

McCarvel: Second.

Cassinelli: Second.

Fitzgerald: I have a motion and a second -- oh, was there --

Holland: I will amend the motion just to include the file number H-2020-0035.

Cassinelli: My second still stands.

Fitzgerald: Perfect.

Dodson: Mr. Chair?

Fitzgerald: Joe, go right ahead.

Dodson: Sorry. Nine five was the subdivision. Just to let you know.

Holland: Oh. Sorry. I was going off of the staff memo and I -- or the staff hearing outline. It was written on their wrong.

Fitzgerald: So, nine five.

Dodson: Nine five.

Holland: Zero nine five.

Fitzgerald: And, Commissioner Cassinelli, your second --

Cassinelli: Still stands.

Fitzgerald: Okay. Perfect. I have a motion and a second to approve Poiema Calvary Chapel, H-2020-0095. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: ALL AYES.

Fitzgerald: Good luck, Tamara. Thanks, Daryl. Good luck. Look forward to seeing you. Thank you for being here tonight.

Dodson: Thank you, everybody.

- 5. Public Hearing for Mile High Pines Subdivision (H-2020-0099) by Baron Black Cat, LLC, Located in the Southwest Corner of N. Ten Mile Rd. and W. Pine Ave.**

- A. Request: Annexation of 17.46 acres of land with a request for C-C (6.04 acres) and R-15 (11.42 acres) zoning districts.
- B. Request: A Preliminary Plat consisting of 3 building lots and 1 common lot on 15.95 acres of land in the proposed C-C and R-15 zoning districts.
- C. Request: A Conditional Use Permit for a multi-family development consisting of a total of 135 residential units on 11.42 acres in the proposed R-15 zoning district.

Fitzgerald: Thanks, Joe. Moving on to the next item on our agenda is the public hearing for Mile High Pines Subdivision, H-2020-0099, and I will turn it back over to Joe for the staff report.

Dodson: Thank you, Mr. Chair. Before we get started I just want to note, Commissioner Grove, when you speak I can barely hear you. I don't know if other people online are having trouble. You might have to eat the microphone. So, just letting you know. All right. So, Commissioners, bear with me on my presentation for this. It is a vastly more complex project than the previous one, so bear with me while I get through everything that I analyzed in the staff report. As noted this is for Mile High Pines, which is specifically located at the southwest corner of the Pine extension -- a future Pine extension and Ten Mile. It is a request for annexation of 17.46 acres of land with a request for C-C and R-15 zoning district. A preliminary plat consisting of three building lots and one common lot on approximately 16 acres and a conditional use permit for a multi-family development, consisting of a total of 135 residential units on 11.4 acres in the proposed R-15 zoning district. The application -- sorry. The proposed land uses are multi-family residential and commercial. The residential is in the form of detached cottages, townhomes, and two vertically integrated buildings. Both -- or I should say the residential and the commercial uses are consistent with the land use types noted in the future land use map designation definitions and preferred uses for mixed use community. Of the 135 residential units, 87 are the detached single story cottages, 42 are townhome units, and there are six units within the two vertically integrated structures. The proposed product type is by definition multi-family, which means more than two units on a single building lot. So, the applicant has designed units to emulate single family attached and detached structures that share pathways and open space rather than public streets. For reference this is the sister project to the Modern Craftsman at Black Cat that was recently approved. The proposed project has -- as shown is approximately eight dwelling units per acre, meeting the six to 15 dwelling unit per acre range for the mixed use community designation. All proposed lots appear to meet the UDC dimensional standards per the submitted plat. However, there are some concerns over the applicant meeting the required utility separation and easement requirements, while not having any permanent structure encroachments or overhangs within the easement. It is staff's understanding that the applicant has been continuing working with Public Works to correct this, which is greatly appreciated. If revisions to the site design are required to comply with those requirements, the applicant -- or the applicable plans -- all of the applicable plans should be revised and resubmitted.

For reference, this preliminary plat here is not entirely accurate, as some of the easements have changed since this was originally approved. By that I mean just the easement widths in some of the areas. The overall site design has not changed. The applicant submitted conceptual elevations for the residential portion of the site. Overall they comply with the ASM. However, the ASM, architectural standards manual, does note that no two multi-family buildings should look the same. To ensure compliance with at least the intent of this, the applicant should create more differentiation between the units by providing different colors beyond the same earth tones. I do understand the applicant's perspective that they are offering three different color variants as you can see in the center here with different ones, but it is staff's opinion that they should incorporate two more color variants, again, that just aren't the same kind of earth tones. It reminds me of being at West Point again. The -- in addition adding more of the active materials, which would be lap siding and stone, rather than stucco, would help make -- to make more of the detached units unique from one another. Staff is recommending a condition of approval to mitigate this. Despite the fact that a separate design review is required for the future commercial, staff wants to ensure the future commercial buildings integrate with the proposed residential. Therefore, the applicant should provide at least conceptual elevations for these buildings. They did not upon the initial submittal. And, again, staff is providing a condition of approval to submit those elevations prior to the City Council hearing. Just to recap really quick with these, the elevations shown on the top left are the clubhouse. The ones on the right are the one bedroom. These are the three bedroom in the bottom left. The top right are one of the two bedroom variants. And, then, the other two bedroom variant is on the left here and, then, on the right are the townhome units, which they also have the same color variance -- I believe the same three colors. And, then, these are the proposed vertically integrated buildings, just to be clear. I used the landscape rendering plan for the site plan in this, just because I think it kind of shows all of the areas better. The subject development offers approximately six acres of commercial zoning, according to the proposed rezone exhibit. However, the proposed C-C zoning does not truly reflect the commercial area, because it does not match the plat boundary. Staff cannot support split zoning on the residential lot and so the applicant should revise the rezone exhibit or the plat boundary to reflect the correct zoning. Or I should say to correct -- to reflect the correct zoning boundaries. With other revisions requested by staff within my staff report, the applicant will likely have to make other adjustments to these documents as well. All of these changes should occur prior to City Council to ensure transparency on the true amount of commercial zoning being proposed. The commercial acreage of this property is proposed as two commercial lots, one in the northeast corner of the sight and, then, the other one being the remaining area with two more buildings. The submitted plat shows two of the three commercial buildings as containing drive-thrus, which staff does not support. Despite this opinion, staff is not willing to specifically limit the number of drive-thrus -- or drive-thru establishments I should say with this application, because each drive-thru will require a conditional use permit to implement that use. The proposed residential area of the site incorporates MEWs, private streets, common open space and different housing designs within the same parcel, as seen on the image here. Furthermore, the applicant is proposing two story townhomes along the southwestern boundary and on the part of the eastern boundary along Ten Mile, with the rest of the site being a majority of single story structures. So, again, the

townhomes are along the western boundary here and, then, the two along here. Staff believes placing the commercial along Ten Mile with the -- is an appropriate buffer between the busy arterial, which is Ten Mile right here, and the single story structure that make up the center of the development. However, staff does have specific recommendations regarding the overall site design to better transition from Ten Mile and Pine and also spread out some of the units within the development for better utility delivery. By that I mean water and sewer. Staff notes that all of the recommendations that were made are with the overarching recommendation that additional units do not be added, even if there is room available. To be specific, staff is recommending the following changes. Remove the singular unit in the southwest -- I have another here. This just here. Remove this singular unit here, so that this area can be opened up and help limit any possible CPTED issues with having a unit back here. Secondly, replace the townhome units shown on Ten Mile with the vertically integrated structure. So, move these two units. Replace those two with this here and, then, have the additional parking south of that to be better both from the railroad tracks and Ten Mile to help activate the commercial and to vertically integrate it, which can also be accessed via the sidewalk along here and integrate with this commercial. Staff believes, again, that fronting this building onto Ten Mile will help activate the commercial. The secondary portion of this, once the vertically integrated is moved here, move these four units here -- or all of them for that matter further east and help spread them out. The point of this is to have the utility lines to be able to have them -- allow them to have more room between the units. This concern was presented by Public Works because of the proximity of the buildings. In addition, this recommendation could add -- could, depending on how they redesign it, additional open space in the center of this development. Finally, once this goes -- the vertically integrated goes here, these get spread out, as you can find my -- one of the arrows, these two townhomes could be moved up here. So, the secondary -- or the final portion is to remove all of the detached units here, which are 14 units, and put the townhomes here. I did preliminary measuring and I believe three, instead of the two, can fit here, which staff is certainly fond of. If they do six-plexes, as they can do a four-plex, et cetera. They can fill this area, in staff's opinion, with the townhomes and meet the intent of what I'm discussing. The townhomes which front on the large open space that is being proposed along Pine and have the garages face internally to the site. This removes the single family style product for being adjacent to a major street extension and removes the need for on-street parking -- I should say backup parking along the north side of this road. With this recommendation the entire northern area of the site could be pushed further north, depending on how the measurements work out. That would be advantageous to open up the site and allow for more room within the street to accommodate the required utility easements and possibly additional traffic calming. The applicant for this project and the project proposed further north -- I should say directly to the north and the west have entered into a legally binding dedication and development agreement that outlines the potential options where how Pine Avenue will be extended and constructed. In addition, ACHD has outlined different options for how this extension or road improvements can occur. At a minimum this applicant will construct the intersection improvements as a half -- as half of a three lane street section with one westbound receiving lane and eastbound left turn lane and an eastbound through lane or right turn lane with -- including vertical curb, gutter and sidewalk abutting the site. In

