

McCarvel: It has been moved and seconded to continue H-2021-0051. All those -- to October 7th. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

4. Public Hearing Continued from July 15, 2021 for Heron Village Expansion (H-2021-0027) by Tamara Thompson of The Land Group, Inc., Located at 51, 125 and 185 E. Blue Heron Ln.

- A. Request: Annexation of 1.36 acres of land with a R-40 zoning district.
- B. Request: Rezone of 4.18 acres of land from C-G and R-8 to R-40.
- C. Request: Conditional Use Permit to allow expansion of an existing 108-unit, 5-building multifamily complex to allow an additional 36 units in two **new buildings**.

McCarvel: Now we will continue from July 15th, H-2021-0027, the Heron Village Expansion and we will begin with the staff report.

Tiefenbach: Good evening, Planning Commissioners. Alan Tiefenbach remotely. Associate planner with the City of Meridian. This is a proposal for an annexation, a rezoning, and a conditional use. The property is located at the southeast intersection of North Meridian Road and East Blue Heron Drive. It consists of -- let me go here -- consists of six properties. So, if you can see it -- well, one, two, three, four, five, six. Five of these properties are already in the city. They have different zonings. R-8, C-G and R-40. There is one property that is to be annexed and that's what you see here that's about 20 acres. It's located roughly a quarter mile north of the East Fairview-North Meridian intersection. A little history on this. The existing Heron Village Apartments consists of 108 units and five buildings. That's what's there now. That's what you can see here. Conditional use was approved for this in 2013. In 2014 there was a modification in regard to changing the amenities. Certificate of zoning compliance was approved in April 2013. In September of 2020 the applicant requested a pre-application meeting to discuss annexation of an additional 1.36 acres. That's, again, what you see here. That's to the east and also to include this to expand by constructing 36 more units in two buildings. Because the existing Heron Village Apartments were on several properties with different zoning districts, again, it would be the C-G here and, then, they are looking at doing this as well -- staff recommended to clean it up and to zone the entire thing to R-40. The Comprehensive Plan recommends this for mixed use neighborhood. This is a copy of what is being proposed. So, there is two buildings. There is one here. There is one here. This is what they are proposing for open space and their parking is here. There is one existing access right now. That's what you see here from Blue Heron Road. They are proposing an additional access here. Meridian Fire has commented that although this site does provide two points of access, both of these accesses are from East Blue Heron Drive with only one way -- one way in and one way out. Not good emergency access. They have talked to the applicant and the discussion involves this east of Blue Heron

Lane there is an existing pathway that's there. The applicant has agreed to widen this pathway to 15 feet wide. If you look in the staff report originally it said 20. So, that's a correction to the staff report. They would be widening -- widening this to 15 feet wide. This would not be primary access, this would only be emergency secondary access. So, there would be bollards there. But that would provide the emergency access that they need. This is a condition of approval of the annexation and the rezoning. Phase one was required to provide 204 parking spaces, with 102 of them -- so, roughly half of them being covered. Two hundred and seven parking spaces are provided, with about 195 of them actually being covered. Phase two is -- this one is required to provide 69 parking spaces. Roughly half of those are covered. In this case 87 parking spaces are required, with 71 of them being covered. Six total bicycle spaces and new bicycle covered parking is required with this development. Basically the -- the parking that's now being proposed would exceed the total requirements of this development by 21 spaces. However, I want to mention Meridian Fire, Police, and the surrounding residents have all commented that parking and traffic is a continuous issue for this development. Residents and guests often park on both sides of East Blue Heron Drive, which makes it very difficult for access. One cause of this -- and probably a primary cause for this is that many of the garages that were required to be covered and were intended to be used to satisfy the parking requirements are now being used as storage. It's very difficult to enforce whether or not they are using their garages as storage, so they are using the garage as the storage and, then, they are parking elsewhere. So, they are losing -- they are losing a lot of those parking spaces to the garage. As 71 of those parking spaces on phase two are required to be covered, staff and fire have talked and we think the best solution to that would be to require only carports for the next phase and not garages, since carports would not really be able to be used for storage, they would be used for parking. So, that would certainly help with the parking situation, as well as to the additional 21 parking spaces that they are providing. Forty-one thousand -- roughly a little less than an acre of open space was required with phase one. That's what you see in blue. That's qualified open space. Fifty-three thousand square foot was provided. With this phase 10,200 square feet is required and 15,330 square feet is proposed. So, a little more than 5,000 square feet of additional office space is provided. It does exceed what's required -- the minimum requirement. Per our code four amenities meets categories required for a multi-family development of more than 75 units. But if there is more than a hundred, it says that the decision making body shall require additional amenities. So, again, 75 or less would be four, but what they have provided thus far is a half basketball court, a plaza containing benches and a trellis, a 1,600 square foot clubhouse with an exercise room, a playground, a horseshoe pit, barbecues and picnic tables and with this proposed expansion they would be looking at 50 times a hundred square foot open space, that's what you see on the northeast corner, and 52 additional enclosed bike storage facilities. Again, though, the Planning Commission should decide if the amenities are sufficient. There are elevations that have been provided. These are basically consistent with the existing complex. As I noted, staff has received comments. We have gotten seven letters and voicemails from adjacent property owners. The issues are almost primarily centered around traffic and access, particularly along East Blue Heron Road and the amount of parking that happens along on that road. As this proposal, though, does meet all the UDC requirements -- in fact, it exceeds them -- staff recommends approval with

