

Public Hearing Continued from April 21, 2022 for Burnside Ridge Estates (H-2021-0070) by Kimley-Horn and Associates, Inc., Located Near the Southwest Corner of S. Linder Rd. and W. Victory Rd., Including 2365 W. Victory Rd., 3801 S. Linder Rd., and Parcels S1226142251, R0831430030, R0831430022, and R0831430010

- A. Request: Annexation and Zoning of 121.29 acres of land from RUT to the R2 (11.76 acres) and R-4 (109.53) zoning districts.
- B. Request: A Preliminary Plat consisting of 299 total lots (275 single-family residential lots and 24 common lots) on 119.31 acres of land.

Grove: All right. On to our next item. We have public hearing for Burnside Ridge Estates, file number H-2021-0070, which was continued from April 21, 2022, and with that we will pass it over to Joe for the staff report.

Dodson: Thank you, Mr. Chair. Yes, this one is considerably larger, so bear with me, and the applicant does have quite an impressive presentation as well. So, some of the things I won't touch on, simply because I know that they will. Just want to let you know. The applications before you tonight are for annexation and zoning and a preliminary plat. Now, the site consists of six county parcels that total approximately 119 acres of land currently zoned RUT and located -- I say near the southwest corner of Linder and Victory, but it's more like completely surrounding the southwest corner of Victory and Linder. The future land use designations on the site are both low density residential and medium density residential. As noted it is a request for annexation and zoning that is for 121.3 acres, requesting zoning to the R-2 district of 11.7 and the R-4 zoning district 109.53 acres, with a preliminary plat that consists of 299 total lots, which is 275 single family detached residential lots and 24 common lots on the 119 acres. The proposed plat shows compliance with the UDC dimensional standards for the proposed R-2 and R-4 lots, with an average lot size of around 10,000 square feet, with five foot detached sidewalk and eight foot parkways throughout the entire development. Three new accesses are proposed to the adjacent arterial streets of Linder and Victory Road. Two of the new collector streets per the master street map, which is shown as South Farmyard, which is the north-south collector and the other one is East Holstein -- Holstein, one of the two, along the south boundary connects up to Linder. The other connection to Linder is via a local street here, which is East Pivot Drive. All other accesses to will be via the -- all the other internal local streets shown. The applicant is proposing to stub the new collector street of Holstein to the west boundary for future connectivity per the master street map. East Holstein is also proposed along the entire southern boundary for future connectivity to the property to the south. The proposed north-south collector street, South Farmyard, provides a stub street to the east property adjacent to -- sorry -- 1995 West Victory. No other stub streets are proposed to the adjacent county parcels. Staff is recommending a new stub street from Pivot Drive to the north boundary proximately in this location for better connectivity, as well as to help with the block length on Pivot Drive. In addition, staff is recommending a cross-street from Red Angus, which is here, to South International Way in order to help with the block lengths here as well. It would go across

the Calkins Lateral in alignment with East Draw Bar Street. Otherwise, the applicant will need to obtain a Council waiver for the proposed block lengths of Red Angus, which is approximately 1,400 feet long. When a -- when a street -- wow. Drew a blank there. When a street is longer than 1,200 feet in length, a pedestrian connection cannot count as the block length interrupter. That's not accurate at all. But it can't break up the block lengths, I'm sorry, if it's 1,200 feet or more. You have to get a Council waiver or you need to provide another stub street or cross-street. The project is proposed to be constructed in five phases as seen here. Two approved fire access points are proposed within phase one. So, throughout the whole project they will have their two access points required for fire, so there is no need to sprinkler or limit to 30 homes. Hence why phase one has 56 homes, phase two is 92, phase three has 84, phase four has 31, and phase five has 12. Phase -- sorry. Staff has recommended including the clubhouse and pool and it's open space lot within phase one, which would be this lot here. That's in the staff report. Staff and the applicant have worked together. We met yesterday. I'm amenable to -- well, I should say the applicant is requesting that we revise to phase two, instead of phase one, so that the burden of the clubhouse and pool and that open space is not wholly on the first 56 owners to pay in their HOA fees and, in general, 56 lots with that much open space, understandable, as well because they are providing an amenity here and approximately 40,000 square feet of open space with phase one. So, staff is amenable to amending that provision to say that the clubhouse and pool and open space lot are with phase two, instead of phase one. The Calkins Lateral currently bisects the south half of the project site and at the time of staff report writing I thought that the Calkins Lateral is going to remain open and I was wrong. Therefore, some of my conditions related to that are not accurate. Again, I will modify some of those because of that new information. The applicant and staff are awaiting confirmation from the irrigation district on the correct easement width with the lateral being piped, instead of being left open, because it does not -- what I have heard and what is written from Boise Project Board of Control is -- they do not match, so we are awaiting confirmation of that. The confirmation will help us determine if any of the building lots along this lateral are going to have an easement encroachment and if the required landscape along the multi-use pathway within this common space is going to be able to be constructed. So, along the lateral the applicant per the master pathways plan is required to propose a multi-use pathway all along the lateral and to the west boundary, as well as along the west side of this collector road. So, two very long segments of regional pathway are proposed and required with this. The application was submitted prior to the latest open space standard revisions. So, this application came in at about September, open space was revised in October, we waited to schedule it, again, those six, seven months ago because the TIS needed to be accepted and submitted to ACHD. But more than that we also had some other issues with legal parcels, et cetera. So, that's why it's been so long. But I did want to make that note to the Commission. This is -- was analyzed against the old open space standards. Because of that the proposed plat needs to meet a minimum of ten percent qualified open space and based on the plat size of 100 acres is move the decimal over a couple of times and you got your 11.9 is the minimum amount that should be provided. According to the open space exhibit, total 12.19 acres of qualified open space is proposed, which is approximately 10.2 percent. However, this open space exhibit does not account for the parkways throughout the development at all. One, the parkways don't show the required