addition, the applicant is at a minimum required to extend and construct Pine Avenue outside of the intersection influence area as half of a 36 foot wide section, with their half plus 12 to total 30 feet of payment and it also has vertical curb and gutter and, then, five foot detached sidewalk along Pine. The applicant's agreement discusses that whoever obtains city approval second is required to dedicate the required amount of right of way to ensure that Pine Avenue is constructed -- centered on the section line dividing the two properties. In addition, the applicant is required to enter into a signal agreement for the required signal improvements at this intersection of Pine and Ten Mile. Staff appreciates the forethought of this agreement by the applicant to ensure correct construction of the Pine Avenue extension. Therefore, staff has recommended a condition of approval in line with this agreement. Access is proposed to be a one private street access off of Pine Avenue, which is here, and one driveway access to Ten Mile. So, again, this is a driveway access, not a private street access. This is a private street access. The Ten Mile access is proposed as a full access at this time and is approximately 400 feet, give or take, from the railroad tracks -- northern railroad tracks. ACHD is requiring that the applicant construct a southbound right turn lane onto Ten Mile Road, located 580 feet south of the intersection for safe access into the site on this Ten Mile access. The applicant is also proposing an emergency access through one of the private drives that abuts this cul-de-sac here. The two proposed access points have been approved by ACHD. In addition the applicant is proposing an additional private street access to the property to the west here to add additional fenestration and vehicular connectivity and help with the mixed use policy. In general multi-family projects do not typically have private streets, but instead have drive aisles. However, because of the nature of this development private streets are being used for the purpose of having better addressing for the site. Drive aisles cannot be named and addressed, which does not lend itself to a development of this kind. Therefore, the private streets will function as drive aisles, but incorporate the ability to have street names and better addressing for first responders. No gates are proposed with development in order to improve integration and connectivity in line with the mixed use policy's goals. The private streets are proposed at least 25 feet wide, with attached sidewalks of varying widths on both sides of the street throughout the site. Both open and covered parking is also proposed along the private streets. Staff does have concern with the street layout at the main entrance off of Pine Avenue where a very uncommon three-way intersection is shown. You guys can see that here. Let me go to this plan. You guys can see that better. Albeit the intersection is internal to the private streets, all three roadways that converge on this point allow traffic in both directions, two way traffic on all three sides of this. We -- staff, including the, you know, Police Department, have concerns over how traffic will flow and navigate this intersection, especially in inclement weather. For example, when our lovely snow decides to cover all the road striping and I'm impatient enough that I would be one of the people to go the wrong direction. So, it's a safety concern and thought of staff to recommend that this be revised. Staff believes that this intersection should be redesigned in such a way that traffic can safely and efficiently navigate between the residential and the commercial areas of this site. Off-street parking is required to be provided in accord with the standards listed in the UDC for multi-family dwellings, based on the number of bedrooms per unit. The submitted plan shows a total of 442 total spaces for the entire development. Three hundred and nineteen are for the residents, 12 are for the clubhouse, 30 are shown

for the vertically integrated units and the remaining 81 are for the proposed commercial. Of the 319 residential units, a certain number are required to be covered. The numbers on the proposed plan that I have analyzed do not seem to add up correctly. However, I counted the proposed covered spaces and there appear to be 218, which exceeds the minimum required amount of 122. Overall the proposed parking appears to exceed the minimum UDC requirements. A ten foot multi-use pathway is required along the property's boundary -- southern boundary abutting the railroad easement as seen here. This is the proposed ten foot pathway. As shown on the master pathways plan. The proposed pathway will be approximately a hundred feet from the existing railroad tracks due to the easement width and will be a segment of about 480 feet long. It connects to the existing arterial sidewalk along Ten Mile and it also will connect to the proposed micro path, which is all along the western boundary of the site. So, again, this is a ten foot pathway here that, then, gets a five foot pathway along here. The adjacent applications to the west and north will continue the multi-use pathway onto the west, which, then, eventually connects up to Fuller Park. Sorry. The micro path also continues and connects to other sidewalks that can go all the way to Pine Avenue. The proposed sidewalks in this development internally are also essentially micro pathways. These pathways connect through -- these pathways connect throughout the entire development and traverse through every MEW as well. They offer fenestration connection and give these residents the opportunity to walk, rather than drive within the project site, especially to the adjacent commercial, and also the nearby commercial on the east side of Ten Mile Road. The proposed landscaping for the required street buffers and common open space meet the UDC requirements as proposed. However, there do not appear to be landscape strips on both sides of the proposed pathways. Now, that's -- you know, that's multi-use and the macro pathway just explained. Staff has recommended conditions of approval to correct this. In addition, the proposed C-C zoning district, according to the UDC, requires a 25 foot landscape buffer to any residential district, which this would abut. The submitted plans do not show compliance with this requirement. Because this is a mixed use development and there is presence of some landscaping, a sidewalk and the street between the residential uses and the commercial, staff does not have particular concern over this discrepancy. However, in order to comply with the UDC, the applicant will have to request a waiver from City Council to reduce this buffer to a specific width or to reduce it to the buffer shown on the landscape plan. A minimum of ten percent qualified open space is required. Based on the proposed plat of 16.46 acres, a minimum of 1.65 acres of qualified open space should be provided. In addition, the common open space standards listed within the specific use standards for multi-family developments also apply. Combined, the required amount of minimum qualifying open space that should be provided is 2.5 acres. According to the open space exhibit, the applicant is proposing a total of 3.62 acres of qualified open space. Of this area 2.47 is proposed to meet the overall minimum ten percent and that 2.47 equates to approximately 15 percent. This qualified open space consists of the ten foot multi-use pathway segment, the required street buffers and two large common open space areas. Specifically for this map, the darker green is what is being meant to qualify for the overall open space. The -- the 11-3-G standard. The lighter green is meant to qualify for the multi-family specific use standards. The qualified -- sorry. As noted this area does exceed the minimum UDC requirements. They remaining 1.15 acres is proposed to meet the specific use standards.

These areas consist of the MEWs between the attached units, areas of open space that meet the minimum 20 by 20 multi-family open space dimensions, and the two shared plazas. This area also exceeds the minimum requirements. Based on the area of the plat a minimum of one qualified site amenity is to be provided. The applicant proposes a ten foot multi-use pathway along the southern boundary to satisfy the UDC requirement. That is in reference again to the 11-3-G requirements. The rest of the amenities are proposed to meet the specific use standards. A minimum of four amenities are required per the standards, but the decision making body is authorized to consider additional amenities for developments that contain over one hundred units, as this subject application. The following amenities are proposed to meet these standards. A clubhouse with offices, a fitness facility enclosed by storage and a pool. A tot lot. Two shared plazas and pedestrian bicycle circulation. Therefore, the applicant is proposing seven qualifying site amenities. In addition to these amenities, the applicant is proposing self storage lockers each about 12 square feet spread throughout each of the garage buildings, just like the other Modern Craftsman. Despite this not being a qualifying amenity, I do find it appropriate to mention, as they will likely be very much used. To be more frank about the recommended changes that staff has made, they are in reference to helping the site open up and also maintain the integration. It is not staff's point to do complete redesigns, but staff has had a lot of these discussions with the applicant before, we have worked through a lot of these issues -- or tried to at least and presented some of these changes at previous meetings. It is my understanding that the applicant is not in agreement with the staff report and they are proposing to keep the site design as such. Again, one of the main issues that we had been presented with is the Public Works issues about the easement within the street and also the service lines between the units. Staff just wants to ensure that these things can be taken care of and be taken care of up front, rather than get to a point where at final plat they don't work and now we have a major redesign and potentially have to start over. That is not what any of us want. So, that is -- that is where staff's at with that. This includes the intersection -- three way intersection here and, then, just offering some recommendations about how to better layout this site with some of the vertically integrated and the townhomes. Understand that there can be differences of opinion, but it's just recommendations by staff to help with the utility and overall site design issue. With those revisions and the subsequent conditions of approval and the DA provisions, staff does recommend approval of the subject application. And after that I will stand for questions.

Fitzgerald: Thanks, Joe. So, just to quickly clarify. If your revisions are accepted, you have -- you feel comfortable they are covered in your -- in all those pieces, you know, that you have outlined. It was pretty extensive. Are outlined in your -- in your staff report in your requirements.

Dodson: Mr. Chair, yes, sir. I -- the way that I kind of laid it out, I laid that out in the conditions of approval as well.

Fitzgerald: Yeah. I was making sure you feel comfortable that they are all in there. So, that was extensive.

Dodson: Yes, sir. Yeah.

Fitzgerald: We can get the applicant on their thoughts, but I just want to make sure you feel covered if there -- because my concern is we are redesigning and, then, this is just me and I will let our other fellow Commissioners -- because we are redesigning this whole thing and we are not going to have a chance to look at it before it goes to Council. That's before the applicant even gets up here. I just want to throw that out there, because that's my concern to make sure we are hitting stuff and we trust you guys to guide us on where we are headed and I'm afraid where we are headed is we need to look at this again. But any additional comments or questions for -- for Joe?

Dodson: Mr. Chair?

Fitzgerald: Yeah. Go ahead.

Dodson: If I may, I do understand what you are saying and I understand that that might be a big concern for all the Commissioners. To be honest, this is something that staff has discussed or reached out to the applicant with and noting that maybe a continuance would have been necessary in order for staff and the applicant to work through. That was not taken advantage of and that's fine. Hence why staff has decided and had to take the path of conditioning the project, which is where we are at.

Fitzgerald: Okay.

Dodson: So, I do understand your perspective.

Fitzgerald: Thank you for the clarification. That helps me. Commissioner Holland, you came off of mute, ma'am. Do you have questions?

Holland: No, Mr. Chair. I was just going to go with what you said. I have got some concerns about bringing this forward to Council the way that it is right now, because it's just -- it won't even look like the same thing by the time it gets to Council. So, I -- at this point with the number of conditions that are requested by staff, without even hearing from the applicant, I would -- I would want to vote to continue it and not spend too much time looking at it tonight until we have got an adjusted layout, because I think it's going to be a moot point until we see the adjustments on it.

Fitzgerald: Yeah. That would be my -- I want to hear from the applicant and get their feedback.

Holland: Sure.

Fitzgerald: -- but I definitely am -- that's where I'm leaning as well. Any additional comments or questions for Joe?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Joe, can you -- what's the vertically integrated building? Can you give me -- give me some detail on it?

Dodson: Commissioner Cassinelli, so vertically integrated is what a lot of people call a live-work. It's a commercial on the first floor and, then, residential on the top. It doesn't have to be two stories, it can be three, four, whatever it needs to be. Like the Old Town Lofts across from City Hall.

Cassinelli: Yeah.

Dodson: The point is to just offer the integration of the residential with the commercial within one building, rather than spreading it out across the site. It's more of an urban -- urban feel.

Cassinelli: Sure. That's what I thought you were going at with that building, but I wanted to double check. And, then, did anybody on that three-way intersection -- did they look at a -- at a one way, almost a -- you know, kind of a little traffic circle or roundabout in that scenario?

Dodson: Commissioner Cassinelli, great question. That is something that staff has told the applicant was something that needs to be looked at from the beginning. I don't know what they did look at in potential options. I believe that they will be able to better answer that for you.

Cassinelli: Okay. And, then, a final question for you, if I can. You said that you are not -- that staff was not really in favor of drive-thrus in commercial up front. Can you give us some detail on that?

Dodson: Yes, sir. Commissioner Cassinelli, Members of the Commission, the point of that is -- is the two -- having two drive-thrus right next to each other staff is not in support of. At least initially looking at this. Again, none of the commercial is being proposed right now, but they -- they will all have to have a conditional use permit. So, I believe that's a better time to review those uses would be at the future CUP point.

Cassinelli: Okay.

Dodson: That was okay with at least one, if that makes sense, at the hard corner especially, and I think the applicant and I had discussed that before, just showing two right next to each other, as we know with stacking issues and things like that, that can be troublesome. So, that was -- that was the main point of that comment.

Cassinelli: Okay.

Fitzgerald: Commissioner Cassinelli, are you good or do you need follow up?