conditions. The conditions are in your staff report, but to summarize, one of the conditions is that phase one and two would share access parking, amenities, and open space. There is a requirement that the applicant should widen and improve the pathway between East Blue Heron Road to 15 feet wide as a secondary access. The denser units on the north side, we think that they should be screened better. They show fences and they should have landscaping as well to soften it down and, most importantly, staff is recommending that the -- the requirement for covered parking only be provided by carports and not garages, so that the garages can't be used by storage and that -- that concludes my presentation, unless you have comments or questions.

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

Thompson: Good evening. This is Tamara Thompson with The Land Group.

McCarvel: Good evening, Tamara.

Thompson: Great. I never know if you guys can hear me or not, it takes so long to get in. Thank you. I have a PowerPoint, if it's okay if I share my screen.

McCarvel: Go ahead.

Thompson: Let's see here. All right. Are you able to see that?

McCarvel: Yes.

Thompson: Okay. Perfect. All right. So, we will go over quickly -- Alan covered much of it. This is an in-fill project and it is an expansion of an existing multi-family community located at the southeast corner of North Meridian Road and East Blue Heron Lane and this existing facility, multi-family community, was approved in 2013. As Alan showed you, it is a patchwork quilt of zones currently and so these two are the new property, but part of the development is C-G. So, we will be cleaning it all up. There is R-40 to the south and R-40 to the north as well. So, it will just make this whole area R-40. And, then, just to show you the -- the land use. So, this -- this little R-1 area is in the county still, so that's an annexation of 1.36 acres and, then, the rezone is that annexed area, plus the properties that are already in the city. So, the rezone is 5.54 acres, as highlighted here, and I put that here on this one. You can see this little -- those little shapes. So, this proposal is also for a conditional use permit to include 36 additional residential units in two buildings and it does have one additional access onto Blue Heron. ACHD has reviewed and has a staff report. They have approved this access point. The parking, as Alan said -- he went through all the numbers. We are -- we have 21 more parking spaces than required by code and those are all carports. We have -- Alan had that no -- no -- no more garages and we will comply with that and just have those in carports. Some of the areas that -- this is the landscape plan. There will be a sidewalk continuing on. This open space is actually 70 by 100 and a nice little -- kind of park amenity there and to give you some existing photos -- so, this is the -- the existing clubhouse. There is a fitness facility and a kitchen in the clubhouse. This is the outdoor space. There is already a tot lot.