number of trees, so they technically wouldn't count. Staff is recommending -- and I have included a condition of approval to include the required number of trees, therefore, the area can count and that's a lot of linear feet of parkways, so my assumption is that they will gain quite a bit of area of qualified open space with the addition of the parkways. A minimum of six qualified site amenities are required to be provided per the old open space standards, which is one amenity per 20 acres. According to the submitted plans, the applicant is proposing at least eight amenities to satisfy the requirements. A clubhouse, swimming pool, children's play structures, pickleball court, multi-use pathways, shaded picnic area, public art and outdoor fitness equipment. The proposed amenities exceed code requirements and if they were to be analyzed against the current open space standards they would exceed the minimum amount of amenity points required as well. I haven't done the math with the open space, but I assume they will exceed or be really close to the minimum required if they were analyzed against the current open space standards as well with the addition of the parkways. The subject area does contain two future land use designations as noted, low density and medium density residential. The medium density residential takes up a larger area of the project, about the 80 acres on the south -- wow -- south -- on the west half and, then, 39 acres. So, this quadrant is low. This is medium. Now, the future land use designations are not parcel specific, as I stated in every meeting, but the -- an adjacent abutting designation when appropriate and approved as part of a public hearing process may be used. So, that designation may not be used, however, across planned or existing collector or arterial roadways. It must not be used on a parcel not directly abutting the designation and may not apply to more than 50 percent of the land being developed. Based on this policy the low density designation can be floated, quote, unquote, beyond the area depicted on the future land use map up to the east side of the north-south collector street. So, that's how staff analyzed the project was to take the low density here and extend it to this side of the collector road. This side per that provision must meet the minimum density for medium density -- or must meet the minimum density for the medium density residential. Because the -- sorry. Subsequently that density on the west side of South Farmyard must be at least three units to the acre. However, the comp plan does allow rounding, so, really, the realistic number they need to hit is 2.5 units per acre west of the comp plan -- or sorry. Wow. West of the collector street. According to the submitted plans this area is approximately 54 acres, contains 126 units, which amounts to about 2.3 units per acre, so it does not meet that minimum density. Therefore, the applicant will need to add at least nine additional building lots in this area to meet the minimum requirements. However, to increase the number of lots in this area it would require the applicant to amend their plat and propose smaller lot sizes that would likely not meet the R-4 standard. Therefore, staff has recommended the applicant include an area of R-8 zoning in the north area of the plat. So, staff has recommended this block here and this block here, these two blocks, since they are somewhat grid patterned and can be buffered by R-2 here and the R-4 here. If the applicant does not wish to increase the number of lots period, no matter where, than a Comprehensive Plan map amendment will be required and the project should be continued in order to allow the applicant to submit that concurrent application, which could be processed no earlier than June 15th, per our recent code changes. Meeting with the applicant they have proposed -- and in their formal response today that instead of R-8 being here -- sorry -- instead of R-8 being here, potentially surrounding the open space

areas, which staff is also amenable to, but as far as tonight no specific condition or anything needs to be modified. The applicant and I will continue to work through that. Staff did receive one piece of public testimony -- written testimony prior to the hearing. It was on behalf of the Stetson Estates residents, which are the county subdivision to the west. They noted that the project does not comply with the comp plan or the vision of Meridian of keeping the rural characteristic of the city. They expressed a desire to keep the existing areas -- these outer areas of Meridian as more rural and less developed consisting -- consistent with the existing lifestyles in this area of the city. Staff has recommended approval of the subject application and will stand for any questions.

Grove: Thank you, Joe. Could we get the applicant to come forward, please? You will have 15 minutes and go ahead and state your name and address, please.

Young: All right. Dave Young. Linder Holdings. 849 East State Street, Suite 104, Eagle, Idaho. 83616. First of all, the first slide that's up right -- right now I just want to clarify. This is coming forward as Burnside Estates on the -- on the legal plat, but this project will be marketed and known as Jackson Ridge Estates. So, when we go throughout this presentation that's what we are going to be referring to is as Jackson Ridge, but on the legal documents it will be known as Burnside. A little bit about -- about us. This is a family taking this project on. This isn't -- I think it's important that you know that -- that, you know, when -- when somebody like CBH comes before you or Hubble, Brighton, you know who those guys are. You don't know who we are. So, this family -- you know, we are local Meridian people. The family members involved in this project all went to Meridian High School. You know, we are invested in Meridian. We have invested in southwest Idaho with -- with several assisted living facilities scattered among the smaller towns with -- with four of those facilities located within the City of Meridian and one of our most recent projects was the -- of note was the Vertical View climbing wall that is on I-84. This project is a little bit different than what we have done before with more commercial projects, but taking on a big residential project, and I want to give a little history of the reason to that, how we got involved. Being longtime Meridian residents you know everybody and -- and my wife, my brother-in-law, we are real good friends with the Jackson family. This is the Jackson family farm -- was one of the last operating dairies within the Meridian area and so our family spent a lot of time on that property. I have known Brent Jackson for over 30 years and Brent has seen the handwriting on the wall that at some point he is going to have to deal with all the encroachment that's coming around him and that he would have to decide that when is the time to depart and in 2019 he approached several different developers and did have that under contract and decided to change his operation from -- from dairy cattle to beef cattle and move his operation to central Oregon. For various reasons that deal fell apart at the last minute. Mr. Jackson's son knew our family and called and said, hey, here is an opportunity, would you like to step in and take a look at it and we did and we thought it would be a great opportunity, especially knowing the history of the -- history of the property and with that, that being said, you know, growing up in Meridian it was a very agricultural based community. I'm going to be 50 here in a week and a half and there is a lot that has changed in my 50 years of living in this area and -- and I hate to see, you know, our -- our goal isn't to come in and wipe the property clean of -- of this farm history. We want to preserve some of that

history and reflect that in this project and I think that starts with the name Jackson Ridge. So, part of that preservation is using some of the existing -- existing elements that are on the property, like the Harvestore blue and white silo, the grain bins, the tractors and implements that are -- that around the property to reflect that and -- and preserve some of that history and you will see that as we get more into our design presentation. I want to talk just a little bit about the -- the road to getting to this point. This has been a -- that's been a tough project, starting with the acquisition in early 2019, pre-application hearings -- we have had three pre-application hearings, part of -- part of that reason why as we -- when Toll Brothers approached the city about the property to the south of us, they kind of beat us to the -- beat us to the punch, so we had to align with them on a lot of the roads, we had to deal with -- work with them on the alignment of utilities and -- and some -- trying to share some of the costs of the utilities and when I got denied by the city we had to kind of restart and COVID hit and that -- that really affected the process. But it was a good experience to be able to see that -- see that process and see what was going on with the neighbors, because this is a big change for that -- for that area. It's primarily five and ten acre parcels out there, people that have moved out there to enjoy the countryside and -- and at the same time they know that development is coming, they know that there is going to be a project there, and so we have really been trying to be in tune to the neighbors and we have spent a lot of time -- not just in -- in the neighborhood meetings, but in kitchens and living rooms of the neighbors talking about -- talking to them about their concerns and that's how our design really has come forward, especially with the -- from one acre to half acre lots -- nothing's under half acre lot along that western perimeter up against Stetson. With that I'm going to turn the time over to our design and engineering team from Kimley-Horn.

Dodson: Nicolette, just to let you know you have about eight and a half minutes.