Cassinelli: I am -- and I know -- I mean if we are going to go the direction that we have already -- that we were talking about, I don't know if I want to spend too much time on that, but can't we -- can we condition for just -- if we were to go down this road tonight, reviewing everything, can we -- can we condition for just one or do those -- does every time somebody wants a drive thru do we have to -- do we have to look at that? Because, then, it's -- what happens is if we open the door for that, then, you know, you kind of put a second individual come in for an application or the third, it's a disadvantage, but if it's -- if it's conditioned up front for just one and one only, then, it goes to the highest bidder I guess.

McCarvel: Yeah. Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: Wouldn't -- don't we just see it -- wouldn't we just see the second one when it comes in as a drive-thru within 300 feet of another drive-thru?

Fitzgerald: Yeah. A conditional use permit we see it again.

McCarvel: Yeah.

Dodson: Mr. Chair?

Fitzgerald: Commissioner -- go ahead, Joe.

Dodson: No problem. I guess me and Commissioner Seal get confused for each other every time. The -- in general you are correct, Commissioner McCarvel, it is -- if it's one within 300 feet of another, but because this is also within 300 feet of a residential district each --

McCarvel: Okay.

Dodson: -- each drive-thru it has to obtain a CUP. So, even the first one would.

McCarvel: Yeah.

Dodson: This is not -- that is not part of this application.

McCarvel: Okay.

Dodson: I don't think the -- the applicant's not wanting to go that route at this moment, because, you know, end users are not yet known.

McCarvel: Right.

Dodson: So, commercial is conceptual. That's why I -- I didn't want to limit that up front. Obviously, that is the purview of the Commission and Council if they want to. Like you were saying, Commissioner Cassinelli, I understand your perspective there, because I can see that understanding that, yes, if -- after the first one comes in the idea of another one going in is probably going to be lower. So, I understand your perspective.

Fitzgerald: Additional questions for Joe?

Grove: Mr. Chair? Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Thanks. Joe, question for you. With the improvements to Pine, is this development and the other development -- does that mean that Pine will connect all the way through? I was not completely clear on that.

Dodson: Commissioner Grove, Members of the Commission, yes, I -- I didn't go into too much detail. I don't want to -- you know, because of the hearing laws and things that are well outside of my purview -- intelligence at this point. I don't want to speak too much on that application. But with both this application and the ones that are surrounding to the west and north, if both are approved, then, yes, Pine will get punched all the way through from Ten Mile and, then, over the Ten Mile Creek and connect through to Black Cat, which is the intention of both applicants.

Fitzgerald: And that's the long-term plan, Joe? Either way, even if it's not these two applications? ACHD has that plan; correct?

Dodson: Mr. Chair, that is correct. They don't have it on any of their CIPs that I know of, because the expectation is that some applicant's will be able to take on the burden and not put it fully on the taxpayers as those lots get redeveloped, but it is on the master street map to be a full collector, yes.

Fitzgerald: And that's the expectation for development I would guess.

Dodson: Yes, sir.

Fitzgerald: Any additional questions for Joe at this time? Okay. Seeing none, at this point would the applicant like to join us?

Nelson: Good evening, Mr. Chairman and Members of the Commission. Deborah Nelson. 601 West Bannock Street here on behalf of the applicant team. I also have here with me members of the development team and they are available to answer questions with you. I'm going to -- or with me. Excuse me. For you. I'm going to share a screen here and let me know -- can you see that just fine? Great.

Fitzgerald: Yep. Thanks, Deb. Go right ahead.

Nelson: Okay. You know, I'm going to jump in pretty quickly to the substance, because Joe covered a lot there and you guys had a lot of questions, so I may just skip with some of these formalities. You already know about Baron Properties from their project at Black Cat and Chinden and so this is their second project in Meridian where they are starting from ground up. We are excited to bring this mixed use project right here to Ten Mile and Pine that you can see on the vicinity map. We have got existing commercial around us with the gateway at Ten Mile and the Ten Mile area specific plan to our south. A lot of employment uses going on there with the new Amazon. Additionally we have got the commercial that's immediately across Ten Mile. I want to focus on the site plan right from the get go here. I want to show you where our zones are proposed. The R-15 is 11.42 acres. The C-C zone is just over six acres. And you can see the delineation on the site plan where they break up here. Both of these zones are consistent with your Comprehensive Plan designation of mixed use community. We have heard Joe's concern about wanting to align the lots with that break in zoning and we can accommodate that. We will add a third commercial lot that will fall within the C-C zone, include the two vertically integrated buildings and the clubhouse area -- everything that's not included in the other commercial lots and we will add that to our C-C zone and update our plot accordingly as he's requested and, then, the plat lot lines will fall directly on the zone lines as he -- as he desires. I want to also walk through some of Joe's other comments. I guess maybe as a preliminary matter from the development team's perspective the changes that are requested in the staff report are new and surprising, given the extent of time that the development team has worked with staff. They are very interested in getting staff support on this development, that's why they worked so hard at it. We learned a lot through the Black Cat evolution. We felt like we got a lot of good feedback from staff and from the Planning and Zoning Commission that led to a better project. We incorporated all of the feedback. We heard from staff over eight plus months of discussions. Our first pre-app with them was in February. We didn't file until October. We had many site revisions, a lot of movement with a lot of focus on integration between the commercial areas and the residential areas and that is what led us to this site plan. We had specific comments from staff about placing the townhomes along Ten Mile in the southeast portion to create framing against that street and instead moving the more activated commercial, vertically integrated uses up into the central part of the site. Staff wanted us to pull the commercial down Pine to better serve our residences -- our residents and the residences that are planned further west and with the Pine access being the full access here, they really wanted that commercial to frame that corner and further to the integration we created the crosswalks and the two plazas that are between the commercial and the residential. These vertically integrated buildings are very purposefully placed. They frame this area, they create transition from the harder corner, the commercial area, bring that activated commercial feeling -- you know, urban feeling from the parking out front, put pedestrian friendly from the crosswalk and they bring that right up around all of the activity going on around the residential area. That is exactly what your Comprehensive Plan calls for. Moving that further along Ten Mile creates islands of commercial and residential, exactly what staff has advised us for the last year to try to avoid with the site plan reconfiguration that we have done here. So, it is news to us what is being asked for now and we are not supportive of it. We like the evolution that we have come up with with staff. It's very practical and functional. We like the framing of the townhomes along

Ten Mile. We think the better activation is along Pine and Central. We like having our single story detached units up along Pine, not townhomes there. It creates a nice visibility. It creates compatibility with the single family homes also planned along Pine. We like featuring those products there. We like the -- the -- the unit that was asked to be removed entirely from our southwest side. That's part of an area that has MEWs and has connectivity. It's safe. It's well lit. It meets all of your city code requirements. We specifically reviewed that particular unit with Joe Bongiorno to make sure that all of the fire and safety issues were taken care of. From a police standpoint, again, that the lighting -- everything creates a safe environment. If, instead, we pulled it out I think we would be running into exactly what we hear from your police chief when you create an open space in the back that would, then, not have activity. So, those are some of our concerns. Additionally moving the vertically integrated down on the southeast portion creates a parking conundrum. I mean there is a different parking setup for the townhomes versus the vertically integrated product. There is access considerations there. That access, as Joe noted, is -- is not likely to be full access forever and it -- it's not going to support the same commercial activity down on that corner, where the full access on Pine will. It also doesn't work to move that access point on Ten Mile further north as he suggested as a possible fix to our functional space concerns, because it's already within the spacing minimum of ACHD. They allowed us to put it there to align with the street across Ten Mile and so it is -- it's purposely sited there. We did consider the -- the island -- the landscape island, the configuration that's causing some concern. We think it creates traffic calming. It's also aesthetically pleasing. We are happy to work with the city, though, and comply with the condition suggested by Joe to make sure that we are addressing all of the city departments concerns with. If there is a safer configuration they prefer we can abide by that condition to work through that. We -- we would also like to point out the concern about having the townhomes along Ten Mile is inconsistent with other locations and our own experience in the City of Meridian. We operate the -- Baron operates the Redtail Apartments at Meridian and Victory and has had no trouble with -- with leasing along those major streets. In fact, they have found that visibility to be great for that kind of residential product. We did hear from Joe last week, the one topic that did come up before we got the staff report on utility concerns, and we have addressed all of those now with Public Works, without needing to redesign this site. Our civil engineer has been busy working with Public Works to address all of their concerns. We now have confirmation from them that we have and so there is also not a need to reconfigure any of this for that purpose. I think with that let's try to move on to some of our other selling points here and, of course, I would be happy to address any questions you guys have if you still have remaining concerns based on what Joe has -- has raised. A couple things just to point out maybe about the vertically integrated. This is a product we introduced at Black Cat that was well received at all levels of the city, because it creates that integration, it's not just horizontal. We will have residences on the second floor and commercial on the first floor. We expect to be able to have a coffee shop, yoga studio, the kinds of uses that work great right next to the residential areas. In our commercial area we expect more of restaurant, retail, office, medical office, daycare, that sort of thing. That -- the commercial buildings -- we don't have elevations for those yet. We ask that the conditional planning those now be postponed until we do come in with future plans. The city is going to have a chance to look at them then and you still have to approve CZC, plus the design review,

and if there is a drive-thru we would need a conditional use permit. So, you have lots of opportunities to review those at that time. I just want to walk through some of our architecture quickly, show you some of the features. This is our entry monument off of Pine. Some -- some images of our clubhouse. We will have work from home space there. Private offices for resident use, as well as community meeting space there inside the clubhouse. There is also a coffee bar. There is indoor gathering and seating areas, a kitchen and a fitness center. Outside the clubhouse there is a community pool, a large deck, and covered gazebos and grill areas. This is our vertically integrated product showing at this point the commercial on the first floor, the residential on the second floor, with great layouts. I also want to run through some of our residential units, so you can see the variety and the quality of materials. There will be one, two, and three bedroom offerings in detached homes, duplexes, six-plexes. Some of them will have attached and tuck under garages. All residential uses provide private outdoor space. Most with private backyards. So, that this community really lives and feels like any neighborhood would with single family detached housing and townhomes. The residential units include modern finishes, stainless steel appliances, washers and dryers, great living spaces with spacious floor plans and high ceilings. The exteriors use quality materials, including stone and stucco and wood tone siding. This slide is showing a one bedroom duplex with a couple of different roof lines. Here is a couple of our two bedrooms. We have two different types of two bedrooms to show different layouts. Have three bedroom units as well. And this is now showing some of our six-plex townhomes with the tuck under garages -- two car garages underneath. These images show front and back with multiple color palettes. A lot of variety here. In this -- in this slide we are trying to show all the unit type variety, where they lie, so the -- the one bed one bath, two bed two bath, et cetera, are all distributed throughout the site, so that you can see that variety in the community. Architectural variety as well. Here we are trying to show what the different roof lines and color palettes -- how they are intermixed through the development, so you don't see a lot of one thing, with two different roof lines, three different exterior facades, three different color palettes. These all together can be mixed and matched to create 18 unique exteriors on these detached units. We heard the comments from Joe. We disagree that more is needed from that. We like the cohesiveness of this -- of the patterns we have selected. However, if the Commission feels like adding another color to that mix would help create more variety, you know, we are happy to work with the city to do that. We have got ample parking and storage, more than is called for with detached garages -- 30 detached garages that are shown in green here. A hundred and four covered parking spaces that are shown in orange. Plus we have the 84 attached two unit enclosed garages. We also have storage through self storage lockers that creates a great amenity for our residents. As Joe walked through the open space really carefully, I would just add in addition all the -- the green public open space and the -- and the blue private open space that you can see through this slide the connectivity really, that east-west connection where you are really pulling the residence towards the commercial and creating a nice connection there. On the -- on the pathways we have got the ten foot wide multi-use pathway on the south. But I think it's also a great point out that these all connect to the west. We are providing connectivity to our neighbors. We have got a walking loop that goes all the way around the entire facility -- the entire community. Amenities Joe walked through very carefully. They are -- they are centrally located and really connected well to all of the residents

