

## **Meridian Planning and Zoning Meeting**

**May 5, 2022.**

Meeting of the Meridian Planning and Zoning Commission of May 5, 2022, was called to order at 6:00 p.m. by Chairman Andrew Seal.

Members Present: Chairman Andrew Seal, Commissioner Steven Yearsley, Commissioner Patrick Grace, Commissioner Nick Grove, Commissioner Maria Lorcher and Commissioner Nate Wheeler.

Members Absent: Commissioner Mandi Stoddard.

Others Present: Chris Johnson, Jaime Del Barrio, Kurt Starman, Bill Parsons, Joe Dodson, and Dean Willis.

### **ROLL-CALL ATTENDANCE**

<input checked="" type="checkbox"/> Nate Wheeler	<input checked="" type="checkbox"/> Maria Lorcher
<input type="checkbox"/> Mandi Stoddard	<input checked="" type="checkbox"/> Nick Grove
<input checked="" type="checkbox"/> Steven Yearsley	<input checked="" type="checkbox"/> Patrick Grace
<input checked="" type="checkbox"/> Andrew Seal - Chairman	

Seal: Good evening. Welcome to the Planning and Zoning Commission meeting for May 5th, 2022. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall. We also have staff from City Attorney and Clerk's offices, as well as City Planning Department. If you are joining us on Zoom this evening, we can see you and that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion. If you have a process question during the meeting, please, e-mail [cityclerk@meridiacity.org](mailto:cityclerk@meridiacity.org) and they will reply as quickly as possible. If you simply want to watch the meeting we encourage you to watch the streaming on the city's YouTube channel. You can access it at [Meridiacity.org/live](https://www.meridiacity.org/live). With that let's begin with the roll call. Mr. Clerk.

### **ADOPTION OF AGENDA**

Seal: The first item -- excuse me. The first item on the agenda is the adoption of the agenda. For this evening Amina's Daycare, File No. H-2022-0012, will be open for the sole purpose of continuing to the -- a regularly scheduled meeting. They will -- it will open for that purpose only. So, if there is anybody here tonight to testify for this particular application we will not be taking public testimony on it. Can I get a motion to adopt the agenda as amended?

Lorcher: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: No department reports this week. So, right now I would like to -- excuse me. At this time I would like to briefly explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to the Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant is finished we will open the floor to public testimony. Each person will be called on only once during the public testimony. The Clerk will call the names individually of those who have signed up on our website in advance to testify. You will, then, be unmuted on -- in Zoom or you can come to the microphones in Chamber. Please state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or -- or a presentation for the meeting it will be displayed on the screen and our Clerk will run the presentation or you can run the presentation, depending on your preference. If you have established that you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf, you will have up to ten minutes. After all those who have signed up in advance have spoken, we will invite any others who wish -- may wish to testify. If you wish to speak on topic you may come forward in Chambers or if on Zoom press the raise hand button in the Zoom app or if you are only listening on a phone, please, press star nine and wait for your name to be called. If you are listening on multiple -- multiple devices, such as a computer and a phone, please, be sure to mute the extra devices, so we do not experience feedback and we can hear you clearly. When you are finished the Commission does -- and the Commission does not have questions for you, you will return to your seat in Chambers or be muted on Zoom or phone and no longer have the ability to speak and, please, remember we will not call on you a second time. After all testimony has been heard, the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to the questions and concerns, we will close the public hearing and the Commissioners will have the opportunity to discuss and, hopefully, be able to make final decisions or recommendations to City Council as needed.

## **ACTION ITEMS**

- 1. Public Hearing Continued from April 7, 2022 for Amina's Daycare (fka Mulonge Daycare) (H-2022-0012) by Godelieve Mulonge, Located at 4175 S. Leaning Tower Ave.**

- A. Request: A Conditional Use Permit for a group daycare of up to 12 children on 0.145 acres of land in the R-8 zoning district.

Seal: So, at this time I would like to open the public hearing for Item No. H-2022-0012, Amina's Daycare, for a continuance.