Womack: Thank you. Nicolette Womack, Kimley-Horn, 1100 West Idaho Street in Boise, Idaho. 83702. So, before you tonight, as was mentioned by Joe, is annexation and zoning to annex into Meridian and zone the property R-4 and R-2. Staff recommended we add R-8 and based on the memo you saw that seemed to be the best path forward for us, as the comp plan amendment can take quite some time and as you can see our development has been under review for a while. So, the preliminary plat will plot the parcels and the right of way and, then, staff is recommending a development agreement, which we agree to finalize together as well. So, the project area, as staff mentioned, Victory Road and Linder. Won't spend time there. This is the lot layout that was shown to you earlier and, then, here is the zoning map. So, when we approached this project we saw that in the area R-4 is consistent with the east side of Linder. We felt that R-2 would be consistent with the larger lots to the west, and you can see our minimum lot size at the time that this was submitted is 8,750, average lot size 10,125 and, like Joe said, we are at 2.35 dwelling units an acre and he's requesting for -- go closer 2.5. So, taking the feedback from Joe and talking with him about the kinds of things that they were looking for in the staff report, need to find a location for R-8 zoning and we felt like the most natural place to put that in in most developments is against the amenities and open space. So, we are proposing it in this area. It's important to note that we already planned on these typical -- larger than typical R-2 and R-4 sizes and so I'm sure there is quite a

surprise that we are going -- we have to add R-8 now. We didn't feel like the typical R-8 is consistent with what we are doing everywhere else in this development and so we are going slightly larger than the typical R-8. Access and connectivity was already covered, so we can circle back on that if there is any questions. Phasing was covered. So, like you said, we propose to move the pool into phase two as a compromise. Green space was already covered and I will turn it over to Chris.

Rose: Good evening. Chris Rose with Kimley-Horn and Associates. Address is 1100 West Idaho Street in Boise. 83702. Just wanted to take a minute to kind of highlight some of the design sensitivities that we are taking based on what Mr. Young was explaining, trying to stay true to the heritage of the site and bring that in and maintain some of that heritage with what we are doing in the development, starting with the pathways and access for residents to the open space and amenities, that the regional pathways, including the Calkins Lateral, up the primary street, up to Victory, through some of those and that easement with -- like Joe mentioned, will be resolved before we get to Council. Carrying through some of those design considerations, even get into the signage and the frontage landscaping, some of the patterns, the forms, the materials that are used at the entry and along the streetscape on the perimeter to suggest some of the agricultural heritage, some of the plantings and some of those forms and the way those are laid out. Even within the community all the different open spaces are kind of themed to try to tie into the heritage of the site. As -- as Dave mentioned, trying to really focus on the heritage with the Jackson family, some of their equipment, and we are even calling these areas -- not like we would normal amenities, but we are calling them the corral, instead of a playground, the field, the meadow, the garden and the barnyard where these amenities will be focused. Some of those areas -- just real quick the garden is that primary open space that will be included in phase one. This is like a heritage garden where we will actually tell the story of the Jackson family. Use that Harvestore silo as kind of an entry feature, paying homage to the history of the site. The field and the meadow is the large open space for play areas. Also shaded picnic features and the outdoor fitness trail. The corral is the play area. Instead of traditional play equipment, we want to use more nature play, having climbing features for kids and logs and boulders and waterplay and some of those features for the kids. The barnyard is the primary clubhouse and pool area, bringing in some of the architectural features that suggest farm heritage and having outdoor gathering areas and a community garden. So, generally, everything that works together we are trying to create an open space that feels like a remnant of the farm or pays homage to the Jackson family and the heritage of the site and so it feels like a part of old Meridian even as it moves forward. With that I think Dave is going to carry on a little bit more.

Young: Dave Young again. I want to talk about the clubhouse concepts, just trying to work in that barn feel, that -- that look at what was existing on the -- on the property and, then, I want to talk a little bit about -- we have got picnic shelters as well, trying to repurpose some of the -- the grain bins on that site for -- for picnic areas and shaded areas. And, then, housing. This is something we are going to do a little bit different. We are not home builders. We are not -- we may build, we have built in the past, but what we are looking to do is provide an avenue for the custom home builder, come into a premier subdivision and to put together a build team of top end builders within the valley

and provide them some place to -- to build custom homes. That's -- that's almost gone right now in this market. We have got all kinds of national builders coming in and taking up big swaths of land and -- and nothing against that, but -- but it's pick -- pick things from your -- from the website and plug it in and this is the house you are going to end up with. We are going to -- we are going to be working with several different builders and it's not been hard to get volunteers to -- to say that they want to be a part of that -- that project. So, just an example of these homes. They will be kind of more the traditional craftsman or farm -- modern farmhouse sort of style. So, have Nicolette talk about the staff comment.

Womack: Nicolette Womack. So, these are just here for discussion if there is any questions. So, I think Joe covered a lot of them very well. So, I won't spend any additional time there and I would recommend if there is any questions on which we agree with and which we need -- or we are hoping for modifications on, that response letter covers our position and if it's not in that letter, then, we agree to it, so -- ACHD comments came in, super exciting, and we will work with them on some minor edits to some information they just needed to catch up on. So, again, we are requesting your recommendation for approval of annexation, zoning, development agreement, preliminary plat and that's with the modifications proposed in our response letter. Thanks so much.

Grove: All right. Thank you. All right. At this time we will -- do we have questions from Commissioners for the applicant or staff?

Lorcher: Commissioner Grove?

Grove: Commissioner Lorcher.

Lorcher: Mr. Young, you mentioned that the project trying to keep with history. Are you keeping any of the original farm buildings that were -- or that were on that property or are you just recycling some of the farm silos and such?

Young: Our -- with -- with Brent on -- on -- does she need to repeat that or does that -- okay.

Lorcher: Do I need to repeat that? Okay.

Young: Okay. Metal barns and metal structures, some of the things we told Mr. Jackson he could take to his new ranch, they are kind of the '80s metal building style, so they are not really something that architecturally we would want in our project. The homes are -- are really rundown. They are beyond really saving. The original farm house was actually a home that was built underground with just like maybe two feet of the upper portion of the home and, then, a roofline and, then, it was later added on to above that. It's just not -- there is just no way to repurpose that home and the rest of the homes are just -- are in fairly poor condition. Mr. Jackson didn't -- he retained his home on a separate parcel adjacent to this one. So, those older homes were more for the farmworkers and that's kind of why the condition is what they are.

Lorcher: Okay. Thank you.

Grove: Any additional questions for staff or applicant at this time? All right. All right. At this time we will open the public testimony portion for the application Burnside Jackson Ridge Estates, file number H-2021-0070. Mr. Clerk, do we have anybody signed up?

Johnson: Mr. Chair, no one signed up in advance, but we do have Clair Manning online. If it's okay with you I will allow -- I will unmute her.

Grove: All right. And, Clair, you will have three minutes. Please give your name and your address.