around. There has been no concerns raised by any of the services. We meet all of the current plans. ACHD concluded that all of the roadways have acceptable levels of service. All schools that serve this project have capacity. We did ask for a number of changes to the conditions. We have addressed them in a letter that we provided today and in the testimony tonight. I think the only thing I maybe didn't address yet are the last -- that we ask that the future CZC be specific to a zone, so that we can move forward with either the residential or commercial first and not required to develop the entire site at once. And the last one is simply to have the Public Works condition language match the city approved language that we received on the Black Cat development that better suits the timing for multi-family development. I would like to -- if you will allow me, if there is time -- I'm sorry, I can't see a clock where I am in the Zoom format. If there is time we have a two minute fly through that I would share with you if -- if I'm able.

Fitzgerald: Yeah. You have got a few minutes, Deborah, if you want to go ahead.

Nelson: Thank you.

Fitzgerald: We can't see it yet. Deborah, we are not seeing it.

Nelson: Oh, it's not -- oh. Okay. We -- we did send it to -- to the clerk. I don't know if that helps the --

Fitzgerald: Madam Clerk, do you happen to have it?

Weatherly: I have it. I don't have it pulled up. So, if you want to give me just a minute or so I can try to pull it up on my end.

Fitzgerald: Okay. While we are doing that, are there any questions we can start kind of kick it off for Deborah?

Holland: Mr. Chair?

Seal: Mr. Chair?

Fitzgerald: Commissioner Holland, I saw you first.

Holland: Deb, the overview -- we appreciate it and that's why I love mixed use concepts and I love a lot of the elements that are in this project, but I think my only concern is still that staff has so many concerns and how we move forward if they are requesting some changes and -- and how we kind of keep things moving forward. I'm not sure if you want to just kind of address that. If you think some more time with staff you guys could figure out a way to kind of bridge the gap and come together.

Nelson: Well, Commissioner Holland, Chairman, I appreciate that question and we -- we do prefer to be aligned with staff as well and so I understand your concern, but we made every effort to. I mean honestly we were just really surprised by the level of changes that

have been proposed and I guess I would just point out -- and we looked at them pretty carefully to see, okay, what is this -- is this something that makes sense here and none of them are required by your code. So, there is nothing that's been proposed that needs to happen. And, then, you look at, well, your subjective criteria in your -- in your Comprehensive Plan, we think that our design, which was based on staff's input for the last year, better meets your plan. It creates more of that integration, instead of having all of your commercial along Ten Mile, it's all pulled into the site and intermixed with our residential. So, we think that we meet all of your code requirements. We best satisfy your Comprehensive Plan with our design and it is our preferred layout. We have -- we have really grown to enjoy this functionality. We have spent a lot of time and money on it. We have done all of our utilities work. I mean we have really developed this site that we worked on a long time with staff. So, we are not supportive of a continuance to revisit something that just came up, that is inconsistent with what we have worked on for a long time, that's not required -- or we think even beneficial. I mean just with all due respect to Joe, because we appreciate he's put a lot of time into this -- it feels like just a preference. Just kind of a -- you know, he rolled up his sleeves, right, the staff and thought, hey, wouldn't it be great to move this stuff around. Our preference is different. We feel like this is a great development for you to consider as a whole, so -- oh. And thank you, Adrienne. It looks like she's got the fly through ready.

Weatherly: Mr. Chair and Deb, I apologize, I don't think that I can bring up the sound, but I think I should be able to get the video rolling for you.

Nelson: Great. Thank you.

(Video played.)

Nelson: Thank you, Commissioners, for allowing us to play that. Mr. Chairman, Commissioner Holland, I think I was wrapping up your -- your question. I guess one additional point to consider on the -- the layout of why we think it's -- it's -- it's beneficial and why we prefer it. That commercial -- moving that commercial down, they -- the vertically integrated down to the southeast isn't consistent with what we have -- understand from working with our brokers on what's going to be viable there. I mentioned the access limitations, but they really think that corner -- the -- the north corner and the centrally located commercial is going to create better access vehicularly. Also from a pedestrian standpoint we think that, you know, some of these users, particularly those that are in the vertically integrated buildings -- you know, the coffee shop, the yoga -- the yoga facility, the yoga studio, those are the uses that people need to walk up to and the further you put that away down in the corner the less they are going to get used. You put those right around the clubhouse and -- and the main central part of the neighborhood, we feel like that's going to activate those.

Fitzgerald: Thank you. Commissioner Holland, do you want to follow up?

Holland: No, I don't know that I have any follow ups. I'm just -- I just feel like we are between a rock and a hard place, because I don't like being stuck in a spot where staff

doesn't agree with it and I hear where the applicant is coming from, too, and I like a lot of the elements of it. I think they have -- they have shown that they are a good developer and they think outside of the box in how they bring projects together and I agree with you, I like how a lot of those elements flow together, because mixed use concepts that draw people towards kind of that central congregating area tend to be more effective in the long run anyway. So, I don't disagree with that. But I'm not sure how we mitigate some of staff's concerns here, too.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go right ahead.

Seal: I echo what Commissioner Holland is saying and after listening to the applicant I mean what she said was basically that they have worked everything out with Public Works and -- I mean I don't see anything on record as far as what was worked out, how it was worked out, what that's going to look like. So, it sounds like some middle ground was met, but there is -- there is no record of what was -- essentially what's being recorded for that. So, it would be nice to remove ourselves out of that and let it -- let that come to where it needs to be before this comes back, basically. That's -- that's my opinion of it. I mean -- I mean there is a lot of things I really like about this product and, you know, I like that it's here, but there are some big concerns.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I'm -- I'm actually kind of liking the commercial where the applicant has it. I think the big -- the issue that -- part of the issue that staff had moving it was the utilities and I agree with Commissioner Seal that -- I mean I would like to see maybe more on what the resolution was on that, rather than just having to say, well, we resolved it. I think since it's been brought up as an issue. If we could see how that was resolved I think that would alleviate some things for me as far as all the moving around. I think the other stuff we can kind of discuss, but I think like that I would like to see some more information on.

Fitzgerald: Agreed.

Nelson: Mr. Chairman, may I respond to those two comments?

Fitzgerald: Go right ahead.

Nelson: Thank you. Thank you, Commissioner Seal and Commissioner McCarvel, since you both asked the same question. I appreciate the opportunity to respond. I think -- I think it's -- it's covered in the conditions that staff brought forward and so in their condition A-7 they contemplated that there could be some continuing resolution of the concerns and -- and so there is an express condition that allows, you know, at least ten days prior

to the City Council hearing the applicant will obtain that approval and so we have submitted the updated plan to resolve their -- their minor concerns and they have approved it and our civil engineer is here, David Bailey, if you would like more details about exactly how they did it, but I guess the punch line that I want to make sure we -- we all have in front of us is it doesn't cause us to rearrange the site, so there is nothing new to consider there and, two, that staff has already thoughtfully put that into the conditions of approval as a forward looking way that -- so long as we have resolved it that can move forward with the Council, so -- and, like I said, our civil engineer is here if you would like to ask him anymore detailed questions than that.

Fitzgerald: Appreciate that. I think the -- my only concern is I -- we haven't, as a Commission, heard from the Public Works. That's the only challenge. We usually have all that information in front of us and I don't want to hand City Council something that we haven't tried to work out all the details on before it goes to them. That's our job. But I appreciate the feedback there.

Dodson: Mr. Chair?

Fitzgerald: Yeah, Joe, go right ahead. Love to hear from you.

Dodson: Sure. Thank you. The last thing I want to do is get into a tit for tat with Deb. I very much respect Deb, so I'm not trying to do that at all. I -- I, too, have not gotten any kind of -- I shouldn't say any kind of. I have not gotten a final approval from Public Works that the utilities match and will be functional a hundred percent. I have not received that. I have been told that we are a lot closer than what we were, which is fantastic, and that's why I mentioned that in my initial presentation, because I -- we need to keep working there. But, again, I -- like the Commission I have not seen that final approval, which is why I put that condition in there and I was being courteous to say prior to City Council, as you guys are discussing. That is part of why some of the changes that we recommended are based somewhat on the incorporation of the utility concern, not only -- yes, can it fit in the street, but also the service lines as well, even though I have been told by land development that some of those discussions have occurred and we are a lot closer, they still have concerns whether or not this will functionally work and I want to -- to ensure that the site design is -- is okay, that I want that final -- I guess formal -- whatever word you want to use there -- approval in order to make sure that this works. I'm not going to fall on the sword for moving that one vertically integrated building. I'm fine with that staying there. But the point of moving that was to avoid removing some of those units on the internal area to help spread those out and help with the service line issues as discussed, not by just myself, but also Public Works. That's -- that was one of their conditions on the other Modern Craftsman and finally conditions on this one. In regards to the other condition that they would like to modify regarding -- I believe they said it's one of the Public Works conditions regarding modifying it to match the Modern Craftsman one, staff is not supportive of that, because the only reason that combination was made previously is because they did not do a preliminary plat, they did a short plat. So, it was all done up front. In this case that's not true, they will have to come back for a final plat. So, that

condition is written in line with our current processes. So, I just wanted to clarify those few points there and, hopefully, we can keep moving forward.

Fitzgerald: Thanks, Joe.

Dodson: In addition -- sorry, Mr. Chair.

Fitzgerald: Go ahead.