Yearsley: Do we have a date to be continued to?

Seal: I believe the next date is --

Johnson: Yeah. Mr. Chair, the next available date is May 19th. The applicant has time to meet that noticing deadline and they have been informed by the planner.

Seal: Okay. Thank you.

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go ahead.

Yearsley: I move we continue public hearing on File No. H-2022-0012 to the hearing date of May 19th, 2022.

Grove: Second.

Seal: It has been moved and seconded to continue Item No. H-2022-0012 to the date of May 19th. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

**2. Public Hearing for Ferney Subdivision (H-2021-0103) by Engineering Solutions, LLP, Located at Parcel #S1109438871, Near the Half-Mile Mark on the North Side of E. Franklin Rd., Between S. Eagle Rd. and S. Cloverdale Rd.**

- A. Request: Annexation and Zoning of 5.64 acres with a request for the I-L zoning district.

Seal: Now, I would like to open the public hearing for Item No. H-2021-0103 for Ferney Subdivision and we will begin with the staff report.

Dodson: Thank you, Mr. Chair, Members of the Commission and the public. Sorry. First application before you tonight is for Ferney Subdivision, H-2021-0103. It is for an annexation and zoning and preliminary plat. The annexation and zoning area consists of 5.64 acres, because it includes right of way for both the railroad to the north, as well as along Franklin Road. It is a request for an annexation with the I-L zoning district and a preliminary plat consisting of two building lots on 4.93 acres of land in the requested

zoning. In addition, the applicant is seeking a Council waiver to reduce a required landscape use buffer per the specific use standards for the proposed use of the self storage -- self service storage facility. Here is the plat/site plan. The applicant is proposing to annex the property with the I-L zoning district as noted. Proposed two different uses on the site, a self-service storage facility and flex space. Both of these uses are listed as anticipated uses in the designation of industrial for the future land use, as well as the requested I-L zoning district. Both uses are subject to specific use standards as well. According to the submitted plan, staff finds the proposed self-service storage facility complies with all specific use standards, except for the requirement to -- to screen the property and the requirement of the minimum 25 foot buffer to any residential use. It is unclear in the submitted plans whether any fencing is proposed and what type it might be. The applicant should clarify this and provide an exhibit showing the type of fencing or wall proposed to satisfy this requirement and screen the use as noted in the specific use standards. As noted, the applicant is proposing a -- or requesting a Council waiver to reduce the buffer along the east boundary. They are proposing a 15 foot buffer, rather than a 25 foot buffer, adjacent to the residential use along the east boundary. So, this is east here. Reducing a landscape use buffer requires a City Council waiver and is not eligible for alternative compliance. According to the resident's child to the east, at least from what I have heard, I don't want to speak for anybody necessarily, but I have heard that it is not anticipated for the parents to reside there in perpetuity and that it, too, is designated as industrial on the future land use map, as well as on the -- directly to the east of that property is an ACHD site of sorts that is also going to be an industrial use. So, there is -- this whole area is supposed to be industrial is my point. Because of this the applicant is requesting to reduce that buffer, rather than -- and to help utilize more of the site, because if it was industrial now there would be no buffer at all. It would be zero lot line if you wanted to. To help with this screening with the reduced buffer, staff is recommending denser landscaping along the first 150 feet measured from the back of the street buffer. So, from the first 185 feet from the back of curb. Or back of sidewalk. Sorry. Further, the applicant is required to provide a solid fence or wall to satisfy the specific use standard. Again, plans didn't necessarily depict what kind of fencing, but they will have to provide privacy fencing, minimum six foot in height. They could go to eight feet if they wanted to, because of the I-L zoning district. With staff's recommendations, the specific use standards, and the fact that the property to the east is planned to be an industrial zoned property, staff is supportive of the reduced buffer, but City Council will be the determining factor on that. The proposed building lots meet all UDC dimensional standards for the requested I-L zoning district for setbacks, building height, and the proposed use and they comply with the UDC subdivision standards. Main access to the property is proposed via two driveway connections to the extension of East Lanark from the west. It's an industrial collector street. Lanark is stubbed to the subject property's west boundary and is required to be extended to and through the site and terminate at its east boundary. Lanark is not able to be extended further than the subject property line, because of the existing residents on the east side as noted. So, the applicant is required to terminate the Lanark Street in a temporary cul-de-sac, at least according to ACHD. According to the submitted plat each property is proposed to have one driveway connection to Lanark in alignment with each other located approximately 45 feet west of the east property line. No other access is proposed for the flex building

