

**Public Hearing for Rockwell Greens Subdivision (H-2025-0002) by
Laren Bailey, Conger Group, generally located at the NW corner of
State Hwy. 16 and McMillan Rd.**

- A. Request: Annexation of 51.15 acres of land with a R-15 zoning district.
- B. Request: Preliminary Plat consisting of 412 buildable lots and 27 common lots.
- C. Request: Alternative Compliance to standards for developments abutting a State Highway.

Lorcher: All right. We are moving right along, which is a good thing. Item No. 7 for Rockwell Greens Subdivision, Item No. 2025-0002 for annexation, preliminary plat -- plat and alternative compliance, located near the northwest corner of Highway 16 and McMillan Road. With that we will begin with the staff report.

Napoli: Madam Chair, Members of the Commission, the next item on the agenda is the annexation, preliminary plat and alternative compliance for Rockwell Green Subdivision. I do want to note that the alternative compliance is a director determination, a director approval, so I just included it on the application, because it was --

Lorcher: Okay.

Napoli: -- part of it. And so the applicant requests annexation of 51.15 acres of land with the R-15 zoning district, a preliminary plat consisting of 412 building lots and 27 common lots and alternative compliance for the city standards for developments abutting a state highway. The site consists of 51.15 acres of land, generally located at the northwest corner of State Highway 16 and McMillan Road. As shown on the screen the existing zoning is RUT in Ada county and the future land use map is medium density residential. This property lies within The Fields sub area plan, a four square mile plan -- planning area located in the northwest corner of the city's area of impact. This plan promotes a cohesive modern rural character across all new development and emphasizes a high quality design. The proposed density for the 51.15 acres of land with R-15 zoning district equates to 8.05 units per acre and this is on the high end of the medium density designation -- residential designation which staff does have concerns with as there is currently a lack of connectivity to commercial neighborhood serving uses, no regional park and the nearby schools are over capacity currently. However, the applicant has exceeded the minimum requirements for open space with 17.1 percent, instead of 15 percent required and amenities that total 26 and a half points, instead of the ten that are required as outlined in the UDC. They have also known that a new elementary school is currently under construction in Star and the boundary lines will be adjusted in the 2026-2027 school year, which is anticipated to relieve some of the existing capacity issues and West Ada School District has confirmed this in their letter as well. Staff has communicated these concerns to the applicant and recommends that the Planning and Zoning Commission and City

Council carefully evaluate -- evaluate whether this level of density is appropriate given the current context. In evaluating comparable developments west of State Highway 16 the Gander Creek Subdivision, which was approved in 2019 and the Dakota Ridge Subdivision approved in 2020 had gross densities of 3.42 and 4.9 units per acre respectively. Additionally, the average density within a one mile radius of the proposed site is approximately 5.83 units per acre. Additionally, the proposed subdivision borders the future alignment of State Highway 16, which is considered a hazard in the Comprehensive Plan's existing conditions document due to factors such as high vehicle speeds, accident frequency and impacts on air quality. These elements are critical in assessing the suitability for -- of the proposed subdivision. Staff are particularly concerned about air quality given the subdivision's proposed density at the upper end of the medium density residential FLUM designation would expose a larger number of residents to recognized hazard compared to a lower density development. Similar development on the west side of State Highway 16, as mentioned before, were approved at 3.42 and 4.0 units -- four units per acre on the lower end of the medium density residential FLUM. To address these concerns the applicant has requested alternative compliance -- have requested alternative compliance to the mitigation standards outlined in the UDC for developments near federal and state highways. This included a sound engineer's report that found the expected outdoor worst case peak hour noise to be 62 to 64 decibels, a weighted with a berm and wall proposed and which is deemed an acceptable rate of sound. The sound engineer concludes that the traffic noise level are expected to be less than the 65 decibels, a weighted day-night average sound level. The berm and barrier are required to help mitigate -- help mitigate the noise and the residential buildings along the first row nearest the highway should have additional consideration for the floors above the ground floor as -- as the six foot wall and six foot berm may not adequately block the line of sight from State Highway 16 to these spaces. The applicant's mitigation proposal includes a six foot berm with a six foot wall on top of it to mitigate noise, alongside the use of enhanced building materials designed to meet stricter sound attenuation standards. The applicant has also exceeded the minimum requirements for open space and amenities as earlier mentioned. This approach aligns with the alternative compliance granted to Gander -- the Gander Creek development in 2024, though the current proposal involves a higher density than the prior approval. The director did support the alternative compliance request for sound attenuation as meeting the UDC's requirement for a ten foot wall above the center line of State Highway 16 would have necessitated a 30 foot structure or larger. In addition -- in addition to this, the applicant has worked with city staff to propose thicker vegetation coverage along State Highway 16 in the form of one tree for every building lot and one tree every 20 feet in the open space along State Highway 16, instead of the one tree every 35 feet as required by code. Additionally, the applicant has agreed to meet the 80 -- 80 percent vegetation coverage along Highway 16, instead of the 70 percent required by the UDC, excluding the 12 foot irrigation road. Access to the proposed -- access is proposed off North Erstad Place, which was constructed by the Idaho Transportation Department or ITD and remains under ITD ownership as the only access provided to the development. ACHD has not accepted the right of way from ITD yet and this will require the applicant to work with the transportation authority for approval of the work within the right of way for future submittals if approved. This collector road is shared between the proposed subdivision and the