Dodson: I wanted to ask Deb if I saw that -- the parking plan that you had, ma'am, has that been updated to the new or the latest easement changes that have occurred? Because it doesn't look like it. So, I just wanted to clarify if that parking matches what's been changed to accommodate the easement.

Bailey: If I can speak here. This is David Bailey. I'm with Bailey Engineering and the project engineer on this and we -- we actually got notice of the issues that we had here a couple of weeks ago on the Black Cat project and the Black Cat project was a little different in that the water lines within that subdivision are -- are under the jurisdiction of Suez and they have slightly different easement requirements and so we were able to make a minor adjustment to those plans that we could accommodate both the city's and -- and Suez's requirements on that. So, since then we have gone through several iterations looking at how to locate the water and sewer lines within the street and this was the primary requirement and just for the record this is new to us and the city on this project is the first time they will enforce not putting the -- not allowing the easements underneath the covered parking on the project, so we moved things around a little bit and we were able to move a few of the carports around and adjust the location of the sewer and water lines within the drive aisles, so that we would provide the full easement required for the city for both the sewer and water lines without either of those easements being underneath any carports or any garages and it gets difficult when they are across from each other, as it has on previous projects, because your drive aisles are 25 feet and 30 feet is total required to provide those two easements for the sewer and water. So, we have made those adjustments. My engineer Kevin Craig has submitted those changes to the Public Works. Public Works come back and had a question about a separation of a storm drain line on the plan, whether it would be four feet from that. He made that additional adjustment and submitted that to Amanda McNutt on Tuesday, December 15th, and she sent an e-mail back, which I just forwarded to Joe, that said thank you, Kevin, I appreciate your showing that. I think you have a good plan in place that should work with our standards. So, we have a specific e-mail from Amanda McNutt saying that this was completed. I guess Joe didn't get the copy of that.

Fitzgerald: Thanks, David. Appreciate it. The only challenge -- I will be fully frank and honest with you -- is I think we are in the middle of designing still. This just feels like we are -- we are still at the pre-app table. I mean just to be frank and honest with you, it's -- this is supposed to be done and cooked, so we can make good recommendations to Council and you guys are still designing a little bit in the middle of our meeting and that's -- that's rough to put our Commission in the middle of and so I don't want to put -- I

appreciate both sides and I respect both sides of our team and your team, but I also want to make sure we are -- we are staying in the process and it's -- it's difficult for our Commissioners to have to -- a little bit call balls and strikes and this is a -- it's a weird position to be in, to be totally frank. So, I don't know where my fellow Commissioners are. I would love to get your take. But this just seems like we are not there yet.

Bailey: Can I answer that question?

Fitzgerald: Absolutely. Go ahead, David.

Bailey: Great. Thank you, sir. I don't feel we are in the middle of designing this and, in fact, we don't do final designs for preliminary plat. Never have in the past. We submitted this in accordance with the standards and designed it in the way that we have for all of the projects we have ever done in Meridian. They have acknowledged -- your Public Works staff has acknowledged that your standards have not changed, but they have decided to start enforcing this in the middle of our project. So, it's not you that are in the middle of this, it is our client and this project that is in the middle of this and we are as frustrated as you are at this point of how we have been treated going along this way and we have made some significant efforts to make sure that we are addressing every single comment that comes up on this and we have addressed them all and we get to this Planning and Zoning meeting and your staff member is still telling me that I haven't resolved them and let me tell you, sir, I have resolved these issues and we can meet all your standards and I can design and build this project in accordance with the way we have it set up here.

Fitzgerald: Appreciate that. Also appreciate the position we are in. I hope you understand, we are -- we have to make good decisions and provide a recommendation to the City Council and so I'm trying to do that and give our Commissioners the best package we can see and we have definitely a different view on both sides, which is -- which is not where we like to be, if that makes sense, and so I'm not trying to place blame on any -- either side, I just want to give the best product and final package we can to City Council, if that's where the -- the decision of the Commission. So -- and I hope -- Deb, I hope you understand that we are not trying to cast blame on anybody, we are just trying to polish the truth as I call it and I just -- it's -- it's hard to do that when we have very different views in the middle of -- of our meeting, if that makes sense.

Dodson: Mr. Chair?

Fitzgerald: Yeah. Go ahead, Joe.

Dodson: I just wanted to clarify. Again, these utility standards are not planning, so I'm not -- and I'm not an engineer, so I don't pretend to know those requirements. I have been tasked as a city planner, being the project manager, in conglomerating all of these different perspectives and issues and concerns and desires into one cohesive report, to try my own qualms with, but we are here -- neither here nor there, we are trying to move forward. The point is the instances that Mr. Bailey is referring to I -- I have been told

specifically that they were instances in that the city had to make accommodations because things were missed and, therefore, we had to allow waivers and not to mention we have different -- we have had different city engineers and this is what I have been told. I -- I feel bad that he feels that we are picking on this project and calling out this specific project for things that haven't been enforced before. I don't -- none of us want that for Mr. Bailey. So, I do apologize for that. I have been told specifically that these are our standards and there shouldn't be waivers requested to meet the standards, unless there are extenuating circumstances, which is what I was told were the situations previously. I don't want it to be misinterpreted by anybody that the city is picking and choosing who they want to enforce their standards on, because that is not what I have seen while being here at the City of Meridian and that's -- that's not what I was told either. So, I just wanted to clarify that for both the applicant and the Commission.

Fitzgerald: Thank you. Appreciate that.

Nelson: Mr. Chairman, may I make one further point?

Fitzgerald: Yeah. Deb, go right ahead.

Nelson: And we appreciate the -- all -- the position you are in and the comments from Joe. He's relaying concerns from Public Works and so I guess what I would ask for you to consider, since you are asking is this fully designed, you know, how is this before you. The way I see this is that there -- to the extent there were Public Works concerns, they have been resolved on our end on a factual basis, but from your point of view -- and I think from Joe's point of view, he set you into the right path by requiring a condition of approval that does not allow us to get to City Council ten days before. We have to show those plans and so I think from the Planning and Zoning Commission's perspective you have a site plan, you have the site plan that we are proposing and we have to get Public Works sign off on that site plan. If we don't get Public Work sign off on that site plan we are going to have to come back to you with another site plan. But if -- but if it is functionally and, you know, materially the same, then, you have before you what you need and you have a condition of approval to protect you to make sure we have to still get Public Works sign off and -- you know. So, assuming we can address that -- and it sounds like from Joe's comments I appreciate that was kind of the root of some of his redesign. He was trying to create more space. That's helpful explanation to us, because it did feel a little out of the blue. If it was just that, then, we are happy that that has been resolved and we can deal with that. If it's a preference -- you know, we don't share that preference and I have already walked through why and it sounds like some of the Commission members have -- you know, also agree that they prefer the layout as it is and so I think the Commission actually has before it what you need to decide with the planning and the layout and the site plan. This is a site plan generally and the uses generally that you like. So, I would be happy to answer more questions, but thank you for allowing me to make that additional comment.

Fitzgerald: Absolutely. And thank you for bringing us back to that point. I do have one -- and it's not a preference, it's a safety thing. I don't like the -- the way you have set that

intersection up at all. I think that's just waiting for somebody to get in an accident or somebody to get run over. So, if there is a different design that you would be willing to throw in there, whether that's a roundabout -- one way roundabout or something, is there a direction you can go there? Because I think if that's two way traffic all the way around that thing, with commercial and residential traffic all trying to intermix, I think that's going to be somewhat of a train wreck. So, can you sum -- can you comment on that?

Nelson: Mr. Chairman, yes, we are perfectly willing to work on that with the city to make sure that -- you know, that it's -- it's redesigned in a way that everybody is comfortable and that's why -- you know, we did comment on the condition of approval from Joe, but we accept the condition where he asked us to work with the city and resolve any safety concerns they have and we are happy to do that.

Fitzgerald: Perfect. Thank you, ma'am.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel, go right ahead.

McCarvel: I noticed the same thing, Deb, in the video view it almost looked like it was acting like a roundabout. I didn't really see the two-way traffic. So, it seems like it could be almost there, it's just -- it's -- I mean is that what I saw or is that really supposed to be two way traffic in there?

Nelson: Mr. Chairman, Commissioner McCarvel, I mean that may be one of the solutions is to route the traffic in that direction. We certainly like it as a traffic calming device and so, you know, if we can preserve that functionality, that it calms and slows people, that would be nice. But, obviously, want it to be safe.

Fitzgerald: Additional comments or questions?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: I have got a -- got a couple things that I haven't -- I don't think I have heard information on. This being a hundred percent leasable product, is there a requirement for an on-site manager and -- and can you -- can you address that?

Nelson: Mr. Chairman, Commissioner Cassinelli, yes, we will have on-site management in the clubhouse for the residential property there.

Cassinelli: So -- and that will be staffed to the standard business hours or what -- what's that?

Nelson: Mr. Chairman, Commissioner Cassinelli, yes, seven days a week. We have office space for them available in the -- in the clubhouse.

Cassinelli: Okay. Another question I have -- and, Mr. Chair, if I can, I have got a couple here.

Fitzgerald: Go right ahead, Bill.

Cassinelli: I don't know -- if you guys -- if -- and this might be for -- for Joe, but the project to the -- on the -- I guess it would be the southwest edge there where all the -- where the townhouses are lined up, I don't know what's proposed in that adjacent property, but is that a -- is that a good transition to what's -- what -- because, obviously, there is something -- we have got a cul-de-sac in there and I don't know what -- if we have looked at that before. I have missed the last couple of meetings. So, if that's been looked at. But I would -- my -- I would just -- I want to know that we are not going to have an issue, I guess, with transition on those townhouses at some point down the road.

Dodson: Mr. Chair?

Fitzgerald: Go ahead, Joe.

Dodson: Thank you, sir. Commissioner Cassinelli, great question. I touched on it in my staff report, but just not tonight. Directly adjacent -- abutting the property there is going to be a few lots -- not very many, but they will be detached single family homes and thankfully the applicant is proposing to have those townhomes opposite direction, I guess you could say, or perpendicular to those lots. That way the -- those homes are not looking at 60 houses, they are only looking at one side of a building, which I think is a great site design by them and incorporates those MEWs as well and the pathway that's also a buffer between those that will include landscaping. So, I touched on all of that in my staff report and I think that it should be a fine transition. I don't -- I don't think we will have any issues there.

Cassinelli: Okay.