on the north property as seen here. The south property containing the self-service storage use is proposed to have an emergency only access to Franklin, which is here, and will have a gate. So, one access, second access there. Emergency only. A secondary access is required with the specific use standards for a self-service storage facility. The applicant has proposed an alternative temporary turnaround by incorporating the needed space for -- for a hammerhead type turnaround within the Lanark right of way and the driveways proposed. So, you can kind of see the outline here. This was submitted to me showing this after the ACHD staff report was actually issued. So, I'm not a hundred percent aware that ACHD has seen this. However, between Commission and Council I will verify that they are okay with this or the applicant will have to show a cul-de-sac at the terminus of this instead. The applicant will have to continue working with ACHD and that, unless they already have done that. And, in addition, Meridian Deputy Fire Chief have given their approval of this alternative, as well as planning staff as well. So, hopefully, ACHD helps comply. We can reduce some asphalt, because this road should get extended in the future. Buffers are required along Franklin and on both sides of the Lanark Street extension. Plans depict the required landscape buffer width, but do not show the correct amount of landscaping within the Franklin buffer. Per UDC 11-3B-7C.3 no more than 65 percent of the buffer area shall be comprised of grasses. An additional landscape design is required along entry -- entryway corridors, which is adjacent to the this site. Therefore, additional vegetative ground cover beyond that of grasses and additional landscape features are required to meet UDC standards. For example, a berm, decorative walls, or a dry creek design are specifically listed in the UDC as examples to comply with this standard. Staff has already included a condition of approval for this. As of 2:00 p.m. there was no written testimony and staff does recommend approval of the subject annexation and plat, as well as the proposed uses, and I will stand for any questions.

Seal: All right. Thank you very much. Would the applicant like to come forward?

McKay: Thank you, Mr. Chairman, Members of the Commission. I'm Becky McKay with Engineering Solutions. Business address 1029 North Rosario in Meridian. I'm representing the Franklin Storage, LLC, on this particular property. As Joe indicated we are requesting annexation and rezone to light industrial. This property is along Franklin Road and just west of North Cloverdale. We propose a future flex space and mini storage facility on the lot. It's approximately 4.93 acres in size. The history behind this project is in 2020 the applicant did submit an annexation request to the City of Meridian. They had a sole use on there, which was mini storage. They didn't submit elevations. They didn't submit a preliminary plat. So, the City Council said, you know, we just really don't have enough information to make a positive approval of this and we would recommend that you come back with more information and incorporate some type of a flex space and -- with your mini storage, so that we have two different types of uses. So, prior to the adoption of the findings they did withdraw the application and, then, came to us and -- and we kind of took a look at it, worked with the architect and the -- and the applicant to kind of come up with the site plan that's before you. I mean, obviously, you know, the property is only 216 feet wide and it's very very deep and they -- there are multiple parcels along that Franklin corridor that are like this and most of them were acquired by Van