future Cole Valley Christian School, which is just to the west right in here. The northernmost access is not supported by staff as the UDC 11.3.A.3 requires limiting access points to collector and arterial roadways. A secondary access is a concern for staff. However, the applicant -- since the publication of the staff report the applicant has coordinated with the Meridian Fire Department and has come up with a proposal that will satisfy these requirements and will be required with submittal of the final plat. Additionally, staff would like to note that we have a draft report from ACHD, but not a finalized one, as the applicant is working with ACHD on conditions of approval. The applicant has stated that the first homes would be occupied in 2027 with a projected build out rate of 50 to 60 homes per year. Full -- full build out is anticipated between 2035 and 2037. In summary, staff finds the proposed preliminary plat and R-15 zoning district to be generally consistent with the future land use map, Comprehensive Plan and UDC. However, due to development density, its location next to a state future -- a future state highway and current service limitations in the area, staff recommends the Commission and Planning and Zone -- and Council closely evaluate whether this proposal aligns with the broader goals and readiness for the surrounding area. Staff has worked with the applicant since the publication of the staff report to modify some of the conditions and I have -- these are the ones that have been modified that we will be asking you guys to adopt tonight with your decision or recommendation to Council. Staff is recommending approval with a development agreement and has received written testimony from Craig Cooper, Sean Freeman with concerns about traffic, quality of life, density and overcrowding of schools. And I will stand for questions at this time.

Lorcher: Would the applicant like to come forward?

Clark: Hey, everybody. Hethe Clark. 251 East Front Street in Boise representing the applicant and, Commissioner Stoll, I promise I won't be here every time you are here, just the first two times. Oops. So, we are here to talk about the Rockwell Subdivision. You have seen the general location near Highway 16. This is just north of Owyhee High School. Per the Comprehensive Plan this -- this is an MDR area. There is varied -- varied uses that are planned along here. You have some -- a number of mixed-use nodes, both north and to the southwest. We -- as Nick mentioned, we do have a future school site as our neighbor on the west and, then, in addition you have Owyhee High School and a future elementary school site just to the south and it is part of The Fields sub area plan, which I think is an important element of what we are going to discuss tonight. So, that Fields sub area plan was adopted in 2021. That's after some of the -- the projects that Nick mentioned. The -- The Fields plan really does set the -- the stage for residential development in this area. It was a moment for the city to look at that four square miles. Commissioner Perreault remembers this very well. Look at that four square miles and kind of evaluate what's going to happen up there. Residential neighborhood is planned for this site. I also wanted to point out that the city has invested pretty seriously in infrastructure in this area, so not only do you have Fire Station No. 8 and the new northwest police station, which are just maybe a half mile south of this location, you also have new sewer infrastructure that is going in. There is the lift station over on McMillan, but this is in a different sewer shed. We are -- water and sewer have already been pulled across Highway 16 and are available at the site right now and our sewer shed ends in our