Manning: Hi. My name is Clair Manning and I live at 650 West Waltman Lane. I was actually here for a different application, but, you know, as I looked at this and I felt compelled to like chime in. You know, I just felt like Meridian is kind of being destroyed by, you know, high density, cookie cutter kind of developments and I was just, you know, amazed at like what this guy has done here. I kind of like the larger lots. You know, I really really like that he's leaving a legacy to the past and, you know, what I saw on the common areas. It was just amazing. It's -- you know, it's what I would like to see in our community. So, I just wanted to really compliment him and, you know, put my support into this. Thank you.

Grove: Thank you. All right. Mr. Clerk, any additional --

Johnson: Mr. Clerk, that was everyone.

Grove: All right. It looks like we have three hands in the audience.

Johnson: Mr. Chair, I apologize, I have the wrong list. I do have people. My apologies to everyone here. The HVAC went off and my mind went off as well. So, I believe first we have Tina Dean.

Grove: All right. And, please, state your -- your name and address and you will have three minutes.

Dean: Tina Dean. 3262 South Rustler, Meridian, Idaho. 83642. I signed up thinking I wasn't going to speak, but, then, I just wanted to clarify. Mr. Dodson, all due respect, -- I have an issue. You misrepresented the letter from the neighborhood and I want Mr. Young and the developers to know that Stetson Estates appreciates how well you have been working with us and they have been very agreeable, very amendable. They make time for us, take our concerns into account. They are working very hard to keep the neighborhood and its historic appeal part of the Meridian that we have all loved for many decades. The City of Meridian representatives have said numerous times that they wanted to develop within the city boundaries first before they developed outside, that they wanted growth to move out naturally. What our letter said is that we were surprised that

the City of Meridian was not living up to what they had stated and you were allowing development to occur outside of city boundaries and be annexed. But we also said if you are going to allow this neighborhood to be developed we want Mr. Young and his associates to develop it and not only do we want them to develop that land, but we would love if they could have the land to the south as well, instead of Cory Barton or Hubble, who just tried to put as many properties on an acre as possible for out-of-state investors. So, that's all I want to say. Please take all their hard work into account. I am also upset about the change to the R-8 zoning. They have worked very hard to make sure that we would have a smooth transition, a longer acreage property on the back where many of us have cattle and raise grain, and if you could make an amendment for them to change that zoning somewhere else or put, you know, plaques outside for an outdoor museum to reflect the history of Jackson ranch, we would really appreciate that and approve their -- their plot as they have originally submitted it and the last thing I will say is we just found out about changes at 2:00 p.m. this afternoon. So, that also doesn't give the neighbors a lot of time to review what you were proposing and it doesn't give Mr. Young and his associates a lot of time to respond to as well and if -- if it's possible could we get the P&Z preliminary plat number two on the screen, because we could not see that. Do you have that? Is that the one we needed? We can ask for it later in hardcopy. Thank you guys very much.

Grove: Thank you.

Dodson: Mr. Chair?

Grove: Yes.

Dodson: I did just want to respond real quick. I apologize for misrepresenting the letter from Stetson. Admittedly I'm a little jaded from the 99 percent negative comments associated with applications, so I think I kind of read it through that lens. So, I do apologize. If you are on board that's even -- that's great. So, I did appreciate that. But I do apologize for misrepresenting anything.

Johnson: Mr. Chair, I'm not sure Darcie Dille, were you with the -- okay.

Dille: I'm nervous. Darcie Dille at 205 North Sun Shimmer Way, Meridian. 83642. My name is Darcie Dille. I'm a real estate professional with Keller Williams Realty Boise and I was born and raised in the Treasure Valley. I have lived here in Idaho for nearly 50 years. I was brought in as a real estate professional to be a consultant and a representative of the project. I have also known Dave my whole life. We were raised back to our neighbors and I don't remember a time in my life that I didn't know him. Know what kind of man he is and that he is looking to bring something to the city that he can be proud of. I was asked -- along with being a consultant I was asked to meet with the surrounding neighbors of the project and from April to October of 2021 I met with any and all neighbors that were willing and able to meet and I met them with a few representatives of Kimley-Horne when they were available and when they weren't my team owner Barbara Dopp. We met them in their homes. We sat at their kitchen tables. We walked the

perimeters of their properties. We met their donkeys and chickens and we asked them what was most important to them regarding the development of the property. In meeting with them we met people who were curious, cautious, thoughtful, but most importantly open to having a discussion about the development. Not putting any words in anybody's mouth, but many told us that they knew the property would be developed, that it was not a matter of if but when. But what was most important to them was who and how. I feel like we have done a good job of implementing their thoughts and feedback and creating a community which takes into account their concerns as best we can. Really they just would like to see their lifestyle preserved. This has been a great process and I have been honored to have been a part of it. Being an Idaho native this is a community in which I feel proud to be a part and I believe it will be a beautiful addition to the south Meridian housing community. I know there are many who would love nothing more than to see the Treasure Valley remain as it is and I remember when I was growing up and all you could see were beautiful lush fields and I know that was when it was truly at its most beautiful, because that's my childhood. Unfortunately, when you have something wonderful it doesn't stay a secret for long and I can't blame others for wanting what we have here. We can't shut the gate. People will still want to bring their families here and experience our amazing valley. If development is in our future, then, let's build beautiful, upscale and well thought out communities and I believe that this is one such community. Thank you.

Grove: Thank you.

Johnson: Mr. Chair, next is Tina -- Tina Dean. No. Tina, I'm sorry. I'm having a day. Paula Connelly. Mr. Chair, Paula is representing Stetson Estates.

Grove: Sorry. You are representing a group of homeowners; is that correct?

Connelly: Yes. Stetson Estates.

Grove: Okay. So, please, state your name and your address and you will be given ten minutes.

Connelly: Paula Connelly. 3878 South Rustler Lane, Meridian, Idaho. 83642. We in Rustler -- in Stetson Estates community, we are on that western border that is up against the development that's being proposed. There are six homes that will -- and only six homes that will go in next to this community of 275. For us that seems like a lot, but we do respect what they have done and what they are proposing. We feel like they have done a fabulous job working with us and although we support the plan in an overall manner, one of our biggest -- well, we have -- we have two items that really we would like to see not have to be amended on the plan that they have proposed and that be the R-8 zoning. We have -- I'm going to back up a little bit here. To begin with, let's go back to the Comprehensive Plan. When that was put together in 2019 there was a huge debate. The Planning Department knew that the Rustler community existed and they knew the problem of putting large lots as transitional lots up against our five and ten acre parcels and that we were not going to go away. We are still a fairly young community of -- of 20 years. So, even though we have estate houses and we have acreage, there are several