Parsons: Mr. Chair? Mr. Chair, this is Bill. Also to that point is we -- we have an active application right now, so we can't get into too many of those details with you guys, but you will see that coming for -- forthcoming and just to let you know that the same engineering firm is representing that landowner, too, so they are working together and making sure that these projects do integrate and get some of that connectivity that we are looking for in this area. So, I just wanted to let you know, yes, that's all being worked out and everyone's working together and that's really how we are going to get this Pine Street connected and completed with this project. It's critical. To me that's the critical point -- portion of this development is really getting that Pine Street connected with the first phase and this applicant -- and even the applicant to the north is willing to do that now, because it's required of their development. So, they are working out those details, a private agreement behind the scenes, and, again, we have had conversations with the applicant,

they know the city's desire to make that happen and they are doing everything they can to do that. I did just want it basis -- at least give you guys a little bit of insight with my experience on this project, just to kind of help you guys -- guide you to a decision or some recommendation tonight I guess, because we have gotten off topic a little bit. It's -- it's not always professional for us to be here bantering back and forth about a project and this is an unusual one for sure. We -- we had Public Works give us -- have some concerns -- raised some concerns and so Joe did what he did as the lead, reached out and tried to resolve that issue, although it was a little late in the process, I wish we could have got it before the app was done -- figured it out before the application was before you, but sometimes those things happen. Now, Joe and I did meet with some of the applicant's team back in October and we talked about some of these integrations and some redesign with them and we all left that meeting feeling comfortable and we were also asked to condition the project with some of those changes and so, in my opinion, I -- I left that meeting in October thinking we had -- we had a solution. I think they somewhat agreed that they could look at making some of those changes. Ultimately they didn't and so staff landed on a position that -- where we had to make a recommendation to make sure that what they were proposing was not only consistent with code, but consistent with the comp plan's policies and I think the applicant's representative Deb does a great job, I mean the comp plan is a guide, it's -- it's not thou shall, but, you know, it is -- it is open to interpretation and from staff's vantage point we feel -- maybe not always the changes that we are proposing this evening, but some of those changes could be incorporated to get this in alignment a little closer to what we feel is more consistent with the mixed use community designation and so I'm -- staff -- and staff was very adamant that potentially continuing this out and working with the applicant to smooth out some of thing is probably in their best interest, but realizing that, you know, they -- they -- they have spent a significant amount of time and money into this site design and although it's not -- it's not horrible, it's not a bad site design, I appreciate the commentary tonight and -- and Deb explaining somehow that integration and their thought process behind that. To me that helps go a long ways. So, certainly, I don't -- I don't know if we are all on the same page tonight. We will -- we will leave that up to you, but as you know, this is annexation. This is -- once we get zoning -- I mean we lose a little bit of that control. So, this is our one chance to get it right and if you guys think the plan that they are presenting is getting it right, then, by all means, you know, forward on a recommendation of approval and strike those conditions. If you feel like we haven't baked this idea -- this plan enough and you still want to see Public Works -- or at least have somebody testify at a hearing to speak about some of their concerns or if we have it worked out, that's fine, we can move forward with the condition as the applicant stated. But it's our opinion -- at least staff's opinion that there needs to be further refinement to this plan and going back to -- even going back to the Black Cat project, you know, this Commission was -- was very instrumental in making sure -- I mean this is mixed use. Although we can -- yes, we have a design review process. We know they could come back and provide elevations and go through that process and try to emulate the development. This is mixed use. This is meant to be integrated. To me all of these details should be provided to you now to make sure that it is consistent with the mixed use and that's exactly what you did on the previous project, you have told them to bring back -- you wanted more commercial and you wanted them to incorporate the commercial elevations into that design and that's what we tied them to

in their project off of Chinden Boulevard. So, to me we are treating this application -- this application the same as the last one. We worked with them. We made changes. Deb acknowledged that, that we worked very well -- I thought it was a very good effort and we appreciate their collaboration and their teamwork. I mean they did a phenomenal job. That turned out better than when they first submitted it and that's really what we are trying to do, we are trying to help guide them and partner with them, so that we can carry this along side and not bring any issues to and go forward to City Council with a project that we can all be proud of. So, I'm going to quit grandstanding now. Sorry, Deb. But I just at least wanted to share with the Commission that, you know, each project is unique, but at the same time I think we have seen this similar project and a lot of these same issues that were brought up on that project still exist on this project. So, I just want to at least try to refresh your memory on that previous project and let you know that we did work very well together and we got to the finish line. So, I will just stop my -- my grandstanding here and, then, stand for any other questions you guys may have.

Fitzgerald: Bill, thank you. We always appreciate your perspective. It helps keep us moving forward and keep us focused. So, thank you very much.

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: I just -- if I could -- I guess questions answered, which -- which I appreciate. I just wanted to make some comments, too, on this and that was good hearing -- hearing Bill's perspective. I do like -- there is a lot of elements about this that I like that are unique. I looked at some of the applicant's other projects throughout the -- the country and I think they bring a -- I think they bring a refreshing aspect that -- we seem to get stuck in some of the same things here in Meridian by the same developers doing projects over and over and over again. It's kind of a rubber stamp. Nothing unique. And I think this brings some unique aspects. So, I -- I'm 0- you know, I appreciate the comments from staff and I don't normally like to -- you know -- and I totally respect staff and -- and what they do and their -- their passion and heart for doing things right. I -- I -- there is -- there is a lot of things I like about this. The only thing that I -- to me is this a public -- Public Works issue that needs to be resolved and -- and I don't like -- you know, I'm -- I like having the complete package, so I'm a little -- I am disappointed that we didn't get it with -- with all those questions answered already. So, we are not trying to have to figure out how we move, but I did want to comment that I really like a lot of the aspects. I like -- I do like the commercial -- all that commercial tight together, because it does keep it -- it keeps it together instead of being spread about. But in my opinion what we really need to do is, obviously, figure out that Public Works aspect and I don't know if just that condition is good enough for that. But those are -- those are my thoughts right now.

Fitzgerald: So, Commissioner Cassinelli, I wholeheartedly agree with you and I think that I love the productivity that's literally getting built down the street from me off of Black Cat. So, I totally agree with your comments. I think this is a unique product that is needed in our area and I don't think we would probably have a problem. I just want to make sure

we have all our ducks in a row and -- and I'm not saying that you guys don't, I'm just saying we don't have all the information we need to -- from our team possibly to make a good decision. So, it has nothing to do with design of the project in my opinion right now, it's making sure that we have all our information. So, if it's the commissioner -- if you feel comfortable with the aspects that Joe's laid out in the conditions, I just -- my concern is looking at the response from the applicant we have five pages of response with -- that are basically -- we don't -- that they don't agree with a lot of the conditions that are in there. So, we are going to need to sit down for a while here and work through five pages of response and what I think maybe we could possibly -- as Bill suggested, continue this to the 7th of January, which is only two weeks away and I know that it's the holidays and I will let -- Deb, I will let you comment on this, but we don't have very much on that calendar -- let you guys sit down with -- with the team of our -- of staff, finalize all this stuff and give us a package that we know we can be proud of and move forward without any real issue and we can feel like we are doing our job for City Council. Deb, would love -- would love your feedback there.

Nelson: Mr. Chairman, appreciate the opportunity to weigh in on it. Now, obviously, we don't want more delay. It's been a long process and we did come forward with a fully complete site plan. But we understand your concern of wanting the Public Works item to be resolved and -- and resolved in a way that it's been for you that you know the site plan that you like is going to happen and so if we could limit the deferral to not open everything back up and just be to -- you know, confirm the Public Works, we would ask that of you if we could, to consider that, so that it is truly just to get that last item pinned down. That would be our request. That we -- we would just appreciate everything we can to move forward in a timely way and not, you know, revisit everything.

McCarvel: Mr. Chair?

Fitzgerald: Sorry. I never want to delay you guys. I know how much time and money goes into your efforts. So, that's never my -- I don't want to delay you anymore than you have to. Commissioner Holland, go right ahead.

Holland: I think that was Commissioner McCarvel speaking.

Fitzgerald: Oh, I'm sorry. Commissioner McCarvel. Sorry.

McCarvel: Yeah. Do we want to discuss some of the other things before issuing the continuance and do we want to do public testimony tonight or on the continuance? Or is there any?

Fitzgerald: I don't know if we have -- we didn't have any in the packets. I guess we need to check and see. We can keep moving forward. I -- I think we all -- I don't want to speak for everybody, but I -- I mean I think we -- we liked the design previously and we have worked really well to get that over the finish line, as Bill said, and I think there is some -- I know Commissioner McCarvel, you probably -- you and I probably are on the same page

on where the commercial is and it sounds like Commissioner Cassinelli may be as well. So, I'm happy --

McCarvel: Yeah. I like where the --

Fitzgerald: -- happy to do that and just work through it.

McCarvel: Yeah. I like where the commercial is. I also -- I agree I think with the applicant about that unit in the back, about not having that being open space. I think it's probably safer having the unit back there and, then, the subjective about the colors -- I actually like the colors, even though there is not that many, I -- they caught -- there is a lot of contrast. So, you know, it's -- to me it's better than having four pale colors, you know. The design I think offered a lot of kind of -- you know, was pleasing. But I do -- yeah, I think if we get that roundabout or just that entrance figured out and the Public Works. I think a lot of the other stuff in it I like, so --

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: I mean I'm -- if it's alright I'm just going to go through the applicant's responses here to the staff report and ask questions specific to that. So, on A-2 -- and, Joe, these -- these questions are kind of coming your way as -- and if -- if you are looking at the applicant's response to A-2, what exactly -- I'm just trying to get a better understanding of exactly what that means and their response, to make sure that we have got the rest of this. Because there is five pages of it here. Two pages are basically as explanation and some of the rest of it is, you know, dotting I's and crossing T's in my opinion. I just want to make sure that, you know, like A-2, A-15, B-2-9, that those responses from the applicant are acceptable.

Dodson: Mr. Chair?

Fitzgerald: Go ahead, Joe.

Dodson: Thank you, sir. Commissioner Seal, sure. The -- how do I put this here? I got to read their specific recommend -- or request there.

Seal: Yeah. Sorry. To put you on a spot, but it's --

Dodson: No problem.

Seal: -- there is just a lot of info here and I want to make sure that, you know, if we do move forward with this that it's informed.

Parsons: Mr. Chair, this is Bill. I would suggest that we let Joe review the applicant's response. Let's get through the public hearing portion. Let's open this up for public

testimony and finish that and, then, we can let Deb have a rebuttal and, then, Joe -- and, then, we can attack any of those other applicant's response and conditions and that if we -- that way you can make -- either get prepared to make a decision or make a recommendation to continue, deny, approve, whatever it may be, but let's -- let's just form a final -- follow the process first and, then, we can circle back on that applicant's rebuttal and answer some of those questions for you.

Fitzgerald: Thanks, Joe and Bill.

Parsons: You're welcome.

Fitzgerald: Commissioner Seal, does that work for you?

Seal: Yes.