western boundary. So, this is not opening the floodgates of anything. The city isn't very much in control of additional development and with the other sewer facilities that are being put in. Also with The Field sub area there is the modern rural thematic that's promoted that talks about the split rail fence, that talks about no mow fescue type areas. We have looked at that very closely with staff. We updated our landscaping plan to make sure that's handled. We also have a new condition of approval. It asks us to put in some more split rail to really match what the feeling is intended to be for this property. So, you have seen the site plan. As Nick mentioned open space. We are in excess. We are at 17.1 percent. Pedestrian connectivity is an important part of this. We are going to have the - the ten foot pathways on our west side and on our south. So, that totals up to just shy of about half mile in terms of linear feet of regional pathways. We -- the -- the amenity point requirement for this application is ten. We are at 20 -- just shy of 27. That includes a community pool and changing rooms, fenced play structures, pickleball, dog parks. Pretty consistent with this development team as well as what you have seen in the past. Our home elevations include single level, two story and, then, we also have attached product that will be provided as part of this project. So, with regard to the items that Nick had flagged, we did work on the secondary access question. As you know when you -- if you don't have a secondary access you get limited to 30 -- 30 lots. We have identified the location for that secondary access. So, this is on the southeast corner of the project down at McMillan and so that -- that is where we have identified that to be located and we have addressed that issue. With regard -- with regard to school capacity -- Nick hit some of this, but the -- I -- I think everyone's really largely focused on elementary schools and we do believe that that's also addressed. As mentioned, the Pleasant View, Hunter Elementary Schools, the West Ada has already done a boundary -- they have revisited the boundary here in the last couple of months. They are going to have a follow up this fall to look at those boundaries one more time. In addition we have the new Star elementary school that will be opening in 2026. That will be before we have any residents at this -- at this property. So, that means another elementary school that could potentially take pressure off, And, then, you know, this is what we always end up looking at is -- as you guys remember, you know, the West Ada School District letters always say, hey, here is the capacity. If there is an issue with capacity we are going to do four things. We are going to look at boundaries. We are going to look at busing. We are going to look at portables. And, then, as a last, you know, effort that's when we would build. In this case if they got to that point where they would end up building there is already a future elementary school site that's -- this is from The Fields area plan, but as you know it's right there at the -- at the north side of Owyhee. With regard to the noise attenuation, as you can see from the picture below Highway 16 really doesn't tower over this property and there is a pretty good gap between this property and Highway 16. When we talk about, you know, a hazard, you know, we kind of disagree with the term, but we definitely want to make sure that this is something that is going to be marketable for -- you know, for -- for future homes. So, that right of way is very wide between the -- the street -- or from the Highway 16 to the actual right-of-way line and, then, from that right-of-way line we have the 35 foot Meridian city buffer, within which there is a 30 foot irrigation easement. We do have the six foot berm with a six foot fence on top and as Nick mentioned that resulted in a sound study reading of between 62 and 64 decibels. So, if that -- to translate that's normal conversation. That's not a -- a decibel reading that's going to trigger any

issues with -- you know, if you were in a HUD situation they would say that is not a problem. You are -- you are below those thresholds. In addition, you can see -- you know, we added the unmown fescue grass to try to be consistent with The -- The Fields area plan and what it asks for. Nick kind of went through -- quickly through the conditions of approval that we had worked on to modify. A lot of those are really just clarifications and I'm happy to chat about any of those. The one item that we would ask for some -- I guess grace to work on between now and the City Council hearing is Condition 2C. That is the one that speaks to the stub on the northern side of the property and what we have discovered is that there is a little bit of a disconnect between what ACHD is looking for and what city staff is looking for in terms of where that stub should be and so we would ask to have a little time to work with staff and ACHD to clarify that one between now and Council. But, otherwise, we are in agreement with the conditions as -- as Nick put them on the screen with all of the modifications. So, with that I'm happy to answer any questions.

