant or staff on this? I -- I was around when this came through the first time, so the -- the only question I have is did the person retire on what you had to pay him for that small strip of land? Because that was of great speculation when this came through. And you do not need to answer that.

Wardle: For the record, it was 14 feet wide. I don't know if they were able to retire, but maybe do a couple rounds of golf at TopGolf.

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

Hall: Mr. Chair, we do not.

Seal: Do we have anybody in the audience that wants to come forward and testify on this? No. No further questions from the Commission?

Wheeler: Mr. Chair, just got one here. This is -- both are going to be R-40 or C-G is in the top -- is in the northwest -- or northeast section?

Hersh: Mr. Chair and Commissioners, so the C-G portion is in the top -- at the top next to 84 and --

Wheeler: Okay.

Hersh: Well, it's actually RUT and it's going -- it's a sliver of RUT and it's going to be zoned to C-G and, then, the southern portion is actually zoned C-G and we are rezoning it to R-40 to match the apartments on the east side of it.

Wheeler: Wanted to get it clear in my head. Thank you.

Hall: Mr. Chair, there is someone with their hand raised.

Seal: Excellent. Okay. Thank you for catching that.

Hall: Michael Blowers, go ahead and speak.

Blowers; Yes. Can you hear me?

Hall: Yes.

Seal: Go right ahead and need your name and address for the record, please.

Blowers: Sure. Michael Blowers. 1325 Rolling Hill Drive, Meridian, Idaho. And the purpose of me joining this call -- it's kind of weird. I have been a part of this process -- I remember the first meeting -- not necessarily about this -- probably 2015, just about the plans for this area, and I'm on here initially to say like -- I know February 2nd I'm not sure what happened. I think it was a continuance or something. You know, there was questions about raising the buildings 20 feet or whatever and I'm just here to say at this stage of the game in support of it, don't really care at this point, but the reason why I'm coming here to comment on it is -- I believe Mr. Wheeler -- I went back and watched the video, because I wasn't able to attend and it was refreshing to see some sort of empathy for the R-40 -- or the residential portion situation. But a comment that I just couldn't let go that was said at the end of that was -- but at the same time no one -- no one is here to fight it and I just wanted to -- because I'm not sure -- and I apologize for this. I don't know who is new. I'm bad with names and I'm bad with faces. So, I know there is -- there is new people here. But I just wanted to clarify that at this stage of the game, the reason why many of us didn't attend or none of us attended is we have attended these Planning and Zoning Commissions for things that we saw as obvious no's and time and time again were dismissed and so of all the things that have happened so far on this project, this ranked one hundredth on the list of things we cared about. I mean we -- we still don't even have a place to turn around a vehicle on our street because of this project. We still have 40 foot semis that have to back out into Overland Road at 5:30 during rush hour traffic, because they can't turn around and so if we can't even get something like that done, why would we expect our voices to be heard on something like this? And the -- the other comment was that you liked in-fill projects, which maybe I'm wrong with the terminology -- this wasn't necessarily an in-fill project, there was about 15 homes as you can see on that imagery right there that were demolished for this to happen. So, just to give some history, just in case -- I know it's been going on for a long time. We do very much care. We just know that it doesn't matter and that's all I wanted to say.

Seal: Okay. Thank you, Mr. Blowers. Is there anybody else that would like to testify? Somebody else indicating online? No more questions for the applicant or staff? Okay. With that I will take a -- well, actually, Mr. Wardle, is there anything you would like to add? Okay. With that I will take a motion to close the public hearing for File No. H-2022-0085.

Smith: So moved.

Grace: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2022-0085. All in favor indicate by saying aye. Opposed nay? Okay. The public hearing is closed.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Yeah. I will -- I'm appreciative -- basically you are coming in here