Fitzgerald: Because that -- I think that's my concern is that we are going to be here for another two hours walking through this and that's what I want to see before we get here. In normal circumstances we are -- we have a couple of items that are on -- we don't have a five page list and that's my -- that's -- and I know we are slammed and staff's busy, but that's -- usually we have most of that stuff worked out and we are on a couple of items, so -- but let's -- yeah, let's keep processing forward. Anybody have any additional questions for Deb at this point? If not, we will open the public hearing -- or open for public testimony and, Deb, we will come back to you, so you can close and, then, we will fire questions at Joe after that. Does that work, Commissioner Seal?

Seal: Possibly. My -- my only concern is that if we go through with the public testimony and we come back, then, we have -- and we do move to continue it, then, we have to condition that as well, so that we refine that into the smallest amount of hearing possible the next go around.

Fitzgerald: That's -- I think that's Deb's request as well.

Seal: Okay. And that's -- that's my only concern. I think we are -- we are down to the meat of it at this point in time. I think we are close. I think we are -- my opinion is we are still far enough away that a continuance is there, but I just want to make sure that if we go that route that, you know, we -- we do it with the smallest footprint as possible.

Fitzgerald: Absolutely. Makes sense. Any additional questions or comments at this point? Okay. Deb, we will come back to you shortly, ma'am. Madam Clerk, is there anyone who wishes to testify on this application?

Weatherly: Mr. Chair, there is not.

Fitzgerald: And if you are on Zoom, please, raise your hand via the Zoom application at the bottom of the screen. Commissioner Grove, you are giving me a thumbs up that nobody is there?

Grove: We have four people in the audience, but nobody's indicating to speak on this one.

Fitzgerald: Yeah. Thank you. Okay. Commissioner Seal, do you want to walk through with Joe or do you want me to have Deb to go ahead through and close? What would be your preference? I want to make sure we run through --

Seal: Yeah. In the interest of time let's go ahead and have Deb wrap it up and, then, we can have -- hear from Joe and I think we are ready to make a decision at that point.

Nelson: I will save you the time, because I know we do -- we do want to work through the conditions. We appreciate that effort. If you have questions of me I will answer them and I would like to weigh in on any comments on the conditions as you walk through them, but I think we have said what we need to say to support the development. Thank you very much.

Fitzgerald: Deb, we appreciate it. Thank you so much. Joe, do you have some feedback as -- I know you probably were speed reading, but you can start walking us through the responses -- walk through this?

Dodson: Absolutely, Mr. Chair. The first one I understand where they are coming from for A-2. I don't a hundred percent agree with the way that they are requesting to write it, only because I do want -- and when we write these we do specifically want to note that they need a rezone exhibit and legal descriptions to be revised. I'm assuming that -- that's presumed, but we also want that specifically written. If they want to take off the end, because none of my recommended changes are going to be there, I'm perfectly fine. I don't -- I'm not going to -- I don't care. That's fine. So, basically, to say at least ten days prior to Council hearing the applicant shall provide a revised plat and rezone exhibits and legal descriptions of their requested R-15 and C-C zoning districts to eliminate any split zoning, that's fine with me.

Nelson: Mr. Chairman, we would agree with that.

Fitzgerald: Okay. Thanks, Deb. Moving on to the next one, Joe.

Dodson: You want to go literally to the next one, A-5, or the ones that they are amenable to, but want corrections? Which -- how are we doing this?

Seal: I -- the ones -- I mean the ones that I seek to understand specifically were the A-2, A-15 and B-2-9, just to make sure that I understand what -- what that -- what the implications are with that.

Dodson: Okay. All right. A-15. The applicant shall obtain certificate of zoning compliance approval for the entire subject site prior to applying for any building permits. That is in line with most multi-family and commercial projects. The point of having it for the entire site is because it's a mixed use project. If -- I'm amenable to splitting it up

between the residential -- one for the residential, one for the commercial. That -- that's fine as well. That's also in line with the way that we do things if these happen to come in separately. So, again, I -- when I wrote that condition it was just to go along with the fact that it's one project. Granted, any approval garnered from this will also be the overarching theme. So, it works both ways.

Parsons: Mr. Chair?

Fitzgerald: Bill, go ahead.

Parsons: I just want -- I just want to go back to that condition a little bit more and just get explanation. Maybe even from the applicant. Is it your -- your intent to develop this in two phases? Because that's how we would do that. Your commercial would have to come in with a phase and, then, the residential could come in as one phase and you could show us a phasing plan from -- until Council -- ten days prior to City Council give us your phasing plan. But I know it's been our staff's experience that our City Council and even P&Z would like to get some of those landscape improvements along the frontage, just to kind of beautify the development and, then, hold off on the rest of the commercial pad sites, but I don't know if the applicant is amenable to maybe even adding a condition that if they do phase the development for the commercial, at least commit to doing the frontage improvements along Ten Mile with the first phase, so that we get all that landscaping in at one time.

Dodson: Mr. Chair?

Fitzgerald: Go ahead, Joe.

Dodson: I do have a condition already in there that requires that the frontage and landscape improvements are done with phase one, even if there is not a phase, but in general to have them done up front. So, I think we are covered there. But, then, to Bill's point -- and thank you, Bill. I agree, yes. The other aspect of requiring a CZC for the whole site is because this has not been presented to us as a phased development. So, if they are going to develop the whole site at once, then, they should do one CZC and, then, knowing that each individual pad site -- commercial pad site will also require a CZC for that building and design review for those buildings.

Nelson: Mr. Chairman?

Fitzgerald: Deb, go ahead.

Nelson: We are amenable to providing that phasing plan as requested.

Fitzgerald: Okay. Thank you. What was the -- B-9.

Dodson: Yes. B.2.9. Correct. So, this -- as I noted before, they are requesting to change it to the same one that was written in for Modern Craftsman at Black Cat, which is the

sister project to this. Again, the only reason that was changed before was because the existing condition notes a final plat, which was not applicable and the other project is applicable in this case, because this is a preliminary plat because of other legal issues regarding whether or not the -- the type of parcel it is and whether it's been subdivided before, et cetera. They have to do a preliminary plat. So, at final plat these other things need to occur and that is one of those stop gaps that Public Works has to ensure that the road base and the sewer and water systems and everything is approved and finalized before the subdivision is recorded. Sorry. And that the final plat is recorded prior to receiving any building permits. This is to ensure that we don't give building permits out before all the public improvements are -- are there. That's -- that's why staff is not amenable to changing that condition.

Nelson: Mr. Chairman?

Fitzgerald: Yeah. Go ahead.

Nelson: Can I just say thank you to the Commission for allowing us to do this. We can agree to the -- the B-2-9 language as presented if we could -- our concern with the final plat is that we would just like it to be approved, not recorded, because there is a significant amount of development that occurs after approval and before recording with bonding and so I think that would address our concerns and we don't have to go all the way back to the same language. We had proposed that, because it had been approved by the city, but I understand the concern that Joe's making, that there is a reason to not go all the way to that language. If we could have that the final plat for the subdivision shall be approved prior to applying for building permits, that allows us to move forward expeditiously and in accordance with the city code that allows bonding.

Fitzgerald: Okay. Thank you very much. So, I think that leaves maneuvering things around. Is the -- and the open lot versus the buildable lot in the rear and, then, colors. Is that my understanding? Someone correct me if I'm wrong.

Dodson: Mr. Chair?

Fitzgerald: Go right ahead, Joe.

Dodson: If I may make this easier for everybody, I will not fall on the sword for moving the vertically integrated and/or removing that lot along the southwest. I understand the explanations and the desires of the applicant. I think I have a better understanding now than what I did, to be honest, which I appreciate it. Thank you, Deb. So, that is understandable. I do still feel that having townhomes along Pine is somewhat of a better transition than those detached units. I don't want to make them lose units. That's not my intention either. If they could remove those 14 and maybe add -- add additional -- if they did three of the townhomes that would be 18. So, they actually gain some. I could see how that would work. Maybe even just two and, then, they lose two units, compared to the 14. Again, part of that point is to help alleviate some of the utility concerns of having garages or carports within the easement along the private street, which would not be an

issue anymore if you have driveways abutting that street. So, again, as I said before, I did not receive that e-mail that Mr. Bailey referenced, so he's right and I did not get that -- I did receive a separate e-mail noting that, yes, we are a lot closer, but we are still not a hundred percent clear how this is going to work and that hundred clear part is where I have concern and so that's why I have that condition in the staff report, noting that at least ten days prior, which I feel needs to be a very hard deadline that most applicants never adhere to -- needs to be held to and so that we have adequate time to both review those documents and also get a proper recommendation from Commission to Council. I think that's very important. So, the other -- like I said, the -- the southwest unit, keep it. Fine. Keep the vertically integrated where it is. Understandable. The colors. As I noted that -- the point that I was trying to refer to is that the specific use -- or the architecture standards manual says that no two multi-family buildings will be -- should look the same. However, there is 135 units and multiple, multiple buildings in here. So, you can't have, you know, 80 different looks. I understand that. My point is that both the Commission and the Council last time around, the same color scheme, had noted that it tends to blend together, which also is part of the mixed use policies. So, I can understand they are contradictory somewhat, but my point of that was just to try to help get a little bit more differentiation between the units, a little bit more pizzazz, for lack of a better term, just to help bring a little bit more life. Again, if the Commission feels differently, I understand that as well. Maybe it gave me flashbacks to West Point. I don't know. Not a good time. But it -- it makes sense, though, to keep them cohesive as well. I do understand that. And, then, I don't -- I don't believe there were any other concerns, other than the internal intersection, which, again, I would like to note has been brought up multiple times and we were told to condition that. So, I -- that's what we did. So, that's where we are at with that.

Fitzgerald: Joe, quick question on the -- the townhomes on the Pine side.

Dodson: Yes, sir.

Fitzgerald: If we had clarification from Public Works on -- on waterlines and -- would that give us the ability to understand that better? And we don't have that right now. Would that -- if we did have that at a later date would that help us or --

Dodson: Mr. Chair --

Fitzgerald: -- or does that need to be dealt with now?

Dodson: -- to address your -- I -- having their approval and, then, having all the plans revised to reflect that would be very beneficial, yes, because I don't know if I said it specifically, but the plans that were shown here -- at least in my presentation -- do not reflect some of those easement changes that I also received in a separate document and so my concern is that some of this may not be a hundred percent accurate. Again, I -- I didn't draw these, so I can't make those changes. I don't know if they were that major. I think some section of the roads were widened and that changed some things there and, then, the placement of the garages, carports, changed as well, which is not reflected on

any of the CUP plan or -- I don't know the parking plan, if that was updated or not, because that wasn't in my set of plans. So, I think that having those all be reflected throughout those site plans would be a benefit, yes.

Fitzgerald: Thank you.

Dodson: You are welcome, sir.

Fitzgerald: Additional comments or questions for Joe?

Nelson: Mr. Chairman, I apologize, are you looking for my feedback on those items?