Auker, who, then, sold them to Adler and so to the west of the property it's already platted, already zoned I-L. We have the Lanark Street that's already constructed. Utilities are there. And they did approach -- my clients did approach the other 218 foot wide parcel to the -- to the east and -- to see if they would be willing to sell and they spoke with the son and he indicated that his parents reside in the home, they have cattle in the pasture and that, you know, eventually they will sell the property after the parents have to relocate due to health issues. But at this time they just want to be left alone. We did ask them if they would consent to us reducing that landscape buffer adjacent to them, because, technically, even with the I-L land use designation on your land use map, they do have a residential home on the property and the son indicated that that -- that was fine. They -- he did not see that that was problematic. We have provided for a 30 foot landscape -- 35 foot landscape buffer along Franklin Road. As Joe indicated, we have no direct lot access to Franklin, which is an arterial. It's built out to its full five lanes with attached walk. We only show an emergency vehicle access. We will be extending, like I said, Lanark Street to our eastern boundary. We did work with the highway district and with Chief Bongiorno on what would be an alternative access. There was an alternative temporary access that was built just to the west of us in the adjoining subdivision and so we -- we basically asked for the same option, because of the width of the property to put a full blown cul-de-sac is -- would just take up an immense amount of room. We did talk to the adjoining neighbor, you know, would you let us build a temporary cul-de-sac on your property. They said, no, we have cattle there. We have fencing. We prefer you not. So, we basically exhausted all of our options and, then, we submitted to Mr. Bongiorno our proposed temporary access and he did approve it. So, I do have his approval in writing. I sent his approval over to Ada County Highway District and our planner said as long as the Fire Department buys off ACHD will buy off. We are good with it, because it's -- it's a temporary situation. With the preliminary plat we just have two lots that are shown. We will be platting the street and, Joe, if you can put up the vicinity map. So -- where am I? I'm lost here. Is that the right -- oh, there we are. Okay. Sorry, Joe. I didn't see that. So, you can see the subject parcel right here at the end of Lanark where it has a temporary dead end, with kind of a T turn around, which is identical to what we are proposing. Then here is the one parcel that separates us from the property that Ada County Highway District has purchased that is located right on the east boundary of this adjoining parcel. I was the planner for Ada County Highway District. I took that before the city of Boise as a traffic operations center. We did get the property annexed and zoned into Boise City as M-1 and we provided a site plan and what's going to happen is ACHD is going to connect to Franklin with the public street. That public street will go down its east boundary and, then, it's going to come across that parcel and, then, it will link up to Lanark. So, it will end up being a loop. So, Lanark, as far as a dead end street, is just a temporary situation and this traffic operations center is intended to be built. I think they are going to start moving on the construction this year. I think it's -- it's a -- kind of a phased facility, but they have kind of outgrown their traffic ops center that they have on Adams Street, so everything's going to -- you know, we will have a nice loop in that comes off of Franklin Road, then, that will go on over and, obviously, match up to Eagle Road and we will have a commercial collector, which was intended for this area, like a backage road, so we don't have all these direct from -- our industrial lots fronting on Franklin Road. As far as the landscape plan, Joe did indicate in his conditions of approval that there are some deficiencies that he

noticed. I have sent his comments over to the architect, who has forwarded those to the landscape architect and we will make the necessary adjustments to the landscape plan, add the fencing prior to going to -- before the City Council. So, do you have any questions?

Seal: Any questions for the applicant or staff? Anyone? Okay. Thank you.

McKay: Thank you.

Seal: All right. At this time we will take public testimony. Got anybody signed up?

Johnson: Mr. Chair, we had one person. They are online. Jeff Hatch. And, Mr. Hatch, in a moment you will be able to unmute yourself.

Hatch: Good evening. Jeff Hatch with Hatch Design Architect. The project architect for this project. Address is 200 West 36th Street Boise, Idaho. 83714. Thank you, Becky, for a great presentation. Just wanted to -- you know, a couple that the Planning and Zoning Commission -- some -- some of the Commission members were part of the process that we went through back in 2020 and just wanted to kind of echo what Becky had indicated as far as taking both Planning and Zoning considerations, as well as City Council's comments to heart with the redesign and re-request of this application. I feel that this is -- or, you know, resonates quite a bit better with what those requests and indications and expectations are for the city, but also it opens up a nice opportunity for a range of different industrial uses, which is a valuable asset to Meridian. So, I just wanted to thank you again for the consideration.