These amenities will be shared. And, then, we have some new amenities coming in, too. Alan gave you an overview already of the elevations. This will go through design review and CZC. And just to give you an overview of the existing amenities, the half court basketball plaza with benches and trellis. Sixteen fifty square feet clubhouse with an exercise room. There is a playground, horseshoe pit, barbecues and picnic tables. And, then, the proposed for phase two, the expansion -- and, again, these are all shared. They will be the same management company. So, that open space park with the sidewalks is 8,600 square feet. Additional park benches, picnic tables and they are including 52 new enclosed bike storage spaces. The secondary access -- I just wanted to point that out to you. So, the -- this is the -- the end of where development is. So, it's definitely an off-site, but there is an existing path there currently. It's a paved path for pedestrians with bollards on each end that connects to North Eureka Drive and to Blue Heron and so this will just be widened along this area. It's already ACHD right of way, so there is nothing to -- to acquire or anything there and it's just widening out the existing pavement and so the -- the way that that current condition reads is a 20 foot -- 20 foot pathway -- or 20 foot emergency access within the right of way or as approved by the Meridian Fire Department and we are just asking for a small change there, that that will be 15 feet or as approved by the Fire Department and ACHD. I think ACHD should be included in there. And that's Condition 2-C. And, then, I will go over quickly with you on the -- on the parking and the parking on the street. The management company, when the Fire Department and Planning brought this up to us at our pre-app meeting, as far as the on-street parking, so the management company conducted a parking audit between February 24th and March 25th, so a full 30 days, and they did this between the hours of 8:00 p.m. and 10:00 p.m. So, each evening for 30 days. And what they did is they took counts of the parking within the community, how many parking stalls were being used, how many were vacant, and, then, how many parking -- how many cars were on the street and what they learned is that on average there were 35.2 parking stalls within the community that were vacant and so roughly 81.8 percent of the -- of the stalls were being occupied, but there were 35 -- a little over the average -- it was a little over 35 parking stalls were vacant and this number increased on the weekends. So, there were four weekends in that audit and that number went up to 38.9 spaces during the weekends that were vacant within the community. On average on Blue Heron there were roughly 24.7 vehicles parked on Blue Heron and when the -- when the residents fill out their applications for -- to live here, they fill in what their -- what their license plate number is, so the management company could cross-reference those to determine who was parking on the street and they did find that on average 70 percent of those cars parked on the street were residents of the Blue Heron community and 30 percent were not. There are other residential -- there is townhouses to the north. Not sure if it's from there, but there are other residential areas. So, they -- so, they took this information and they started educating their -- their -- their residents and they put it in their monthly newsletter that they are encouraging people not to park on the street, but to use the community parking stalls and they are encouraging anyone that's not using their garage to use those. They don't believe that's an issue here, because there are so many extra parking stalls on site. So, in general, they have -- they learned that there is more than enough vacant parking spaces on the property within Heron Village community to park all the vehicles that are on East Blue Heron and so they are educating their tenants and encouraging them not to park on the street. So, we have read the staff report and

we want to thank staff for their thorough review. We agree with staff's analysis and the recommended conditions of approval with that small clarification of 2-C, which relates to that pathway -- the emergency access pathway and we respectfully request your approval tonight. Thank you.

McCarvel: Okay. Any questions for the applicant or staff? All right. Madam Clerk, do we have anyone signed up for public testimony?

Weatherly: Madam Chair, we have a couple people signed up. One is Misti Stelluto from Dave Evans Construction. She's online with us. Misti, go ahead. Sorry, Madam Chair. One technical difficulty here. It's not doing what I asked it to do. Hang on just a moment. Okay. Misti, if you can hear us you should be able to go ahead with your name and address now.

Stelluto: Yes. I was just going to comment with Tamara if there was any questions for both of us, so I'm good to go.

McCarvel: Okay. Thank you, Misti. Do we have anybody else?

Weatherly: No one else indicating a wish to testify, Madam Chair.

McCarvel: Okay. That being said, is there anyone in the room or online that wishes to testify on this application? No one in the room. Do we have anybody online? Oh, go ahead. Ma'am in the front row. Yes. You need -- if you wish to testify, please, come forward. One at a time is fine. And, please, state your name and address for the record.

Rogers: Okay. My name is Sandra --

McCarvel: And you need to pull that -- the microphone right down to you. Sorry.

Rogers: My name is Sandra Rogers and I live at 102 East Waterbury Lane.

McCarvel: Okay.

Rogers: That's a complex of 34 townhomes. Okay? Many of us in there feel the parking spaces that they made in the first complex is very inadequate and a lot of cars and trucks -- sometimes trucks with trailers are parked on East Blue Heron and it's very difficult -- we are a senior park and it's very difficult for people to -- we have to get halfway out into Blue Heron sometimes to see around these vehicles. There is only one way -- as she stated there is only one way in and out and that's to Meridian Road. We have a stop sign when we go out. They don't when they come out of the complex. Our other worry is about emergency vehicles coming in and out. Like I said, we are a senior complex. We frequently have emergency vehicles in there. So, that's a big concern. The other concern is the parking -- not adequate parking. And if you could see the way some of the people park it's just ridiculous. You are supposed to be so many feet back from a driveway. We also have overflow parking for our guests and they park there and unless we see them

actually walk across to the complex we can't do anything about it, because we don't know if they are a visitor or family member or whatever and it's just -- it's just a nightmare the way they park and the other issue we have is trash. Throwing trash out and, of course, not picking it up and so we -- we try to do that when we walk. There is a lot of us in there that walk and try to keep the trash picked up, but many of us are just against this, because it's just not adequate parking places.