of us that we do have cows, we have chickens, we have farm animals, we do things like kill our cows in our pastures to have them dressed down and it is a concern to have small lots up against us. We feel like we have -- we have given in. We originally wanted one acre lots and we realized that one acre will not fit into something as dense as a medium density, so we -- we backed off and we said, okay, we would be okay with half acre lots. But we -- we are concerned. We farm our land. There is going to be dust from us. There is going to be other things. So, to have them crowd in even more R-8 just to meet a density -- back when the comp plan was put together the whole debate surrounded having one acre parcels codified and put up against large existing lots and City Council and the Planning Department ultimately decided they could not do that, because every piece of land that would be developed would be unique and they would not always have that opportunity to need to put in one acre lots. So, they said they wanted to do it on a case-by-case basis. Well, here is that case. We have six homes that directly butt up against these homes here and to crowd that R-8 is going to, in my opinion, not look right. It's not just a transition of size, but visually. When you visually look at something that has ten acres and has all of the space or five acres and has all of this space, what happens when all of a sudden you have got one row of a half acre and, then, pretty soon you have five homes per acre? Visually that -- there is something that breaks down there. The other issue that we have is the micro path from South Agronomy to the eastern border. This section there are literally two ten acre parcels that parallel South Agronomy. Where are you going to run that path to? You want to run it right up so that they can watch my cows being killed? Okay. I don't want anyone complaining to me. But it's just -- it makes no sense. It's illogical to force a micro path into one of two ten acre parcel lots when those homes are only 20 years. It's not like we are disposable, like a washing machine that's only going to last ten years. We are not going away. I promise you I'm probably going to be leaving my land to my children, who both love the land and that's what it's about for us and we truly appreciate Dave and the work that their team has put in to leave a legacy and to leave the silos and to leave all of the stuff that is going to remind people that this was at one point a farm. I will stand for any questions.

Grove: All right. Thank you. Appreciate it.

Johnson: Mr. Chair, next -- and I apologize if I mispronounce this -- Melinda Yamada Stave? Okay. Thank you. And then Patrick Connor.

Conner: Good evening. Good evening. My name is Patrick Connor. Address is 701 South Elm Street, Meridian, Idaho . I will -- I will be brief. So, again, I want to applaud Dave and their team for everything that they have presented tonight and what they are presenting for the City of Meridian. I represent the developer south of this project and we have talked with Dave and his team as they plan this to ensure that we are coordinating appropriately on roadway network, utilities, making sure that we are working together as this area of Meridian comes before the public for -- for change and so they have done a good job of coordinating with us and we are trying to work as best we can with them and also it's helpful that we also share the same engineer -- engineering group. So, we are constantly talking about how we are going to finish out the collector street on the southern end of their property as we share that section line, as well as utility connections. So,

again, I thought that was a great presentation. It's obvious they have spent a lot of time and effort trying to make a really special project for the city and we look forward to working with them in the future. Thank you.

Grove: Thank you. Mr. Clerk, do we have anyone else signed up?

Johnson: Mr. Chair, the Langlois -- it looks like they weren't wanting to speak but -- no? Okay. That was everyone.

Grove: All right. Do we have anyone else online or in house that would like to speak on this application? All right. Seeing none, could I get the applicant to come back up? You will have ten minutes to respond.

Young: We did send in a response to the city that Nicolette mentioned that you can refer to some of these points, but I do want to -- as Mr. Connelly brought up the micro path from Agronomy to -- to her property, we just don't -- we just don't see the point of that. I understand that maybe for -- for future development, but -- but our estate lots, they are going to be there for a long time and we have already -- we do have Holstein on the south that connects to that property and the pathway at Calkins that connects to that western boundary as well already. So, we feel like that -- that need is met. We are going to work with the city to try and figure out how this R-8 request is going to be -- be met and, again, according to our proposed drawing is to try and put that up against the open space area, because that will be open fencing. It's not our preference to add this -- this R-8, it's not something we want to do, but we want to try and do it. It -- it changes -- it's going to be tough to market on that side of the collector to go from one acre, half acre lots, to quarter acre lots and, then, down to the 50 foot wide lot. So, it's -- it doesn't really fit the space and I understand that it's -- I guess I didn't understand until tonight that there was more about the collector than it was about the entire -- entire space, but we understand code. We want to move forward with this project if -- with all the speed that we can and by our calculations it would be nine lots that we would need to add that we would be willing to continue those talks with -- with staff trying to figure those situations out. That's all I need to add.

Grove: All right. And let's -- do you have some questions?

Yearsley: So, Mr. Chair?

Grove: Yes.

Yearsley: Trying to go through -- I was just reading your response letter. I haven't had a chance to look at it until just now as they were talking. Have you had a chance -- I mean I'm trying to figure out how do I mesh those two together and how do we come to a direct motion I guess what I'm looking for with -- with these comments and I wouldn't mind having an opportunity -- I don't know what the other staff is asking is how to -- is what do we accept, what do we not accept.

Dodson: Mr. Chair? Sorry. There -- on that -- whoa, what happened? I'm trying to get to that as well. I have had a chance to look at it and read it. We did get it today, so I didn't -- I wasn't -- I didn't have a chance to write a -- not necessarily a memo, but even a slide that showed what I recommended, considered -- you know, in consideration of theirs, et cetera. So, there is two avenues we can go down. One -- most of them are going to have to be ended up being decided by Council anyways. You can put on the record potentially which ones you agree with, don't agree with, et cetera, or we can do -- which we have done in the past, but it will add time, which, you know, we all got time I guess -- to just go line by line through them if you would like. We have done in the past, but, again, there are a number of these. So, that's your choice. Some of them I do agree with and some of them I don't. However, the ones that have been requested be modified, the specific language is not in this, so what does that look like? I would have to do that, which would not -- I haven't done that, obviously. That's why I would prefer just to say -- to, you know, continue work with staff and the applicant work together and we will hammer those out between now and commission. If you want to put on the record specific ones that commission wants to change. I do recommend doing that on the record tonight.

Yearsley: Okay. So, I -- I wouldn't -- before we close the public hearing I would like to be asking what the other applicant -- or staff is thinking regards to this comment. Is it something -- I know you probably don't want another continuance to -- to have a chance to digest your comments, but I'm wondering if that might be something that we would want to consider to better understand, because, like I said, I'm just trying to read it and, okay, where is this, where is that, so it's kind of hard for me to make that decision. I'm not quite sure what your preference would be or --

Young: Our preference would be not to continue, but I think in our response -- and we had a one hour phone call -- or a Zoom call with Joe yesterday and he's been very helpful, you know, and we understand where he's coming from, he understands where we are coming from. I think we can work most of this out in between this meeting and -- and Council.

Yearsley: Okay.

Young: And I -- really I think we knocked off a lot of that in our response and our reasoning why for certain things. I think we would be fine with Council making a decision on anything that's left over.

Yearsley: I appreciate that.

Parsons: Mr. Chair, if you would like you can also pause the public hearing and take -- take the time to read the applicant's response and get familiar with what they are requesting and, then, come back and deliberate on those as well.

Grove: Commissioners, would you like to do that or where are you at on that? I would -- I would say we will take a five minute recess. Is that sufficient for everybody to read

through that? Is that -- is that okay? All right. So, we will take a five minute recess. We will leave the public testimony open and we will resume in five minutes.

(Recess: 7:36 p.m. to 7:41 p.m.)

Grove: All right. So, if we get back to our seats and we will resume the -- the public testimony portion before we close it for deliberation. So, Commissioners, are there any additional questions for staff or applicant upon reading the applicant's response letter? Commissioner Lorcher.

Lorcher: If they remove the micro path as drawn to the one property per Lot 7, Block 12, and Lot 10, does that change -- do they still meet the minimum requirements for open space and amenities?

Dodson: Mr. Chair? Sorry. Let me get back to what I'm doing here. You are talking the one on the west boundary?

Lorcher: The one that Stetson Estates commented --

Dodson: It does not -- yeah. That would be a new one approximately in this location. So, the nexus behind that is just in the future if Stetson Subdivision ever requests annexation, because somebody's well fails or their septic fails or whatever, we are going to want some pedestrian connection between the subdivisions as part of our comp plan. That's just what we look for. I'm not going to fall on the sword for it, because I do agree you got a multi-use pathway and posting -- however, you got to provide -- this as a scale. This is 120 acres. This isn't normal size of a development. So, there is some separation between those access points for pedestrians typically we don't want them that far apart. But I do understand the neighbors' concerns. It's just that do it in a fence -- it would not be an open vision fence, it's only one lot deep, so it would just be an open -- just a pathway to nothing for now, yes. However, it would not affect any of the open space at all, because that would be new.

Grove: I will get into with deliberations, but there is some pieces there that I would like us to cover. Any additional questions, Commissioners, for applicant or staff?

Dodson: Mr. Chair?

Grove: Yes, Joe.

Dodson: I did just want to comment quickly to the -- the density with the request to say like look on it on a case-by-case basis and things like that I understand, but the densities in the comp plan we can't do anything about it, except for the applicant to do a comp plan map amendment. So, meet the density or change the map. That's the two options. There is no -- Council doesn't have a leeway to just waive that requirement. However, the proposal to do R-8 was just because it made sense within those blocks and you -- you can go below 8,000 square feet. However, I don't really care where it is. The applicant

put that where ever they want west to the collector. Further -- they can probably do it even with all R-4, but they are going to have to modify probably every single R-4 lot on the west side and make them smaller in order to get those nine lots. So, it's kind of pick your poison there, unfortunately, when it comes to the neighbors. It's just R-8 makes it simpler, because they get more flexibility with the lot size, but they don't -- they are not going to construct them to the minimum, which we don't recommend either, we want the lots to be as wide as they can make them, they just got to get the nine lots. That's just the crux of it. And staff is fine with it being around the open space. That's perfectly fine. I think that's actually -- that's good planning as well, to increase the density around an open space area.

Parsons: Mr. Chair --

Grove: Yes.

Parsons: -- Members of the Commission, let me -- I'm going to just expand upon that a little bit. So, keep in mind the Comprehensive Plan is a guide and the zoning is the law: right? So, it's -- essentially, the Comprehensive Plan we look at density. So, if -- as staff we are charged to adhere to the Comprehensive Plan and the city code and that's what you -- that's what this body is charged with doing, ensuring that. So, keep in mind if you or the Council feels like public testimony sways you to say that this is consistent or it is providing that transition or that case-by-case basis, you could potentially make that finding that they are honoring what the surrounding properties are and what they want to do and so if that's your purview tonight you could ask -- strike that condition or at least have Council take that under consideration as they deliberate on the application. But as staff, Joe and I, we can't -- we can't do that, we have to say we need -- we need to hold you to the density of three to eight dwelling units to the acre.

Grove: Thank you. Any additional questions for staff or applicants? Mr. Young, I have a question for you. In regards to the Modification D, which is the removal of the house, that is in phase five as marked by your modification and the connection piece and whatnot. I have concerns with that being in phase five and, namely, because I don't want an accidental enclave in the future, just in terms of how everything out here is situated. I would -- I would have some concerns with everything else getting done and, then, that being left and so that would be my -- my major concern. Do you have any safeguards against that, other than saying, yes, we will do it?

Young: I would like to explain that -- that portion a little bit more. So, we don't own that portion. That -- that is owned by Colleen Kelly. He has given us the permission to put that into this -- this project. Colleen owned the entire ten acres that went back to the Calkins Lateral and we purchased another property to the south of that to try and bring some more connectivity, but we have this gap between two pieces of property, the property we own to the north and the property owner to the south. She was willing to sell us the six acres now, so we could have some connectivity on that side of the -- the Calkins and connect those two sections of the neighborhood now, but, you know, Colleen is a -- she has been a longtime Meridian resident. She's from Montana. Her plans are to retire

and move back to Montana, rather than -- and I have seen -- I know what you are talking about in and leaving these enclaves lots. It drives me crazy, too, seeing -- and seeing these and we have got neighborhood -- no -- no driveways for a quarter mile and, then, just a house all of a sudden that -- that appears and I think what we are trying to do is to get this platted, so that when she is ready to retire -- she is a few years from retirement. She's going to sell her home, she's going to sell her business here in Meridian and she's going to move back to Montana. So, this isn't somebody that -- that -- who bought the back half of the property from and is sticking their feet in the ground saying I'm not moving, I'm not going. She has a plan to leave and we are making her property -- we are taking on the expense and the time to divide her property and to make it ready and sellable for when -- when she's ready to go. I don't want to talk about her personally and that kind of stuff about that timeline, but that's why that is that phase, because it meets her expectation. Sorry, the question to guarantee, I --

Grove: Yeah. I know that you can't guarantee it in terms of -- so, that's why I'm concerned about leaving it until phase five versus having it in phase three, because if it's on -- in the last phase it's very easy to just stop and not finish that out and so that's my concern with having it be completely at the end is -- is that it's easy to leave it off and so knowing a little bit of what you explained, you know, helps, it's still a concern, but just wanted to kind of get some clarification on that.

Young: I think that having it platted for those 12 lots it's going to make it attractive. It's not going to be -- somebody's going to move into the existing home and live in that on four acres as is. It's going to be -- it's valuable to another developer -- to us we have first right of refusal to purchase that property. Just take it on sooner rather than later, so --

Lorcher: Mr. Chair? Do you have that guarantee in writing? The first right of refusal?

Young: Yes, we do. We do. There is -- there is a timeline on it, but we do have that.

Yearsley: So, as following on with that, you are talking about the roadway improvements along Linder. Is that the right house? Am I --

Young: Correct.

Yearsley: I don't understand why we are interfering with the horse corrals. You are talking about the front pasture; is that not correct?

Young: Yeah. So, we have taken -- you know, Colleen's lived there for almost 20 years and she's had horses -- she has horses on the property.

Yearsley: Uh-huh.

Young: She had been growing hay on the front of the property and, then, had the horses in the -- on the back. Well, we have acquired the back. She's now going to shift the horses -- we left enough room behind the barn for the horses to go around the barn and

out to the front of the property that front is -- that front's on -- on Linder. You know, she's got her daughter and her grandbaby living with her. She really wants to keep the horses and give her -- her children or grandchildren the same experience that she had raising children with -- with animals there while she's living there.

Yearsley: But that doesn't -- we are not talking -- we are not taking a significant amount of right-of-way through there to do that, so she would still have enough pasture to -- to have her horses there, wouldn't she?

Young: She -- she would have -- we are already -- for the amount of horses she has we are -- we are cutting it pretty tight. I mean I -- I -- I understand what you are saying, but we have -- it's a unique situation for us and that she wants to continue her lifestyle there with her horses.

Yearsley: Right. I understand that. Okay.

Grove: All right. Any other follow-up questions? All right. Thank you. All right. At this time I would entertain a motion to close the public hearing for Burnside Jackson Ridge Estates, file number H-2021-0070.

Wheeler: So moved.

Lorcher: Second.

Grove: It's been and seconded to close the public hearing. All in favor say aye. All opposed say nay? All right. Motion passed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Grove: And does anybody want to jump in with thoughts? I would like to just give a quick two cents on one piece just related to the pathway. I -- I know it's not ideal to have it do -- you know, dead end there, but less ideal is the situation that we see in other developments throughout the city, 20 years after something goes in, 30 years after something goes in and trying to have a connection that we -- we did -- we would force, you know, the next person to have that connection, but there is nothing to -- it to connect to, because we failed to include that connection point previously. So, that would be my -- my concern with not having that connection point is that we -- we can't go back when a new application comes in and force this current application to install something that we didn't have them do at the time. So, that would be my -- my -- my biggest concern with taking a connection point out. This is a very large property. You know, when we see pictures like this it's usually at a much smaller scale, even if it -- if the picture looks the same and so that -- that's a major concern for me. But I will let -- I will be quiet and let other people jump in.

Yearsley: Mr. Chair? So, I have been on Planning and Zoning for quite a long time and when I started out this was the norm, R-4s, and over time we have gone down to the R-

8s and the R-15s, so my heart skipped a beat when I saw the R-4, so great job on that. So, it's unfortunate that the -- that they are talking about wanting to muddy this up with R-8s. I -- I believe it fits the intent and the style and would recommend we not require the -- the R-8 -- or adding additional lots to this. It just detracts, my opinion, from the overall look and feel of the subdivision. So, I would recommend not having the additional nine lots if -- if possible. I know that will be more of a Council discussion, but I would highly recommend that that be considered. On most of the conditions I -- I understand the one about not connecting the water and sewer to that -- that one house, knowing it's going to get demolished in phase five, I don't know if I have an issue with that. I do struggle with not wanting to do those landscape improvements in the right of way in the first phase. I just -- I know that's going to, you know, impact her issues, but it's -- it's -- it's hard not to get that done in front, especially if you have one piece of blank spot and enough -- I have -- I have lived in enough blank spots to not want that connection. So, I will struggle with that one. Trying to go through some of the other items. The pathway. I -- I'm -- I can probably go either way. The -- the -- the only concern that I do have is we are talking five and ten acres and I understand you are not going away, but I tell you I have seen a lot of five acre parcels go and -- and -- and I -- I hate it every time when they come in, but development pressures, you know, come in and -- and so that one I -- I don't know. That one I struggle with. The connection with the other roads on those -- adding instead of having the bike path versus connections, again, that one -- I don't know if -- I understand what the staff's concern is and -- and we see it in a lot of our subdivision, we actually have areas that we have got long straight streets that we -- we are having problems with speeding and, hopefully, if you would put in intersections some of that might actually help slow the traffic down. I don't know. But it is an issue with speeding on those long block lengths. So, I could go either way on that if someone has issues. Trying to go back and through. There is just -- there is enough -- I think those were the big ones that I had. I think the rest of them -- honestly, the staff and the applicant can go work through the rest of them and I would be interested to hear other comments.

Wheeler: Mr. Chair?

Grove: Yes.

Wheeler: I -- I only have really just two or three comments here. First of all, I'm excited about seeing this -- this subdivision all come together and keeping that rustic farm feel using some of the buildings. I was actually smiling and laughing at some of them and just seeing how it was all coming together and you might get me to move. So, it's a pretty nice spot there and so I like those kind of niche subdivisions like this. This would be -- this would be a nice little boutique feel. I like that. The -- I'm with Commissioner Yearsley on this, too. I would like to be able to strike that R-8 zoning requirement on here somehow, some way, or have a strong recommendation for that. I'm -- I'm -- I'm -- I'm okay with having less cars on those interior path -- on those interior drive aisles and it keeps also just that feel that they are -- they are trying to get, but I also understand that there is some guidance there with the -- the comp plan, but if there is a way that we can require -- or request that to be stricken that would be -- I would be in very -- very big support of that. The other thing is I -- with that pathway, the north-south pathway on the

western side, I understand the concerns on the neighbors on that. Normally a pathway is going to be abutting up against our typical, you know, R-8 zoning where you are in the backyard of somebody for, you know, 20 paces, 70 paces, 60 paces and, then, you are done. Here you have got a five acre parcel where it's -- it's going to feel like you are on a treadmill before you get to the next backyard and, you know, it's a farm feel and so you get farm fresh smells sometimes and -- and also just the experience of all that and it's a little different having a pathway run on the back lot of that. I'm also looking to the south and even if the pathway was to continue all the way down along this property line, just -- just the -- the most -- the next southern property where the subdivision ends, the house is actually butted up right next to where that pathway would -- would go if -- unless it, you know, redirected, but if it was to go due south it would go right next to where the trees were at and right next to a gentleman's house, so -- or the person's house I mean. Excuse me. So, I'm just -- I'm okay with -- with taking that pathway out as a requirement just because of just those -- those items there, so -- but I -- I'm excited to see this come together.

Grove: Commissioner Lorcher? Commissioner Stoddard?

Stoddard: Mr. Chair?

Grove: Yes.

Stoddard: Just make a couple comments. I agree with what everybody has said, but I also really like the feel of this subdivision a lot. It seems really nice. I am excited about it. I, too, was like -- oh, this would be a great place to go move; right? Although I love my place. But I just wanted to state, too, that I also am in support of striking the R-8 zoning if possible.

Grove: I will say on -- on the R-8 I understand the concern. I think with the size of this entire development and the -- the desire of the applicant to -- to meet the spirit of their overall design, I'm not as concerned with the R-8 being put in strategically. It's going to be very close to that collector street, which feeds into an arterial street, so the traffic concern internally is not -- is not there. You are -- you are not looking at a substantial change in the overall aesthetic of the 119 acres that are going to be developed here, but it would help meet the code. I think that finding ways to do that within what they already have is the -- if I were to be doing it the better of the two choices and versus coming back and going through the Comprehensive Plan change and waiting until, you know, the end of the year to be able to redo some of the -- this application pieces. So, I think, you know, there is going to be a challenge there, but it's easily doable with what they have with some adjustments that they have shown and -- they have shown and it looks like they are capable of making those adjustments. Just because the minimums of -- on R-8 are set at a certain piece doesn't mean that they can't get much closer to that R-4, as long as they are meeting the overall density that is required and, you know, they are -- for the first time in a very long time we are talking about trying to get somebody to inch up to the minimums versus trying to sneak in under the maximum, so this is the best problem that, you know, we face up here in terms of -- like, hey, just one more -- like -- we don't get that

a lot. So, I -- I applaud this overall project and I think there is some adjustments. You know, the pathway, the road pieces, but those are things that I feel competent the -- the applicant and staff can work out prior to the -- prior to this going to Council. There is a lot to like about this and the work that the applicant has shown to work with neighbors and the overall thought is quite -- quite good in this. Also, Commissioner Yearsley, no shared driveways. Always appreciated; right? So, Commissioner Lorcher, do you have any additional feedback?

Lorcher: No. Commissioner Yearsley, were you drafting a motion to be able to address the R-8 or do we need to ask staff on how to do that?

Yearsley: I was going to draft the motion that we recommend that the R-8 not be required and let Council make that decision.

Grove: That -- that will have to -- and we can make a recommendation to it, but --

Yearsley: That would be more of my motion is not to -- to strike that, but just that we would like to not see the R-8 be included and let Council -- you know, make a recommendation to Council that be included or required.

Grove: I will put at least on the record that that be part of the motion, that if the R-8 stays in that we recommend hitting the -- the bare minimum to meet the density requirements.

Yearsley: Yeah. I --

Grove: I think that's obvious, but --

Yearsley: To be honest with you, I -- I personally I don't know if I want to go to that -- I will let them decide how they would do or -- you know, that latitude is up to them. You know, I'm sure they don't want the R-8 the way it sounds, so they are going to do the bare minimum anyway. So, I was just going to let that happen to them. So, I'm just trying to go through the response and write down which ones I -- I would like to comment on and the other ones I'm just going to let staff and the applicant decide how they want to proceed to City Council with, if that's okay with you, and -- so, I'm -- I'm still confused about this one pathway. If you guys could help me. Where is this pathway that -- that nobody wants? I -- I can't figure out where it's at on the --

Dodson: Mr. Chair?

Yearsley: Okay. Hold on. Let me get to there. Okay.

Dodson: I believe if I -- again, I wrote three staff reports last week, so bear with me as my brain has melted. I believe I recommended it here, just because it aligns closely with that shared property line --

Yearsley: Okay.

Dodson: -- which, again, if they were to annex in the future that would be a nice place, you wouldn't take up much land of the two parcels. If they stayed completely as they are and they just had to annex because of the water-sewer issues, that's why I recommended it there.

Yearsley: Okay.

Dodson: But, again, I'm not going to fall on the sword for a 15 foot wide micro path lot.

Yearsley: Okay. Because I -- I'm sitting there trying to -- I -- is it like going up and down on the property?

Dodson: Yeah.

Yearsley: So -- okay. I'm -- yeah. Trying to -- to read the staff report and trying to look at the map and see what that's at, so -- okay. I'm going to recommend that one be removed. I'm going to let you figure out how -- I'm just going to say to remove that pathway, because I'm not sure which one it is, so --

Dodson: You got it.

Yearsley: And, then, the other one I had was to not have the house on Linder be connected to water and sewer. If they are going to tear it down and at the end of the phase five it just -- for me it doesn't make sense. I'm going to let this -- the applicant and staff work out the street frontages, so I'm not going to comment on that one, because, again, that one -- it can go either way.

Grove: Staff, are we able to recommend removing that 60 day piece or is that -- because isn't that something that --

Dodson: Mr. Chair?

Grove: -- is a waiver?

Dodson: Yes. So, the 60 day timeline thing has to be done by Council, but you can recommend that you agree with the applicant. Again I have to put it in because it's code, so I -- that's why I had to say it. Commission can recommend that it doesn't happen and, then, Commission will have -- or Council will have to make the final call with their waiver.

Grove: Commissioner Yearsley, the other one would be the pool.

Yearsley: Oh, yes. The pool in between phase two. I -- I think that makes perfect sense and I think -- I like that. I agree that having it in phase three was not a good -- good option, but having it in phase two is a good option, so --

Grove: Also, Commissioner Yearsley, just having the wording in there I think we can probably fall under the working with staff, but the modifications related to the open lateral, if the agreement with the irrigation district is reached.

Yearsley: Okay. Because -- do we need to make that change to -- they are -- they are going to recommend that be -- or they are going to tile that. Is that base -- do I need to change the motion to have that be tiled or -- or how does --

Dodson: Hold on. I'm reading. Sorry.

Yearsley: Motion is requiring -- you talk about you were going to change the staff report to make it that it was going to be tiled.

Dodson: Yeah. Mr. Chair, Condition 16 -- what is it -- A-16 I guess is what this falls under. That can be stricken, because they are going to pipe it. The other one regarding -- sorry. 2 -- A-2-B, you guys can leave that in. There is no motion, because they -- we will correct the plans or verify those between now and then. So, we will be okay. No motion required for that.

Yearsley: Okay. Any -- any other things that you guys want to see changed I'm open to suggestions, comments. Okay. All right. Let's try this. So, I can see -- Mr. Chair, after considering all staff, applicant, and public testimony I move to recommend approval to City Council file number H-2021-0070 as presented in the hearing date for April 28, 2022, with the following modifications: That the pool and clubhouse amenity be moved to phase two. That the home at -- at 30 -- or recommend that the home at 308 -- 3801, holy cow, South Linder not be connected to water-sewer. We recommend that that not be happen to City Council for that waiver and remove that -- we recommend that Condition 16 be stricken and that the pathway between the two lots on the southwest corner of the property being removed. Hope that's clear enough.

Lorcher: Did you get --

Yearsley: Oh. And -- sorry. The most important one. Holy cow. That -- that we -- we recommend that the R-8 -- to City Council that the R-8 not be required and to leave the -- the -- the street number -- or the -- the density or the zoning as -- as -- as recommended -- or as shown.

Wheeler: Second.

Grove: All right. Motion has been made and seconded. All those in favor say aye. All those opposed say nay. All right. Motion passed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Grove: Good job. We will go ahead and take a five minute bio break and we will see you back here in just a minute.