Seal: Okay. Thank you, Mr. Hatch. Appreciate it. Do we have anybody else signed up? Oh, sorry.

Johnson: Mr. Chair, that was everyone.

Seal: Would anybody in Chambers like to testify? Okay. I don't see a raised hand online. Becky, is there anything you would like to add or -- none at all? So, at -- if nobody else has any questions, then, I would take a motion to close the public hearing for Ferney Subdivision, H-2021-0103.

Yearsley: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for H-2021-0103. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Anybody like to chat about this or make a motion?

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: I am -- I'm fine with the landscape buffer to the east being reduced down to 15 feet, because it is just all in an industrial area. My bigger concern has to do with the landscaping buffer up on Franklin, so it seems like the applicant and staff are saying that they are going to work together to -- in order to bring that up to -- to the recommendations or to the code. To me that's -- that's fine with it. That's just me. Pretty simple. I don't see a need to have a larger landscape buffer on the east if all it's going to be is another sort of an industrial building next to another sort of industrial building and so on.

Seal: Okay. Anybody else? Commissioner Lorcher, go ahead.

Lorcher: I will make a motion.

Seal: Feel free. Please do.

Lorcher: After considering all staff, applicant, and public testimony, I move to recommend approval for City Council of file number H-2021-0103 as presented in the staff report for the hearing date of May 5th, 2022 -- 2022 with no modifications.

Yearsley: Second.

Seal: It is moved -- moved and seconded to approve Item No. H-2021-0103 for Ferney Subdivision with no modifications. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

**3. Public Hearing for Timberline North (Timberline Sub. No. 2) (H-2022-0024) by Riley Planning Services, LLC, Located at 655 and 735 W. Victory Rd.**

- A. Request: Combined Preliminary and Final Plat for 33 single-family residential building lots and 4 common lots on 9.8 acres of land in the R-8 zoning district for the purpose of subdividing phase 2 of the Timberline Subdivision (H-2017-0140, DA# 114007668) that has since expired.

Seal: All right. At this time I would like to open the public hearing for Item No. H-2022-0024, Timberline North, and we will begin with the staff report.

Dodson: Thank you, Mr. Chair. Skipped over the last one. I forgot to change the maps again. I'm -- fail for Joe today. Apologize. The application before you tonight is for a combined preliminary and final plat for Timberline North, also known as Timberline No. 2.



And I will get into that. The site consists of 9.8 acres of land, currently zoned R-8, located at 655 and 735 West Victory Road. It's pretty much at the south terminus of Stoddard Road about a half mile west of Meridian off of Victory. The property was annexed in 2013 as part of Timberline -- or sorry. Annexed in 2013, zoned R-8, then, it was platted in 2017 as Timberline Subdivision. Received final plat approval in 2020. It does have a medium density residential future land use designation, which is three to eight units per acre. The subject property, again, approximately ten acres was originally platted in 2017 under Timberline Subdivision. Annexed in 2013 as part of a city initiated annexation from RUT to the R-8 district as an existing development agreement that was carried through from the annexation through the platting and is still current. The approved preliminary plat in 2017 was to be completed in two phases. Phase one consists of 24 single family residential building lots and has been recorded and fully constructed with homes, open space, amenities, et cetera. Phase two received final plat approval for 33 single family residential building lots and four common lots in March of 2020 and was set to expire on May 1st, 2021. Due to unfortunate timing and circumstances, phase two plat expired. It did not receive the city engineer's signature by the deadline and no time extension was submitted. Therefore, it expired both phase two and subsequently makes the original preliminary plat expire as well. Therefore, the applicant is required to replat the phase two area under a new preliminary plat and record a second phase of the preliminary plat. Currently phase two of the development is constructed per the previous approvals, including the open space, fencing, utilities, sidewalks and the public roads. So, everything is in already, except homes. Everything. Because the subdivision improvements are constructed the applicant has submitted the previously approved final plat documents from the previous application and an alternative compliance application to allow the existing open space approved with the original submittal to remain as is and not meet the current open space and amenity standards. Due to the unique circumstances behind the expiration of the plat and the fact that the improvements are all done, staff believes that additional open space and amenities are not necessary and has subsequently approved the alternative compliance request associated with this. So, to be clear, the current open space amenity wise -- I -- I'm pretty sure it would be the same. Probably end up being -- and we have a point system now. Not too concerned there. Open space it would require more, 15 percent versus ten, in the overall development. However, again, phase one is already constructed, has open space and amenities in that. Phase two is basically constructed. All the important -- important stuff are there, minus the homes again. It just needs -- and the lot lines on a piece of paper and subsequently in the dirt. There was one piece of written testimony as of about 2:30 this afternoon from Mr. Bell. He said he was not supportive of a change from R-4 to R-8 due to the additional traffic, but the property is already zoned R-8, so I'm not sure if they were referring to another project in the area, but it is not associated with this. Staff does recommend approval of the combined preliminary/final plat. Staff finds the proposed plat meets all UDC dimensional standards and is consistent with the Comprehensive Plan as previously approved and I will stand for any questions.