McCarvel: Okay.

Rogers: Okay.

McCarvel: Thank you.

Rogers: Uh-huh.

McCarvel: Please state your name and address for the record.

Sorensen: Okay. I'm Belinda Sorensen. I live at 136 East Waterbury Lane. I live in the senior townhomes across the street and listening to the adequate number and that of parking places that are provided right now that are up to code, there are times that -- yesterday I counted 36 cars parked on the street. There are times when -- when they are full at capacity that both sides of the street, clear down past the meat packers on both sides of the streets, are full of cars. I have talked to some of the tenants there. Sometimes there is up to four people living in one unit. There are construction workers that -- that live there, so they have trucks with trailers parked on the street, so when you try to pull out you literally cannot see. Last night I tried to pull in and an emergency vehicle was trying to pull out and I could barely -- we could barely squeeze by each other. That's a big concern. That wasn't even a fire truck. One of the concerns I also have is from Richter, from their first entrance to the street to North Meridian Road, there are times when you -- when you are turning off of North Meridian Road it is so dangerous, because you can't see and there is -- there is -- if they are parked on both sides of the street it's really hard to pull in off of the road, especially when it's snowy and you have to be really careful to make your turn. Sometimes they will park almost to the corner. Perhaps if this goes through maybe you should -- they should consider making it a red zone from Richter from their first entrance to North Meridian Road, so that it's safe to pull in and out. Also the trash is -- it's just unbelievable their trash. They just opened up their car doors and just throw it on the ground everywhere. They -- it's -- it's -- it's just frustrating. The parking especially is frustrating. They park on the sidewalks. They leave abandoned vehicles. They have -- their company comes and parks in our overflow parking and we have had words with them and they have become very angry, used foul language. There has been some scary times. So, we just let them park, because we don't want to be hurt, you know, or -- by them.

McCarvel: Thank you.

Sorenson: Well, thank you.

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

Weatherly: Madam Chair, we have one person online Gail Simpson. Excuse me. Gail Simpson. Gail, you should to be able to unmute.

Simpson: Yes. Thank you very much. Can you hear me?

McCarvel: Yes. And you have three minutes. Thank you. Go ahead.

Simpson: Thank you. I appreciate the time. I was going to attend, but I had a medical procedure done, so --

McCarvel: Gail, can you give your full name and address for the record, please?

Simpson: Okay. It's Gail L. Simpson. 93 East Waterbury Lane. I also live in the senior townhomes and I have written a letter about my -- my feedback and input and I thank you for allowing us to Zoom. That's really wonderful. My concern is not only the parking, which has been talked about a lot, which I double all the concerns. I'm one of the ones that live on the side of the road -- actual road. So, I hear a lot of cars coming in and out at night, which is understandable, because people have different work schedules. However, on the weekends in particular there is a lot of partying going on, a lot of thumping, a lot of people out standing by the cars on the road partying and drinking and it's kind of scary, because you just know we have so many people from out of state coming in or just -- safety is a concern for me and, then, when we talk about the number of cars per unit. Do they take into consideration that there is -- I think somebody mentioned two -- more than one person in a unit. Well, if there is four persons in a unit there is four cars and if a person has two cars that just adds up. So, I want to know if that's been taken into consideration and also -- also the visitors of these people. We have overflow parking for our visitors, but if there is a party going on and they are inviting a lot of visitors into their clubhouse, that's additional parking and those people are going to park on the side of the road. So, asking them not to park there where are those people supposed to park? The trash is an issue. A lot of us have pets and they zoom up and down inside our private parking area and I'm not just concerned about our pets, but like Sandy said, a lot of us walk. I, the other day, had to stop somebody and tell them to slow down. Well, they were selling their car and they were test driving it in our little private parking area and I said this is private and they were speeding. So, how are they going to address all those concerns? I think adding additional parking isn't going to solve those -- those issues at all and it is hard to come in and out of our units. I -- I don't think expanding 15 or 20 feet is going to solve the issue of the parking or the emergency services. Thank you.

McCarvel: Thank you, Gail. Anyone else, Madam Clerk?