Fitzgerald: I think we are just trying to see where we -- what we have left over and where we can go. So, if you have additional comments, please, share them.

Nelson: I appreciate all the work by -- and cooperation with Joe and the work by the Commission. It sounds to us like we can bring back for you before the 7th in time for you to consider a full package on the 7th. We need to address the intersection. We need to address the Public Works requirements and confirm that, in fact, they have approved our plans. And we need to provide you the updated rezone and plat lines. And so with that I think that we -- we feel strongly that we can do all of that before your January 7th hearing, so that you can just have those items remaining.

Fitzgerald: Thank you very much. Any additional questions for Deb before we close the public hearing and -- or maybe not close the public hearing --

Grove: Mr. Chair?

Fitzgerald: -- and deliberate.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove, go right ahead.

Grove: Thanks. Hey, Deb, I had a question for you on something that we haven't really discussed and, sorry, I don't want to drag this out any longer, but just in regards to the vertical integrated unit that's in the center, one of the aspects that you had on the last project on Black Cat and Chinden was integration with that vertically integrated product more so with the open space and my question is how is that envisioned to work with that open space that is next to it, but not necessarily behind it?

Nelson: Mr. Chairman, Commissioner Grove, thanks for that question. So, the vertically integrated space that we had at Black Cat was along Black Cat Road and it was separated from the clubhouse by a road and it was actually separated from the big community plaza area by the road, too. It was the pop up space that kind of opened right onto that plaza. So, I think that might be what you are thinking of. But, in any case, we -- we actually like

that -- the way that both of these vertically integrated buildings are oriented here. They accommodate that kind of active streetscape with the parking that's available to serve them, so you get that commercial activity, but also has the pedestrian pathway that runs along both of them that is part of the -- like for the one on the north, the east-west connection for those residences as they are moving toward the commercial area and, then, you have the raised crosswalks or delineated crosswalks that are going to go just next to that that connects on the side of that northern vertically integrated building and same when you look at the one that's central. It's next to the open space, the park on one side, on the other you have got the raised crosswalk that goes across and in the middle you have got the larger crosswalk that goes over to the two central plazas. So, it's not facing the big plaza in the same direct way as that the pop up was, but it is fully surrounded by connectivity on all sides.

Grove: Okay. Thank you. Appreciate that.

Fitzgerald: Any additional follow up, Commissioner Grove?

Grove: No.

Fitzgerald: Any additional questions for Deb at this time? Deb, you are awesome. Thank you so much for working through it with us and we will have a chat and we will go from there. Before we close the public hearing, do we have a direction we want to head? It sounds like Deb knows where they need to go. Do we feel comfortable bringing it back on the 7th of January with that information? Is there anything else you would like her to take into account or do we want to deliberate on anything further?

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: I have a list of things that I wrote down from all the comments if you want me to read through them and see if we are hitting all the marks.

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

Holland: Okay. I have, first of all, A-2, that we would revise the staff report to have the applicant provide a revised plat for lots and zone lines. A-15. That the applicant will phase the commercial and do the frontage improvements with the first phase. B-2.9. That the final plat should be approved prior to building permit, not necessarily prior to being recorded. We would remove the condition to relocate the vertically integrated structures and leave them where they are. That we would have the applicant revisit with staff on the types of units that are against Pine. That was a request by Bill. The color palette is still an item of discussion if we want to include something about that. I -- I'm okay with the color palette, the way that it is, but we could put a condition in there that the applicant would consider an additional color palette or accent that could help with differentiation. Confirm with Public Works on meeting their needs with this application

and, then, the last thing I had was adjust the layout to show a revised roundabout or alternative intersection in the entrances around the commercial.

Fitzgerald: Sounds right to me. Commissioner Seal, go right ahead.

Seal: That's -- it's like she was looking at my notes. But very similar notes. The only thing -- I agree with -- and maybe it's because I have lived on military housing as well, so -- I mean I know in the beginning with the contrast that's there, it all looks shiny brand new and everything, but over time that's going to -- it's going to look like Army housing, you know. Navy housing. So, I just don't think there is -- there is enough color -- there is enough different -- different -- difference in there for sure, as far as what's built and how it's built and how it's put together and presented, but the color palette to me needs to be expanded to provide something a little bit less earthy in areas where applicable.

Fitzgerald: Thoughts on the lot in the back? I know I heard Commissioner McCarvel's opinion on that. I -- I have mixed emotions, because I think it is a great spot for open space, even if it is in the back. So, I'm -- and it's kind of a weird spot without seeing a lot there. But I'm kind of -- I'm indifferent. So, any additional thoughts there?

Grove: Mr. Chair?

Holland: Mr. Chair, I'm kind of indifferent on it as well.

Grove: Mr. Chair, I -- I think it's hard to fully make a decision, just because we don't know what's to the west of it and so knowing if it -- how open that would look from -- from a police perspective, I think that would be -- it's somewhat hard to make a full decision on that in that -- in that regard.

Fitzgerald: Maybe we could ask Joe to get Meridian Police Department's opinion on that sort of change, if they have an opinion.

Holland: Mr. Chair?

Fitzgerald: Yeah.

Holland: One other thought is if we did leave that as open space it might be nice to have some sort of specific amenity to it that would help prevent crime-related type uses. Like potentially it could be a good dog park location, if you had a fenced area, or -- I don't know. Something that's a little more visible, so it's not -- not a danger zone.

Fitzgerald: Yeah.

Holland: And I'm okay with keeping a lot there, too. It doesn't seem to be a conflict to me.

Fitzgerald: Okay. With that I think we have given Deb direction and I think we have space on our 7th -- July -- or January 7th calendar, so is there any other additional comments or things we need to share with them, so they can make decisions and be able to finalize everything to bring it back on a very limited public hearing package?

Parsons: Mr. Chair, is there any desire of the Commission to see commercial elevations or are you in agreement with the applicant allowing that to happen when they actually have an end user?

Fitzgerald: They are coming back with a CP or a CUP; right?

Parsons: For the drive-thru use, yes. It's going to depend on the proposed use in the commercial zone, whether or not that's principally permitted or conditional use.

Fitzgerald: Thoughts, team?

Seal: I believe was -- A-11 was the one that was in there and I just -- well, no, that was A-14. I don't have a note on that one. It seems like -- you know, if there were elevations submitted, then, that seems to be covered. That said, there is -- I think there is a -- I don't have any issues with them needing to submit elevations for that. If that's what they are after. Between now and then.

Holland: Mr. Chair?

Dodson: Mr. Chair?

Fitzgerald: Commissioner Grove, go right ahead.

Dodson: It was Commissioner Holland and, then, myself, but --

Fitzgerald: Commissioner Holland and -- it all forms into Commissioner Grove's voice. that was awesome. Commissioner Holland, go right ahead, then, we will go to Joe.

Holland: Mr. Chair and Joe, one of my suggestions would be on the commercial elevations that we could just make a note that says it would be something comparable to what was shown on the flyover video. I felt like they did kind of show some sample elevations in the way that the flyover came through, how the commercial would integrate in. I don't know. That's just a thought.

Dodson: Mr. Chair?

Fitzgerald: Go ahead, Joe.

Dodson: Thanks, Commissioner Holland, I do understand that and that's kind of the point of why I asked for that. It's not to say that this is what you shall build, it's just this is annexation and a mixed use project, I'm not asking for something we don't always ask for

with commercial projects, which is some type of conceptual elevations. More so as a guide for future development. I do not plan on saying that these are the elevations that will be built. It's more of just conceptual, so both Commission understands what's being proposed and also Council. That's -- that was my only comment there.

Fitzgerald: Okay.

Holland: I'm fine adding that to the list.

Fitzgerald: Does somebody want to make a continuance motion, if that's the direction we are headed, and try to make it as narrowly as possible to keep us where we -- we will work with the applicant on these specific things and we can go from there?

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: After considering all staff, applicant, and public testimony, I move to continue file number -- there is a lot of text here. H-2022-0099, Mile High Pines, to the hearing date of January 7th for the following reasons: That the staff and would work with the applicant and also make adjustments in the staff report on these items. A-2. That the applicant would provide a revised plat to align lots and zone lines. A-15. Modify that the applicant will phase the commercial and do frontage improvements with the first phase of development, but that they would also provide conceptual elevations for what the commercial could look like in the future. Modify B-2.9, that the final plat should be approved prior to building permit, not necessarily before recording. That we would remove the condition of relocating the vertically integrated structures and leave them where they are. That the applicant would revisit with staff on the type of units that are going to be placed against Pine and the transition there. That the applicant would consider an additional color palette or some sort of accent within the site development that could help with differentiation and breaking up the development. That the applicant would -- or that staff would confirm with Public Works on meeting their needs with the application and have that reported in the staff report. That the applicant would adjust the layout to show a revised roundabout or alternative intersection in the entrance around the commercial and I think that's it.

Fitzgerald: Nice work. I have a motion.

Grove: Second.

Seal: Second.

Fitzgerald: I have a motion and a second to continue -- if I can find it -- file number H-2020-0099 to the hearing date of January 7th, 2021. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: ALL AYES.

Fitzgerald: Deb, thank you guys. Joe, thanks for all your work. Appreciate it. We look forward to seeing you on the 7th.

Nelson: Thank you. Merry Christmas.

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: One quick comment before we keep moving on. I know we still have three applications to hear tonight. I'm a little bit nervous about the last application, that we might lose some folks who had interest in public testimony before we even get to those applications. Do we want to confirm with the clerk if we have -- or if we have people signed up for public testimony on some of those last items, to see if we want to shuffle things around?

Fitzgerald: Yeah. We can -- Madam Clerk, do we have public testimony on the last three items? Can you give us some -- I don't want to -- I mean I understand what you are saying. What I want to say is that we can call it when we think we need to and that's not putting any pressure on -- but I also want to make sure the public gets their time and they have spent some time with us tonight. But if we are feeling like we can't go further than the next two, I want to make sure we do that now. So, thank you for bringing that up. Madam Clerk, do you have thoughts there?

Weatherly: Mr. Chair, since we are doing in person and online, I have some signup sheets that I have to run and get from the back. Preliminary information shows that I do have only -- on the next three applications I have a few people that have signed up for the Southridge South application. Give me 30 seconds and I will be right back to give you more information.

Fitzgerald: Okay. Does anybody need a real quick break?

Cassinelli: This might be a good time to take one.

Fitzgerald: Yeah. While she's doing that let's do a three minute break or a bio break and get some water and we will be back in -- at 8:37.

(Recess: 8:34 p.m. to 8:38 p.m.)

Fitzgerald: We are mostly back. Madam Clerk, do you have more information for us?

Weatherly: Mr. Chair, I do. So, for Daphne Square I have a few people that are in house wishing to testify on that project. On Cache Creek I have one person in house wishing to