Seal: Okay. Would the applicant like to come forward? Good evening. Either one. Your choice.

Constantikes: Is this the right one?

Seal: Either one? There is no wrong microphone.

Constantikes: Thank you, Mr. Chairman. For the record, Penelope Constantikes. Riley Planning Services. Post Office Box 405, Boise, Idaho. 83701. I would like to begin by thanking staff. This is a very unusual circumstance and it took coordinated effort by everyone to get us to this point. I just wanted to mention, along with what Joe was talking about, that the neighbors apparently have the impression that this is a fresh piece of land that doesn't have anything on it. The zone of R-8 was assigned in 2013 and I think Joe might have misspoke. It was probably part of the Kentucky Subdivision group and, then, Timberline came along later. Yeah. Which -- no big deal. So, the -- the annexation, zoning, and rezone occurred in 2013. For the benefit of the neighbors that are here this evening, I -- I just wanted to go over that in particular and to just mention to the neighbors that are here this evening that nothing is any different than it was when our preliminary plat was approved in 2017 and 2018. It's, essentially, identical. Per the staff report we have submitted an updated landscape plan with the corrections that were requested. We have also updated the final plat as requested by staff and that has also been provided. ACHD did issue -- or they -- they sent the same staff report. There was a question about two feet of additional right of way along Victory Road, so their standards changed. It's somewhat in between when we were originally approved and now and they are forgoing that two feet. They are not going to come ask for that now. I did want to point out we have a 25 foot wide landscape buffer along the frontage on Victory Road and so in the future when ACHD is ready to redevelop that road and rebuild it, they can get an additional two feet. It would -- it would make the landscape buffer slightly smaller, but it's not like that option will disappear entirely, it's just out there when they are ready to need it. There was an e-mail -- a previous e-mail from Justin Bell and I did respond to him initially and explain that this is an existing -- everything's built. There is nothing changing, but it's good that when people pay attention. That should be complemented. The post office letter is mentioned in the conditions of approval and that letter is in process and we will have it to staff before our final plat goes before the City Council. Although the alternative compliance application has already been approved by the director I did want to briefly outline the open space and amenities that were constructed with the subdivision. So, we needed to -- what we have there now is originally the -- the open space down in the southeast corner was smaller. We expanded it and ran it over all the way to the street that comes northward into our subdivision. So, there is a micro path that sweeps through that open space and connects two areas of the subdivision. There is a children's play structure that's in that area and it's rather large, so there is a lot of open grassy area. Immediately adjacent is the Jocelyn Park Subdivision and I believe that their open space is right there as well, so there is a combination and that was the one -- that was something that Bill Parsons brought up when we originally came in with the subdivision was that there seemed to be a clustering of open space down in that corner for all the adjacent subdivisions. So, there is actually quite a bit down there. It's very nice. We have a micro path, as I mentioned. The picnic area that's in phase one and it's about midway on the east property line, that was a custom built cover. It's a shelter area with tables and it's very nice. And, then, we have a regional path connection and there are two open space