Weatherly: Not that I -- not that I see, Madam Chair.

McCarvel: Pardon me?

Weatherly: No.

McCarvel: Okay. So, Tamara, would you like to come back -- if there is no more public testimony, so would you like to come back on?

Thompson: Yes, Madam Chair. Tamara Thompson with The Land Group again. The three items that I heard were parking, trash and emergency access. I addressed to two of the three. So, there the -- the emergency access is something that's been satisfied. The Fire has -- has approved that and so has ACHD. As far as the parking, we did submit that parking analysis that was done by the management company and they -- that study -- we submitted that to the city. That study concluded that there was adequate parking on site, that there are empty parking stalls and they are educating the tenants on where to -- where to park. The -- additionally what could happen -- because it is public street and so they can't control what happens on the public street -- is -- is that we could -- we could go back to ACHD and talk to them about some striping and signage there. If the -- if the road is too narrow for parking on two sides I would think that ACHD would -- would take care of that and looking at an aerial it looks like it accommodates parking on both sides, but perhaps that's something we can work with ACHD on and doing some additional signage and some striping. The -- the trash I don't -- I don't know anything about. I do know that this is professionally managed. They do have a management company on this and we can forward that information on to that management company that they need to take a closer look at those -- at those common areas. So, with that the -- the project meets or exceeds city requirements. We have 21 more parking stalls than required by code and we are requesting to add 36 more units to the existing development and we respectfully request your approval and thank you very much.

McCarvel: Okay. Can I get a motion to close the public hearing for item H-2021-0027, Heron Village Expansion?

Seal: I may have some questions for --

McCarvel: You have more questions for -- okay. All right. I thought we were going to get away with it when nobody asked questions before, but apparently I'm wrong. Commissioner Seal.

Seal: Just wanted to ask a couple questions that relate to the parking. I know there is a study done that shows that there is parking there, but if -- if there is adequate parking on one side and not the other that could be the -- why things are lopsided, people using the street instead. You know, if I had to park 30 feet away, instead of a quarter mile away or eighth of a mile away on the other side of the complex, I would choose to park closer for sure. On the CC&Rs that are written in for the folks that have to live here, is there any verbiage in there at all about using the garages for storage instead of parking?

Thompson: Madam Chair, Commissioner Seal, I don't know that that would be a CC&R, but that would be a lease, because these are leased premises and I believe they do have that and they have been talking to them -- they have been doing an audit on those also

to make sure that people are not using those for storage and they are using them for parking.

Seal: What's the enforcement on that?

Thompson: That -- I can't answer that. I'm not sure. I don't know if they -- I can find out for you, but I don't know that for sure.

Seal: Can the management company that's used for that, can -- can that information be given out to the folks that live across the street, so there is a more ready communication line open?

Thompson: Absolutely.

Seal: I guess what I'm driving towards is there -- I mean it's 80 percent full on parking -- again, if I pull into one side of it, I'm not going to drive around all day and try and find a spot, I'm going to go park on the street. So, that to me is the issue. I'm hoping that there is more of a solution to that, but if we are going to rely on the report, then, we can go ahead and close this up.

McCarvel: I did have another -- since you started the question train. Tamara, tell me about -- another concern seems to be the trash and I know that's not -- I mean as part of this new application in front of us is it possible to provide more trash cans throughout, you know, by the parking areas and such that makes it more convenient for people to not just throw their trash in the street?

Thompson: Madam Chair, yes, that would be acceptable and we are adding pet stations with those -- with those trash cans. So, we are -- we are planning on adding those.

McCarvel: Okay. And maybe just a few more throughout the complex in more convenient area -- additional convenient areas. Any other questions for the applicant, so I don't jump the gun again? All right. Could I get a motion to close the public hearing on H-2021-0027?

Seal: So moved.

Grove: Second.

McCarvel: Okay. It has been moved and seconded to close the public hearing on H-2021-0027. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

McCarvel: Thoughts? Concerns? Discussions?

Grove: Madam Chair?

McCarvel: Yes. Commissioner.

Grove: Overall it doesn't look out of line. I think it's good to move forward in my opinion. I would put in here just some of the things that we talked about to encourage the group to go back and seek an ACHD request to limit parking on one side and to encourage the property management to do the parking enforcement a little bit better, as well as put in language to add trash receptacles.

McCarvel: Anyone else?

Yearsley: Madam Chair, I would agree. I think those are very appropriate conditions. However, I prefer the -- to keep that pathway at 20 feet, instead of 15 feet. I know fire code requires 20 feet, so I don't know if I agree with allowing -- or asking them to go down to 15 feet. I would prefer to keep it 20 feet.

McCarvel: Question maybe for staff. And correct me if I'm wrong. Is the request for that because of an easement confinement?

Tiefenbach: Alan Tiefenbach --

McCarvel: Yeah. There we go.

Tiefenbach: Yeah. Alan Tiefenbach, associate planner. Thank you, Madam Chair. My understanding and I would probably defer more to the applicant, but there is a couple of utility poles that are on either side of the pathway that prohibits them from getting it to a full 20 feet wide.

McCarvel: Commissioner Yearsley, does that answer -- do you want to keep it at 20 and have them move poles or --

Yearsley: I'm okay to move poles. You get one time to do it right --

McCarvel: Yeah.

Yearsley: -- and my opinion is let's do it right.

McCarvel: Okay.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: On the 15 feet instead of 20, I think what they are asking for is 15 feet or what is approved by the Meridian Fire Department. So, if the Meridian Fire Department says, no, we need 20, is that acceptable verbiage in there? I agree we get one time to do it right and if they need to move power poles they need to move power poles. But if the Fire

Department says, yes, this will work, this gives us the access they want -- because they -- they are -- they want to have that access for sure.

Yearsley: Well -- and my guess is the 20 foot is because that's what the Fire Department wanted, so --

Tiefenbach: So, if I can --

Yearsley: I'm not going to just kill the deal based on my five feet. But I still would prefer the 20.

McCarvel: Prefer the 20. Go ahead, Alan.

Tiefenbach: My apologies. Not always easy to not interrupt when there is a Zoom meeting going. Yeah. So, originally we did talk about 20 feet. There was a lot of discussions, again, with Joe Bongiorno, who is with Fire, and Joe actually gave me in writing that 15 feet was acceptable. So, I think that they have -- would have to improve it to hold the weight and I think the number is an 8,000 pound fire truck. Bill will probably interrupt me if I'm wrong. But it would be designed for fire access.

McCarvel: Okay.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I mean overall the fact that this is in-fill, I'm -- I'm a little bit torn on this. So, I mean I like to see the in-fill come in. It makes sense to put -- to expand what's already there. It fits well. But I mean I have used that road -- I use Meridian Meat Packers and I have had difficulty getting in and getting down the road and dropping things off there myself. So, I completely understand what people are talking about in that. I would like to see that -- if -- if we try and move this forward for me to be on board -- I mean I would say we would have to have some kind of better enforcement. I don't know how we get better enforcement on them parking in their garages. That's the conundrum that I'm in right now is -- I mean you can educate people all you want, you can do what you want to, but I mean if somebody pulls in, they have a truck and a trailer, they are not going to park in a garage. They don't have anywhere to park, number one. Number two, if they don't want to -- if they want to use their garages for storage right now it seems like they just do it and there is no enforcement to that. So, I don't know how we get around that. It's definitely a problem and it is a safety issue for me. So, unless that can be resolved I just can't see moving forward with this.

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: One strategy that both communities can employ for free is if you work with a parking enforcement company through a tow truck company, they can patrol -- the management company can designate stickers on each of the cars, so that you know who belongs to where. The city -- they can also enforce the number of days a car might be parked on the street. What are you allowed three days, two days, to be -- be able to be on a public street; is that right? Is that -- so, there is several companies out there that can help patrol. They can -- the property management can institute a sticker where you know who the residents are and, then, for your community, if you have people that don't belong there, you can have them towed and that becomes a huge financial deterrent, because as soon as the tow truck hooks to a car it's 125 dollars and, then, it's five dollars a mile and if it's late at night it's 50 dollars to get in and if they have to use dollies because it's a four wheel drive that's another 50 bucks. So, you are looking at a 300 dollar fine just to kind of institute parking enforcements. It's a very good deterrent. Usually there is a lot of bad behavior at the beginning and, then, everybody gets it pretty quick. So, these types of services -- there is no cost to your community, there is no cost of the Blue Heron community, because the tow truck company makes up, you know, their costs by the -- by the towing part of it and so that might be one way to at least manage the parking within each of your communities without -- but the property management would be the company that would have to not only enforce it, but to implement it and, you know, keep it -- keep it on track.

McCarvel: Thank you.

Wheeler: Madam Chair. Thank you. No. I like this project and it's an in-fill, it's going to be the -- a better -- higher and better use than what it's currently being used as. When it comes down to the parking side, the fact that there is 21 more parking spaces in here than what was needed by code I think we will be able to help out with the parking issues that are there and hopefully mitigate some of the parking that we see in phase one. I also want to just encourage the applicant, as they have said that they have already wanted to do is talk with ACHD about maybe moving like a no parking area on at least one side of the street or within the distance within that side of the street and that might help out also with some of the visibility that's coming out from the Waterbury and Richter Lanes accessing Blue Heron, but I think this is good. It looks like they have taken care of a lot of the issues that could come up with this kind of a project and I'm with you, Commissioner Seal, I don't know how you would enforce on a -- you know, a private business here on how to -- what they put in their garages and everything like this. That's just a tough -- that's just a tough thing to do and so I think there is ways to maybe mitigate it with -- on the public way -- public right of ways of the streets and with the towing option, as the Commissioner said, so I think that that's -- I think that these are some of their points in the direction that they are going to go with it. I think it would be a good in-fill project for the City of Meridian.

McCarvel: Thank you. Yeah. I think there is analysis and, then, I think there is real life and real life -- you can count those license plates and everything, but the fact of the matter is there is probably people living there or long-term visitors that are parking around there. So, I think, you know, part of the answer is definitely getting ACHD involved in putting up

no parking signs on one side of the street, doing some additional, like we said, striping as far as getting no parking around the entrances and that kind of thing. But, you know, the other option, too, is with the conditional use permit requiring more parking or less units. Throwing that out there as an option.

Lorcher: Madam Chair?

McCarvel: Commissioner Lorcher.

Lorcher: I agree with the commissioner who said that this project is fine as long as the existing issues can be resolved before they add more. Right? Can we put in that talking with ACHD, maybe consulting with a private company for parking lot management, be part of their conditional use permit first before they add more on, because adding more is just going to add more of the same.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Honestly, I wouldn't -- I mean I would like to see this go forward, but at the same time I would like to see these issues resolved or at least a plan to resolve them that has some teeth in it. So, honestly, I wouldn't mind doing a continuance on this to give the applicant more time to put some teeth into it to show us how the lease has been rewritten, to show how they are going to have better enforcement, to show that they have went to ACHD, that they have contacted a parking enforcement company and things like that, then, I would feel much better about it.

Grove: Madam Chair?

McCarvel: Commissioner Grove. Sorry.

Grove: I would have similar thoughts, but I think maybe a different approach, so that we don't necessarily have to hear this again for something that's relatively straightforward. I think we can -- staff might be -- correct me, but put a condition on it for occupancy or something that they have to show that they have talked to ACHD or something to that effect. I don't know -- is that possible?

McCarvel: I don't know if just talking is going to be what we want to have in there for --

Grove: Or put more teeth --

McCarvel: -- to put teeth into it.

Grove: Put more teeth into it, but --

McCarvel: Yeah. Because this is a conditional use permit, it's not going on anywhere

else. This is it, so --

Grove: But they will need to get occupancy before residents can move in; right?

McCarvel: Right. Sure. I get you.

Yearsley: This does need to go to the City Council, because it's an annexation as well.

McCarvel: Oh, it's an annexation --

Yearsley: So, it will have to go to City Council. So, we could have them present that -- make that a condition before City Council.

McCarvel: Thank you.

Tiefenbach: That's what I was going to suggest, Madam Chair. Alan Tiefenbach. This does have to go to Council for approval, so you can make that a condition for them to discuss this with ACHD first.

McCarvel: Yeah. Thank you. It's been a long day. And a long week. Yeah. So, are we at the point of a motion, then, or more discussion?

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2021-0027, as presented in the staff report for the hearing date of September 16th, 2021, with the following modifications: That prior to City Council the applicant has a parking plan that has been addressed with ACHD to address the concerns from tonight. That they have an agreement in place with the property management on enforcement of the parking regulations and that they add additional trash receptacles and show that on the plan and that condition 2-C is amended from 20 feet to 15 feet.

Wheeler: Second.

McCarvel: It has been moved and seconded to approve H-2021-0027 with modifications. All those in favor say aye. Opposed?

Seal: Nay.

McCarvel: Motion carries.

MOTION CARRIED: FIVE AYES. ONE NAY. ONE ABSENT.