Lorcher: I have a couple of questions. Help me with the visual. So, you got Highway 16 and, then, it will be sloped and, then, you said there is -- is that where the -- the irrigation easement kicks in?

Clark: No. So, the irrigation easement is actually even further in. So, you have -- you have -- the highway drops off, but that's still highway right of way for, I don't know, 75 feet, something like that.

Lorcher: Okay. So, their access point?

Clark: Correct. Well, no, that's just -- that's just distance. That's property that the ITD owns.

Lorcher: Right.

Clark: So, between our boundary line and the physical Highway 16.

Lorcher: Okay. And what comes next?

Clark: Then -- then comes the Highway 16 right-of-way line. That's where that ends. And, then, you have a Meridian city imposed buffer of 35 feet.

Lorcher: Right.

Clark: And our property line is, what, five feet from that -- at the end of that Meridian city buffer. So, it's within that buffer and we have our vegetative buffer that is included within all of that.

Lorcher: So, if I'm a -- I'm a -- I'm on a house there and I'm looking out what do I see? Is it a wall? Is it just the vegetation coming up from your -- your berm?

Clark: Good question. Yeah. So, is -- if you are -- if you are looking at this drawing, Commissioner Lorcher -- so, the house would be on the left side looking back toward the berm.

Lorcher: Okay.

Clark: So, if you are looking back from your house you are going to have a four foot retaining wall and, then, you are going to have a two-to-one slope to get up to six feet. Then you are going to have a four foot pad, which is going to allow you -- us to put in trees to have additional vegetative cover and, then, at the end of that you are going to have another six foot fence.

Lorcher: Okay.

Clark: So, you got 12 feet from top to bottom between the berm and the fence to provide sound mitigation between these houses and -- and Highway 16.

Lorcher: And is the irrigation on your side or on the other side of the wall?

Clark: The irrigation is on the other side of the wall. So, the -- the -- the -- the pipe for the irrigation and the gravel road that they will be using to access that is on the other side, kind of at the base of that fescued area.

Lorcher: Okay. So, that's not an amenity inside your --

Clark: Not an amenity, no.

Lorcher: All right. Thank you very much. Does anybody else have any questions for Hethe?

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I'm just -- I'm trying to visualize modern rural a little bit with this --

Lorcher: I know.

Smith: Well, I -- I -- I think the problem is and I -- I don't think you are trying to be disingenuous or anything here, I'm just having visual issues. This -- this kind of visual is, obviously, more, I don't know, three units an acre instead of kind of pushing eight. So, I'm just curious how you kind of envision squaring that level of density with -- with modern rural. I'm having trouble kind of visualizing that.

Clark: Yeah. Modern rural -- Commissioner Smith, sorry to jump in. Commissioner Smith. So, modern -- or rural is really a reflection of what the amenities look like and the

design choices. So, the -- The Fields plan is not limited to large lots. Excuse me. As you look -- this is a -- this is the drawing from The Fields plan. You can see that you have a combination of -- of a lot of medium density residential throughout. You even have the mixed-use areas. So, when it comes to the thematic questions that's really how are you designing your open spaces and what kind of elements are going to be included there and specifically The Fields area plan identifies these no mow fescue areas and the split rail fence and that sort of thing. So, again, more design and not density.

Smith: Okay. On the -- on the density issue, though, I'm curious -- and I'm not -- not trying to pry it -- a proprietary formula or anything, but curious of how kind of this -- this density level was arrived at, this kind of number of lots. It seems like, you know, it -- it is allowed, but it does seem like it's kind of a departure a little bit from some of the surrounding areas from what -- what I can see and so I'm just curious how that kind of came to be.

Clark: Yeah. So, when we are looking at the density choices, you know, one of the things that we look at is where are you? You know, in this case we are right next to a transportation corridor. We are a stone's throw away from Owyhee High School. We are a stone's throw away from a future elementary school site. We are right next to the fire - new fire station. Right next to a new police station. In that case we look at that and we think, okay, given all of that a higher density is justified, because you have all the facilities that are located there and, then, that allows you to do a different kind of dense -- or the city to choose a different kind of density a little bit further out, further away from all those resources.

Lorcher: Well, with that in mind also currently you have the fire, you have the school -- the mixture of schools and you have the police, but you don't have any retail services. So, if I'm going to get on Highway 16 when it opens in 2017 -- or 2027 I'm still either going to go down Owyhee Storm or McDermott bypass and I'm going to go all the way down McMillan to Ten Mile to Walmart or I'm going to go to Garrity to the other one or whatever stores. So, you say that it -- the higher density is justified, but everybody who is going to be in this area -- and I assume your time frame is 2026, 2027, we will still have to travel away to be able to get any retail services.

Clark: Commissioner Lorcher, yeah, it's the age-old question; right? You -- you don't get commercial until you get rooftops and you need to have rooftops to -- to have a seed for that commercial. So, you know, we -- you know, it's what you see -- if you go further west across the county line, you know, that, you know, Highway 44 corridor, it's not enough commercial, because there is not enough rooftops, because everything's too spread out over there. You know, we look at this as being kind of a -- almost like an anchor to be able to have enough rooftops to get people to take this area seriously for future commercial.

Lorcher: So, I can't see this map very well, but I know, obviously, what happens at Ten Mile and, then, you have got Owyhee Storm. Is there retail planned going west along McMillan?

Clark: You have -- let's see. Along McMillan. So, there is a -- you have got some -- kind of a mixture of residential through there, but you also have a couple of mixed-use nodes --

Lorcher: Okay.

Clark: -- kind of -- if you go south next to Owyhee High School you have the mixed-use commercial. If you go north you have the mixed uses and mixed-use regional I think, Bill, at the -- at the -- just north of -- next to the mixed-use institutional on Owyhee Storm. So, there are --

Lorcher: Pockets.

Clark: Yeah. Pockets that are planned.

Lorcher: Okay. Thank you. Commissioners, any other questions for Hethe at this point? All right. Thank you.

Clark: Thank you.

Lorcher: Mr. Clerk, do we have anybody signed up to testify?

Johnson: Madam Chair, no one's signed up on this hearing.

Lorcher: So, no nobody on Zoom I take it either? Okay. So, Hethe, we don't really have anybody else. Do you have anything else you would like to add? Okay. Thank you. Can I get a motion to close the public hearing?

Smith: So moved.

Stoll: Second.

Lorcher: It's been moved and seconded to close the hearing for Rockwell Green Subdivision. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: It's like the circle of life; right? I mean I -- I agree that it has been historic that the rooftops come first and, then, the commercial comes second. So, I get that part. Well, Christian is starting, but we are still a ways away. Highway 16 is -- they say 2027. If it's anything it will be the end of 2027. I guess my biggest concern for this is the density at McMillan, because -- and I hope you work with ACHD, because there is no room at McMillan and McDermott Road to add signals, add lanes, add turnouts, because the highway is there and geographically it's limited. I can't imagine that you would build a product that would be so noisy that nobody would ever -- you know, would want to live

there. So, I appreciate the extra vegetation. I love the extra amenities to be able to make a marketable product, but you are -- and I live in that area. I'm just down the street. So, I totally get Highway 16 is going to be right there. If you look at currently there -- you are like the first in The Fields; right? You are -- it's -- it's hard to say what's happening, because we don't have a precedent that's really been set. There is a little bit on the west of the freeway and -- and Toll Brothers is on the east, but it's still growing. So, it's hard to say. Will it be adequate? Is it too much? Their build out is many phases. I wrote it down. So, I wouldn't deny it based on the -- the density at this point, I just question if it's the right time. So, that's what I'm struggling with right now.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I tend to agree with you. It's -- it's the fact that this is an annexation. I -- I think I might fall slightly on the different side of the coin I think. I -- I fear Hethe may have me figured out a little bit of projects that they give me heartburn, but -- but I think, you know, I -- I fall kind of on the side of -- of approving. It -- it really is that the timing and -- and the access to local amenities, like, you know, regional parks and retail. I'm -- I'm -- I mean I'm a big fan of transit-oriented development. I am a fan of -- of density along transit corridors. I think there have even been some -- some applications they have brought forward that I have -- I have critiqued for maybe not being dense enough for being on a transit corridor. This is -- it's -- it's pushing -- there are a couple of things that are pushing kind of the limits of where I'm okay with but, I -- I -- I -- I -- I don't know that I would -- if -- if the rest of the Commission were, you know, intent on continuing or voting it down, I -- I -- I wouldn't necessarily fight that, but I think I still -- I still lean on the side of approval, if that makes sense.

Lorcher: Okay. Commissioner Perreault.

Perreault: Madam Chair. The only thing that gives me a little bit of -- I don't know if the word -- I don't know if comfort is the right word, but just that it's going to take about ten to 12 years to build it out and so this whole area could look really different at that time and my hope is that there would be commercial that would come in or some sort of retail type of access. There is many projects being proposed in this area right now. I think we have a couple more -- we have one or two more tonight alone and so it is -- it's a lot to think about, the fact that we could have a thousand rooftops going out there in -- you know, in the next few -- well, probably five to ten years. My primary concern is that we have had a lot of applications where folks are talking about the traffic on McMillan and you mentioned that Ten Mile being the area where these -- these folks would -- would visit for, you know, their -- their shopping and services and I just have a lot of concern about McMillan in general. However, the applicant has no control over that and sure would have -- I'm sure the applicant would appreciate if ACHD would improve that area. I -- I'm pretty sure ACHD has no plans to expand McMillan to widen it at all in that area anytime in the future. There is just geographic limitations. So, as far as the project itself, I think it's mostly well done. There has been a lot of thought put into the green space and into

the -- the amenities, which is very much needed since there really isn't anything else out there and I hope that every applicant who comes out in this area does something similar until the city can expand out that way many years from now.

Lorcher: I think it's hard, because this is one of the first; right? I mean on -- on the east side of Highway 16, you know, in The Fields division and -- and, you know, we are only going to keep talking about it as we go further. Commissioner Stoll, do you want to comment anything?

Stoll: Okay. Sorry. So, my main concern is with the timing with State Highway 16 being opened up. Although 2026, 2027 is stated and watching similar projects, things don't always happen as quickly as we would like, but there does seem to be some limitations on that as far as when they would -- how much they can build and add in there and the size of the project -- it is going to take a long time. But there does seem to be some limitations on that as far as when they would -- how much they can build and add in there and the size of the project it is going to take a long time. The other part is still related to State Highway 16 and I -- it's the proximity of the project to State Highway 16 and -- but I'm sure you have done your due diligence on whether the folks are going to want to move there and it's not in my -- my place on that. So, I lean towards approval.

Lorcher: I do know that McMillan is not an access point to Highway 16, so your choices are to go around down to Chinden or come up to Ustick. So, even if you live at that corner you cannot access the freeway from that end, you are going to have to go north or south one way or another and, you know, I live in that impact area, so I'm -- I'm part of that world every day and it's going to -- it's going to flow and I like the idea of residential, you know, being here. It's up to them to sell the -- their product to people who want to be that close to freeway in their backyard, but that's not -- so -- okay. So, with that in mind after considering all staff and applicant and public testimony I move to approve File No. H-2025-0002 as presented the staff report for the hearing date of June 5th and the applicant continue to work with ACHD and the City of Meridian for access streets, because right now it's preliminary.

Napoli: Madam Chair, just to clarify, if you are approving would you approve with the changes to the conditions as proposed on the screen? There is eight conditions that I have -- we as staff have worked with the applicant since the publication of the staff report. So, we would ask that you adopt these tonight and in regards to Condition 2C, that the applicant work with ACHD and the city prior to City Council on those sub streets.

Lorcher: All right. Let me modify. As presented in the staff report, including the conditions as presented in tonight's meeting.

Smith: I will second that.

Lorcher: It's been moved and seconded to approve Rockwell Green Subdivision, including new conditions presented by staff. All those in favor say aye. Any opposed? Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Johnson: Madam Chair, I want to apologize. Can we clarify your -- your motion was to recommend approval to City Council?

Lorcher: Yes.

Johnson: Great. Thank you.