lots in phase two that go along with that. Let's see. So, as Joe said, the lots are ready for homes whenever we can get that plat recorded and the neighborhood meeting that I had in March, some of the neighbors came and asked about the puncture weed and I just wanted to report that it's been cleaned up and the developer has arranged for regular spraying to keep the puncture weed down so it doesn't show up again. With that the development team is present if you have any questions that you would like to ask them specifically. Other than that, I would be happy to answer any questions you might have for me.

Seal: Okay. Thank you. Do we have any questions for the applicant or staff? No? Okay.

Constantikes: Thank you.

Seal: Thank you. Okay. At this time we would like to take public testimony. Do we have anybody signed up?

Johnson: Mr. Chair, one person signed up. They didn't mark they want to speak, but they are here. Sandy Smith.

Seal: If you would like to speak come on up.

Johnson: Okay. Thank you.

Seal: Anybody else in Chambers like to come up and testify? All right. I think we only had one other person online. No raised hands. So, I will take that as a -- as a negative and if there is no other questions --

Johnson: Sorry. Jaime's mom was watching at some point. She was the only viewer.

Seal: Okay.

Johnson: He was not a camera, so she left.

Seal: All right. Do we have any other questions for the applicant? None?

Wheeler: Mr. Chair, I have a question for staff if that's okay.

Seal: Please feel free.

Wheeler: Okay. So, Joe, just a question. Penelope mentioned that they expanded a lot and I think it was phase two, but that still doesn't get to the 15 percent for the open space requirements or anything.

Dodson: Commissioner Wheeler, it was in phase one and, no, they are not going to meet the -- the 15. I believe -- I had to do the math on my own, because I was looking at the old final plat, because that was different than the pre-plat and et cetera. I think it came to

about just under 12 percent. So, it was more than what was approved with the pre-plat, but not at the 15 percent, no.

Wheeler: Okay. Thank you.

Dodson: You are welcome.

Seal: Any other questions? All right. Then I will take a motion to close the public hearing for Item No. H-2022-0024.

Lorcher: So moved.

Grove: Second.

Seal: It's been moved and seconded to close the public hearing for Item No. H-2022-0024. All in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Who would like to start? Who would like to give a motion? Sorry. Was that a little pushy?

Grove: Mr. Chair?

Seal: Go ahead.

Grove: So, there -- there is not a lot to -- to pick apart on this. I mean it's essentially something that was previously approved, but coming back to us with the exact same thing, so there is -- it's not an annexation. There is not a lot to pick apart. I will say I applaud having the cul-de-sac versus shared drives, so kudos to you for going that direction, because we don't get enough of those in my opinion. So, good job. I mean with the open space, the requirements changed from when the original went through until now, so -- I mean in terms of how we are looking at this. It's relatively straightforward in my opinion.

Seal: I would tend to agree. Would anybody else like to comment?

Wheeler: Mr. Chair, are we ready for a motion then?

Seal: I think we are ready for a motion if you want to --

Wheeler: Okay.

Seal: -- take a shot.

Wheeler: There it is. After considering all staff, applicant, and public testimony, I move to recommend approval of the City Council of File No. H-2022-0024 as presented in the staff report for the hearing date of May 5th, 2022, with no modifications.

Yearsley: Second.

Seal: It's been moved and seconded to approve Item No. H-2022-0024, Timberline North, with no modifications. All in favor say aye. Any opposed? Okay. Motion carries. Thank you.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: All right. Can I get one more motion, please?

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go ahead.

Yearsley: I move we adjourn.

Wheeler: Second.

Seal: It's been moved and seconded that we adjourn. All in favor say aye. Any opposed? Motion carries. Thank you very much.

MEETING ADJOURNED AT 6:39 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

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ANDREW SEAL - CHAIRMAN

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK