

Meridian Planning and Zoning Meeting

April 28, 2022.

Meeting of the Meridian Planning and Zoning Commission of April 28, 2022, was called to order at 6:00 p.m. by Vice-Chairman Nick Grove.

Members Present: Vice-Chairman Nick Grove, Commissioner Steven Yearsley, Commissioner Nate Wheeler, Commissioner Maria Lorcher and Commissioner Mandi Stoddard.

Members Absent: Commissioner Andrew Seal and Commissioner Patrick Grace.

Others Present: Chris Johnson, Kurt Starman, Bill Parsons, Sonya Allen, Joe Dodson and Brian McClure.

ROLL-CALL ATTENDANCE

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

Johnson: -- transcribing based on the recording, so I will be the person reminding you to speak in the microphone. I apologize in advance.

ADOPTION OF AGENDA

Grove: Thank you. All right. So, we will move on and do the adoption of the agenda and on tonight's agenda we have the Consent Agenda and we have five items on the action items. Could I get a motion to adopt the agenda?

Lorcher: So moved.

Wheeler: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the April 21, 2022 Planning and Zoning Commission Meeting**

Grove: The Consent Agenda. We have one item on the Consent Agenda and that is to approve the minutes of the April 21st, 2022, Planning and Zoning Commission meeting. Could I get a motion to approve the Consent Agenda?

Yearsley: So moved.

Wheeler: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

ACTION ITEMS

- 2. Public Hearing Continued from April 21, 2022 for Alamar Subdivision (H-2022-0004) by Noble Rock Development, Inc., Located at 4380 W. Franklin Rd. (Parcel #S1210346603), Near the Northeast Corner of N. Black Cat Rd. and W. Franklin Rd.**
 - A. Request: Annexation and Zoning of approximately 7.23 acres of land with a request for the TN-R (Traditional Neighborhood Residential) zoning district.
 - B. Request: Preliminary Plat consisting of 42 building lots (22 single-family attached lots and 20 detached single-family lots) and 4 common lots on 4.63 acres in the requested TN-R zoning district.

Grove: All right. That takes us to the first item on our Action Items and we start with the public hearing for -- that was continued from April 21st, 2022, for Alamar Subdivision No. H-2022-0004 by Noble Rock Development and we will pass that over to Joe.

Dodson: Thank you, Mr. Grove. You got me for the first three projects, so let's hunker down and get through it. As noted, this first project before you tonight is Alamar Subdivision. The application before you is for annexation and zoning of approximately 8.23 acres of land of a request for the traditional neighborhood residential zoning district and a preliminary plat consisting of 51 building lots, six common lots and two other lots on 5.63 acres in the proposed zoning. The site currently consists of two parcels totaling -- totaling 5.6 acres. Currently zoned RUT in the county and located at 4380 West Franklin. So, the discrepancy between the annexation and the plat is that the applicant is annexing the Purdam Drain property west of the subject site, so that we don't have any county enclave. The site is designated as medium high density residential on the future land use map and it is within the Ten Mile Specific Area Plan. The MHDR designation allows for a mix of dwelling types, including townhouses, condos and apartments. Residential gross density should range from eight to 15 units per acre and is noted with a target density of 12 units per acre. The proposed plat again consists of 51 residential

units that have a mix of attached and detached homes, which has a gross density of 9.1 units per acre and is consistent with the comp plan. Of the 51 units, 30 of them are single family attached lots and 21 are detached single family lots. Access to the development is proposed via a new connection to West Franklin Road at the south property boundary, which is on the right-hand side here. Access to Franklin is intended to be temporary until such time a future connection is made to adjacent properties. Specifically future access should occur to the east via local street connection to West Atomic Street within the Ascent townhome project to the -- on the east side of Zimmerman Lane, which is not part of this project, and I can expand on that later and a future extension to West Aviator Street on the adjacent property to the north -- northeast. So, back to the bigger image here. It's kind of hard to see, but there is a road here that would align with the proposed stub street here and Aviator is proposed to continue on here and connect here. This application did receive approval from City Council a few weeks ago. I don't remember. It all blends together. Staff has conditions of approval associated with the future road connections. In response to the staff report, the applicant has requested a new or modified DA provision regarding the phasing of the project to include the homes along West Atomic Street within phase one instead of phase two. So, currently phase one stops here and here. Applicant is proposing that if they can get this connection across Zimmerman Lane with the property owner, which is viable at this time, that they would include this area in phase one as well and staff is amenable to that. The termination of the proposed north-south local street at the north boundary, which is again on the left side, deserves some flexibility due to ongoing conversations with the adjacent landowner -- landowner and developer. Staff has included a DA provision to allow this applicant flexibility to revise the road alignment and lot layout in this area only with the future phase two final plat, should they be able to work out a mutually beneficial agreement with the adjacent property owner. This recommended provision does not require that this applicant make any revisions to their plat, but its intent to provide flexibility to the applicant to make any necessary revisions to the plat without having to go through the hearing process for those minor changes that do not increase the number of building lots or drastically change the overall design, but should help with the overall road network within this area of the city. So, the issue is -- long story short, but the property owner to the north does not have an inclination to align the road here, they would like it bent here. Staff just wants the developers to work together, which is why I wanted to offer flexibility there, and because it's part of phase two, we have time to do that and it shouldn't affect much. The proposed plat has a minimum lot size of approximately 2,000 square feet, with an average lot size of approximately 2,762. Includes detached sidewalks and six foot parkways throughout the site. My staff report does note that there are eight foot parkways. That was my mistake. I forgot that they are doing a reduced parkway with route barriers in order to bring the porches of the homes closer to the street. So, I will correct that following the meeting. As noted, the plat is currently proposed to develop in two phases due to the available access. Phasing plan depicts currently 22 building lots that are in the southern half of the site with phase one and the remaining 30 -- no. Twenty-nine, I believe, lots in phase two. Yeah. Twenty-nine? With phase one the public roads terminate less than 150 feet from the internal infrastructure, which means that there is no temporary turnaround required. The Planning Department and the Fire do support the proposed phasing plan and include -- that includes the requested revision, because it would connect to another public road

to the east. A minimum of 15 percent qualified open space is required for projects over five acres within the traditional neighborhood residential districts per the UDC. Based on the plat of 5.6 acres, the minimum amount of open space required is approximately 36,786 square feet. According to staff's analysis of the submitted plans, the applicant is proposing approximately 32 and a half thousand of qualified open space. This area does not meet the minimum. There is potential for the entire common lot of Lot 12, Block 1, to be -- or yeah. Sorry. There is potential for the entire lot counting towards the qualified open space of pedestrian if additional pedestrian facilities are added, the area is improved per the UDC and Nampa-Meridian does not restrict access to their access road. So, again, that's this -- basically is brown area here. If that area is deemed to be compliant with the UDC, then, they will have more than their 15 percent by quite a few thousands of square feet. The issue is that this is a Nampa-Meridian access road, which is usually a minimum of 16'ish feet and it's just gravel or some type of road base, which is fine, but that does not account -- or allow any landscaping. Applicant could do alternative compliance, et cetera, but staff does want some additional pedestrian connection here to help access it here. The other issue, even though it is this property owner's properties, Nampa-Meridian has been known to restrict access to these areas at times. So, that's why staff is concerned with that and is not a hundred percent sure that that area can count. But staff and the applicant will continue to work through that and I do have a condition already in my staff report regarding this potential. So, there is -- staff has handled it and we are working with the applicant on it. With these cumulative revisions the easement area can count towards a qualified open space. So, if these revisions cannot occur, the applicant will need to add approximately 4,300 square feet of qualified open space, which will likely require the loss of a building lot or too. Specific to the Ten Mile Plan, front loaded dwellings are not preferred and if they are proposed, the garages should be set back from the living area facade to help create a more porch dominated streetscape, rather than garage dominated. According to the submitted elevations and floor plans, the applicant has proposed units with garages considerably behind the living area facades. This design provides for a more porch dominated street facade compared to traditional single family residential, which is desired within the Ten Mile Plan. Staff is including a DA provision to ensure this type of design is maintained for the project. Overall with the site design and the home design that supports street-oriented design, staff does very much support the proposed design of the project and specifically with the garages behind the living area. So, I do not have a specific provision regarding the minimum depth, but the applicant has requested that that be added, which is perfectly fine. So, that is, again, a provision that I am more than welcome to add to make sure it's clear moving forward. There was no written testimony on the project as of about 3:30 p.m. Staff does recommend approval of the project per the conditions in the staff report and I will stand for any questions from the Commission.

Grove: Okay. Thank you, Joe. Could we get the applicant to come forward, please?

Wrede: Hello. Name is Jeffrey Wrede with Noble Rock Development. My address is 12805 West Engelmänn in Boise and I'm here to present for Alamar Subdivision. I'm going to go through these slides. It will probably repeat a little bit of -- or, actually, most

of everything that Joseph just said, but I will go ahead and go through it quickly. Find the page of key --

Johnson: You can use -- the arrow keys work best.

Wrede: The Alamar Subdivision will provide the diversity that is key to Meridian's comprehensive and future use plans, as well as the Ten Mile Interchange Specific Area Plan. These plans stress mixed income, mixed family size and mixed age communities. To balance the surrounding developments in the area, which include three story townhomes and large apartment complexes, Alamar Subdivision will provide a mix of single family detached and attached duplex homes to provide a diversity of housing types in the area. To provide for a successful urban environment a street oriented design has been incorporated. Alamar Subdivision will consist of porch oriented homes, with tree lined streets and detached sidewalks. In front of the homes will be placed -- the front of the house will be placed close to the sidewalk, while the garages will be set back to the rear of the homes. This will provide a home fronting edge to the public space, which will make the streets more friendly and walkable. This slide shows the vicinity map and somewhat indicates the project site and shows the development that's going on in the area. The hatched area is either already developed properties or approved properties or properties that are owned by developers that have either submitted or are planning to submit in the near future. Our preliminary plat showed that we are requesting rezoning to traditional neighborhood residential, with street oriented designing, tree lined streets with the detached sidewalks. Our density is 9.1 units per acre and we have a total of 51 building lots. Twenty-one are single family detached homes and they mainly reside in the southern half of the development and they will mainly be those that are done in phase one. The other 30 lots are single family attached homes in the form of duplexes. The open space in the area consists of a centralized open grassy area. The parkway buffers. A linear open space along the Purdam Drain. Landscape buffer along Franklin Road in shallow drain areas. We have one site amenity which is a bicycle repair station that will be located at the central grassy area, which is, you know, right in the middle of the subdivision there. The lower central image shows a little expanded view of the central grassy area where we will -- we have added a walking path through that which connects to the sidewalk connections across the street and winds through there and connects to the linear open space. You might notice on the left -- it might be a little hard to see, but there is kind of a pinkish purple -- it shows the loops that are going around along the linear open space and back to the sidewalk and through the central grassy area, both to the north and the south, and, then, there is the image in the bottom right corner, which that's the image of -- from Heron River. They have been very successful there in using these linear open spaces with chip rock and it's still viable to the irrigation district there and we have actually seen -- we just finished a development in their last year and we connect to the same open space and we actually see that there is much more activity on this linear area than there are in the actual common spaces. A lot of people walking dogs and, you know, taking daily walks through there, so -- this slide shows the road connections. We have one main north-south road coming through the subdivision, which enters off Franklin Road. As Joseph mentioned, this is a temporary entry that will be closed and/or used as an emergency access only once the other connections to the north and the east are

completed. The road that runs to the east will eventually connect to the Ascent Subdivision and we are -- we have been speaking with the developer of -- that owns that property regarding the possibility of written agreement to allow right of way, so we can complete that ahead of -- ahead of phase two, which was originally planned. Then to the north we show this collector road that's going to be put in to connect from Black Cat to Franklin Road. The little clip in the upper right corner shows this Aviator Street is coming through Aviator Subdivision, which has been approved, and, then, connect down to the existing road -- I believe it's San Marco Way and, then, back out to Franklin Road. The northern exit of this road we originally had straight, but, then, we made it curve to the right per a request somewhat of the Planning Department, assuming that the road connection might be perpendicular to this road. As Joseph mentioned and has added in there, that he is allowing some flexibility in case that road needs to veer to the left instead of the right or meander slightly to help work with the neighboring developer. We are placing a stop sign at the intersection just for traffic calming and because this length of road is more than the 750 feet. As far as the sewer and water, that main are present already off Franklin Road at the south. We are bringing the utilities through the development and providing access to the neighboring lots that are there. Any of the lines that are in a landscaped area will have a 14 foot access area where there will be no permanent structures or plantings to allow access to the manholes and their entry points will only come from within the subdivision and not enter onto Franklin. Streetlights are 250 feet apart per code and one of them is placed right at the open space area in the central part of this subdivision. Fire hydrants are every 400 feet per code. Gravity and pressurized irrigation. Pressurized irrigation, we have had discussions with Nampa-Meridian Irrigation District and they are tentatively preliminarily allowing us to connect to a pump station that exists in the northwest corner off of our property, but they are allowing us to connect to that and, therefore, the irrigation system will be designed per their requirements and also the UDC, of course. There will be no irrigation placed in the right of way. That's an ACHD requirement also. As far as gravity irrigation at the very north boundary of the property there is a small stub drain that currently has a 12 inch culvert in it. We are going to tile that entire north boundary line there, for the road and also to allow more access and reduce the maintenance requirement on that. The easement that Nampa-Meridian Irrigation has is along the eastern boundary. We are going to provide them with a 17 foot wide access. The building pads are located outside of the hundred foot centerline easement and they are going to allow us an encroachment of ten feet into their easement. That was -- will allow us to have the fences and the backyards of the homes slightly into that easement. We have a lot of discussions. We have agreed not to have sheds and things like that placed in that area and, then, the fencing in that area will be -- it's going to be wrought iron open fencing. It will be removable through just sleeving basically, so if they ever have to access their easement they can easily pull that out of there without destroying anything. And, then, again, the -- the actual easement along there is going to be made with road base and, then, covered with 3/8ths chip rock similar to the perma bark. This just makes it more appealing and easier to walk through there. Phasing plan as Joseph mentioned. The lower section, again, which is mainly single family homes, will be completed first, pending road connections to the east or the north and at that point we will complete phase two and Franklin Road will be turned into emergency access only. Fire sprinklers won't be required for phase one. These are basic elevations. Possibilities.

You notice we have front porches on the homes. Garages as setback from the front facade. We are using a mixture of materials, colors, design elements, lap siding, stucco and brick and rock on the front. The single family homes will be three bedrooms and two and a half baths between 1,750 and 1,900 square feet and the attached duplex homes will be two bedrooms with two and a half baths at 1,250 to 1,300 square feet. These are the floor plans, just to show the single family will be -- the three bedroom and will provide the two car garage and two external parking spots. Whereas the attached homes will be two bedroom and so we, therefore, have the single garage space and single exterior parking space. Just in conclusion Alamar Subdivision provides an atmosphere needed for families to live and work in a steadily growing area the Ten Mile interchange, while providing an affordable mix of home types. Thank you.

Grove: Are there any questions for the applicant or staff?

Yearsley: Mr. Chair?

Grove: Yes, Commissioner Yearsley.

Yearsley: Can you -- the little side piece that you have got the -- the homes there? Can you go through how that's going to work? Because it looks like you have got homes along the front and, then, you have got setbacks in the back and I'm just not quite sure how well that's going to work with driveways and access and traffic and it seems to be a little congested back in there.

Wrede: Which portion of the --

Yearsley: Oh, the -- the little cross-street -- yeah. Those back lots in the very back. It just seems you have got four homes in the one and, then, two on the other. They are duplexes or --

Wrede: Yes. So, those are duplexes that come off of a common driveway --

Yearsley: Uh-huh.

Wrede: -- and so we had to meet the requirement of just a maximum of four units and two on each side of the drive. The reason there is only one duplex to the right is there is a possibility that the developer to the north that has the 20 acres is -- he wants to basically deed over -- or give us or not deal with the 50 foot easement that's Zimmerman Road right now. In that case in the future it's quite possible there will be another unit on that common driveway.

Yearsley: So, how -- how wide are your streets? I was trying to see that in the staff report, but it's kind of fuzzy. So, how wide is your --

Wrede: The streets are a standard 33 foot section --

Yearsley: Okay.

Wrede: -- with the detached sidewalks. So, it's a 47 foot overall -- no, I'm sorry.

Yearsley: So, there will be 40 -- there will be parking on both sides allowed?

Wrede: Yeah. Yes.

Yearsley: Okay. That's all I have for right now.

Grove: Okay. Any other questions?

Wheeler: Mr. Chair?

Grove: Commissioner Wheeler, go ahead.

Wheeler: Thank you, Chair -- Mr. Chair. Joe, I have a question. He is -- on this slide here he says that there is 16.5 open space -- 16.5 percent open space here. I thought we were at the 15 percent or less? Can you -- can you maybe add some light to that or --

Dodson: Yeah. Commissioner Wheeler, that's -- he is counting the easement along the drain, which is the area that if that can be counted, then, it will bump them up over. I don't -- because I have a condition in there and the applicant and I are going to continue working through it, I don't want to get too in the weeds -- no pun intended -- but I'm not exactly sure how we are going to get there with it just being an access road that doesn't comply with code as being qualified, but there is potential -- if we want an emergency access -- if we want a temporary access to become an emergency only access on the south boundary, that cul-de-sac can go away and that whole area that's not the road can become open space and I'm sure that's over 5,000 square feet and that would -- there is the required open space. So, that's where the discrepancy is.

Wheeler: Okay. Okay. I'm just double -- just double checking in my mind. And, then, Jeffrey, has -- are there other thoughts that you have had about how to possibly get there if that -- if that --

Wrede: Yes.

Wheeler: -- area and drainage -- how would you -- how would you do that to get to this?

Wrede: So, we originally interpreted the code that states that a linear open space along a waterway or ditch can be counted as qualified open space and so that's where our calculations had that in there and, actually, I think we are -- we are above 16.5, actually. If we can't get this to work, then, we are more than likely going to lose a lot somewhere.

Wheeler: Thought that that's how that might go --

Wrede: Possibly the farthest south eastern home, because we may, then, be able to make that area larger than 5,000 feet through there, which will qualify as another open grassy space in other words.

Wheeler: Okay.

Wrede: Else we may take, you know, one of the duplex lots at the top, which will increase that area to the northwest.

Wheeler: Okay. Thank you.

Grove: Any other questions from the Commissioners? All right. Thank you. We will open it up for public comment now. You are welcome to sit down. Mr. Clerk, do we have anybody signed up?

Johnson: Mr. Chair, nobody signed up in advance for this.

Grove: All right. Is there anyone online or in the audience that would like to testify on this application? All right. Seeing none, would the applicant like to have any closing remarks?

Wrede: No, I don't really have any closing remarks. I would just like to thank Joseph for his direction and support through this process. He's very learned of these codes and -- and has helped us a lot getting this put together. So, thank you, Commissioners.

Yearsley: Could I have one last question? You mentioned about this pathway in the right of way for the easement -- or the irrigation district. Have they agreed to allow that pathway then?

Wrede: Yeah. It's -- you know, pathway is kind of a word that we are -- we are not really using, because it's -- it's -- it kind of implies, you know, a small walking concrete with landscaping and things like that. But they have agreed and we have a separate, you know, communications and other drawings and documents that we have used within that specify all their requirements and they are open to this being used similar to -- like I said Heron River has this walking area. I mean it is owned by the subdivision, it will be maintained by the HOA and, you know, the -- the reality is the irrigation company has never accessed this ditch from that side. I doubt -- because it's pretty much inaccessible and so this is going to really help them out and, you know, the district -- drainage district number two up there in Star, which has this, they can now drive and they drive their trucks through there and spray -- easily spray the banks. We have had, you know, issues like with Hemlock growing, which some neighbors -- you know, some people are kind of worried about, so it's easy to have the county come through and spray it, they can just drive right along and take care of that. But it's really used quite a bit. It's amazing how many people walk their dogs down these paths and around, so --

Yearsley: And, then, one last question. So, you mentioned that the backyards -- I think it's on that side, they are going to have a ten foot easement for their part of their backyard in that easement.

Wrede: Yes.

Yearsley: I'm still not quite sure how that's going to work, because I mean are they removable fence -- you know, how is that going to work? And can you explain that a little bit more? I guess --

Wrede: Yeah.

Yearsley: And I guess if we don't have it how much -- do they actually have a backyard at all or what's the -- what's -- how much do they have and how much will they gain?

Wrede: So, the Nampa-Meridian Irrigation District is allowing us to, of course, landscape it and put shrubs -- they don't want trees in there, but they are allowing shrubs and patio slabs. We have already discussed this through e-mails and they have said that's not a problem and so we are -- in our floor plans we are designing covered patios built into the actual home, so they are slightly recessed into the home space, so there will be a rear patio -- covered patio. Plus, then, there can be additional slab space uncovered that goes into that easement and, then, grass and plantings along the fence.

Yearsley: Okay. It just seems kind of weird, because if you ever have to get in there and you are going to get a lot of complaints from homeowners that they are tearing up the backyard for something.

Wrede: Well, if they ever need to go in there it will be to fix the irrigation line, which they would have to do anywhere in the subdivision. That's, you know, the nature of that. The easements are all the way around the whole subdivision.

Yearsley: Oh, so it's actually more for the pipe underground no --

Wrede: I believe so. That -- it's mainly really just because it's their easement --

Yearsley: Right.

Wrede: -- I think and --

Dodson: Mr. Chair?

Grove: Yes, Joe.

Dodson: I just wanted to touch on that, too, because I agree with Jeff. For whatever reason, the drain easement is a hundred feet wide, as discussed with Aviation, so it just encroaches on everything in this area. Then only the nine feet of it is on the buildable

lots, which code allows ten, so it will be grassy area within the backyards and the building envelope that he shows on here is wholly outside of that easement. So, they will have some yard, they just can't plant trees in there, and the fence -- yeah. That would -- I don't know what removable necessarily means, but open vision fencing is required along there anyways, so it's going to have to be some type of removal fence like that, so staff has no concerns with that. What -- I wanted to touch on the -- I guess just to make sure we are all clear on the -- what would qualify for that easement area, if it's -- there is a couple of code sections involved here. If it's linear open space it has to be minimum 20 feet wide and it has to have -- be landscaped per the UDC 11-3-B-7, I believe. Or eight or something. And that can't be. One, it's not 20 feet wide. Two, you can't have landscaping in the easement, because it's the irrigation easement. Secondly, the code does allow linear open space along natural -- is the keyword their -- natural waterways to count and be left unimproved. The drain is not listed as one of those natural waterways. So, that's where I can't give Jeff that affordance there, even though it is big and it is natural, but it's not -- they -- the code has specific lists of which waterways, like the Ten Mile, the Ridenbaugh, and the Five Mile Creek and those types of things. So, that's where we are at with that, unfortunately. I just wanted to touch on those points.

Yearsley: I guess my -- my thing is is the pathway is going -- or the southside pathway is going to go in no matter what -- if it's considered an open space or not.

Dodson: Correct.

Yearsley: I figured you guys will take care of the open space. That's -- that's your guys' deal.

Dodson: Yes, sir. I was just curious about the path -- the pathway.

Wrede: If I could reply?

Yearsley: Yeah.

Wrede: To reply, there is a section of the code that -- when it speaks about the linear open space along waterways, it also says ditches in there. That's what we have been going on as far as that and it -- it only states that it needs to be ten feet wide of a buffer area in that section of code that we have read. So, we have got some work to do to find out. Either way we will be able to make this work.

Yearsley: Nope. I'm good about that.

Grove: Bill, did you have something?

Parsons: Yeah. Commission, I just wanted to chime in on the topic a little bit. You know, like anything this is annexation; right? So, it's whether or not it's in the best interest of the city. In this particular case I love the idea of a pathway there. I think that's great. I like to see waterways being left open. But there are safety concerns that go along with that

that have to be mitigated. There is also the -- the reason why staff likes to see the landscaping is because it differentiates it -- that from -- from the easement, the use area. So, how is that going to look when you have a gravel compacted road base and, then, there is another pathway next to it, just -- it doesn't delineate the difference between it and, then, you have somebody riding their bike next to an open vision fence and all of a sudden your handlebar hits the fence and you hit your neck on the fence and we have an accident along the pathway. There is a lot of things that I'm -- running through my head that says I think we need to just kind of work with the applicant and see if this thing works or not, but -- and also we have alternative compliance. So, there is -- there is ways to lessen the open space if this area doesn't count. So, I think we have enough tools in our tool belt to help and work with the applicant. But right now I think -- at least from my look at it I'm not comfortable having a pathway right up against fencing and that's -- to me that's not a wise idea. Just my two cents on it.

Yearsley: I guess going back to that comment, I didn't know how -- how wide is that, quote, walking way? Is it pretty narrow or is -- because I was --

Wrede: Seventeen -- 17 feet wide. So, it's -- it's quite wide --

Yearsley: Okay.

Wrede: -- as far as walking goes or riding a bike. I'm still working with Greg over at NMID. It's possible -- and I will bring it up to him -- if the road base and gravel section is actually -- you know, like perma bark section could be reduced in width and possibly, you know, some strip of some kind put along it. They -- for most times they would need to access if they are going to drive in a truck. So, you know, ten feet wide is probably enough, so we probably have room to do something on the sides and, then, if they need to repair something and bring in an excavator, well, we have some damage, but that's going to happen no matter what. So, that there is a possibility to maybe we can make something work there.

Dodson: To Bill's point, we -- we got some tools in the toolbox, so we can take care of this. Absolutely.

Yearsley: Okay.

Grove: All right. Any further questions? All right.

Wrede: Thank you.

Grove: All right. Thank you. All right. Could I get a motion to close the public hearing for Alamar Subdivision, file number H-2022-0004?

Wheeler: So moved.

Yearsley: Second.

Wheeler: So moved.

Yearsley: Oh.

Grove: All right. Motion to close the public hearing has been moved and seconded. All in favor say aye. All opposed say nay. All right. Motion passed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Grove: All right. Anybody have thoughts and want to jump in?

Yearsley: Mr. Chair?

Grove: Commissioner Yearsley.

Yearsley: You know, I understand what they are trying to achieve and it's -- it's a difficult lot to deal with, but it feels like we are trying to shoehorn a lot of lots into a little space. I'm not quite a fan of the -- the duplexes by -- on a common drive back like they have it shown. I think it tends to lead to congestion problems, parking problems, and, you know, when you start getting garbage cans and stuff on the streets I think it's going to tend to be a little tight. I -- I -- there is a common drive near our house and every garbage day there is like 20, you know, right in the corner, so it's like -- it's kind of a pain, but -- I'm not a big fan, but not a -- it's not bad enough to not to -- not send it forward to City Council to address.

Grove: Thank you. Anybody else?

Lorcher: Mr. Chair?

Grove: Commissioner Lorcher.

Lorcher: Since this is in proximity to the Compass School campus around the corner and it seems like it's being surrounded by other subdivisions with similar style of housing, the common driveways are disappointing, but it still fits in within the overall scheme of the housing that seems to be going into that corner, so I don't have a problem with it.

Yearsley: So, before I make a motion -- Joe, is there -- you mentioned that -- do we need to include the phasing option in our -- in our motion? Because wasn't there -- if they can get the stub street to -- to allow that -- that side street into phase one, is that something that we need to make or is that --

Dodson: Mr. Chair, Commissioner Yearsley, yeah, I would say make that part of the motion just to say if -- whatever it is with the addition of modifying -- or including a provision about the -- you know, that one's a modification -- modifying the provision regarding the phasing.

Yearsley: Okay.

Wheeler: Mr. Chair? Mr. Yearsley, I think we also have to say something about the DA, like a modification, because he wanted to include phase one on that one section, too, is that correct?

Yearsley: But we don't -- we don't comment on the DA. That's actually through City Council --

Wheeler: Oh. Okay. All right.

Yearsley: -- for a motion.

Wheeler: All right.

Yearsley: The DA's.

Wheeler: All right. Thank you.

Yearsley: Mr. Chair?

Grove: Commissioner Yearsley.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2022-0004 as presented in the staff report, date for the hearing date of April 28th, 2022, with the following modifications: That -- to modify the phasing plan if the applicant is able to connect the stub street to the east to allow that section in this -- into phase one if he can get that connection.

Lorcher: Second.

Grove: Real quick, Joe. Was there a DA -- or a modification that we needed to put in in terms of the garage setback that you had mentioned? It wasn't brought up by the applicant, but you had mentioned it in your --

Dodson: Correct. Mr. Chair, there -- that can be handled between now and City Council. That's fine.

Grove: Okay.

Dodson: Or City Council can --

Grove: Just wanted to double check if --

Dodson: We are okay.

Grove: All right. So, motion has been moved and seconded. All those in favor say aye. All those opposed say nay. All right. Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

3. 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.

(Recess: 8:12 p.m. to 8:18 p.m.)

4. Public Hearing Continued from April 21, 2022 for Grayson Subdivision (H-2022-0014) by Schultz Development, LLC, Located at 1710 E. Amity Rd., Near the Northeast Corner of E. Amity Rd. and S. Locust Grove Rd.

- A. Request: Annexation and Zoning of 3.39 acres from RUT to the R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 15 single-family residential building lots and 3 common lots on 3.1 acres of land in the requested R-8 zoning district.

Grove: Okay. We will go ahead and jump back in with our next public hearing. So, we will be moving on to public hearing for Grayson Subdivision, file number H-2022-0014, continued from April 21st, 2022, and with that we will pass it back over to Joe for his final one for tonight. Take it away, Joe.

Dodson: Thank you, Commissioner Grove. The application before you for Grayson Subdivision is for annexation and zoning and a preliminary plat. The site consists of 3.1 acres currently zoned RUT in the county, located near the northeast corner of Amity and Locust Grove and actually near the corner, unlike the last one. The annexation and zoning request before you tonight is for 3.39 acres from RUT to the R-8 zoning district and a preliminary plat consisting of 15 single family residential building lots and three common lots on 3.1 acres. The proposed plat for the 15 units on 3.1 acres constitutes a gross density of 4.84 dwelling units per acre, which is consistent with the medium density residential designation located on the property. The minimum building lot size is about 5,500 square feet, with an average lot size near 6,200 square feet. The minimum lot size is nearly 1,500 square feet above the minimum lot size for the R-8 zoning district. The adjacent Estancia Subdivision of lower density and -- is of lower density and has larger building lots than what is proposed with this project. However, there are no more than two building lots for proposed adjacent to any single existing lot along the north boundary and the applicant has placed their drainage lot in the northeast corner of the project adjacent to two Estancia lots, which the point of me calling that out is if he put a building lot there and moved the drainage -- drainage lot somewhere else, then, that one owner would have two lots adjacent to them. So, the applicant was thoughtful on their placement of that. Furthermore, there are six building lots within the Estancia Subdivision along the

north boundary and the applicant has proposed seven building lots and one common lot. So, the difference between the two, despite different zoning and smaller lots, is not substantial, at least in staff's opinion. Consistent with the existing subdivision around Estancia, the applicant is proposing to continue parkways and detached sidewalks into the development along Grayson Street to match that design characteristic. The applicant is also proposing a micro path connection in the southwest corner of the property to add a pedestrian connection to their required multi-use pathway along Amity. Per the pathways coordinator and the master pathways plan, a ten foot multi-use pathway is required along Amity. It is required to be located within the landscape buffer and completely outside of the ACHD right-of-way. The applicant is showing a five foot detached sidewalk instead, so staff has included a condition of approval to include that pathway with -- prior to final plat submittal. The plat does comply with all UDC dimensional standards, except for the block length of Grayson. The proposed block length is approximately 550 feet per the way that we measure it, so we measure it from here until where ever it ends. It's approximately 550 feet after it gets to here, because we measure at the center of the cul-de-sac, which is -- this is just a preliminary that the applicant did as a potential redevelopment of the corner property. It will be I think just over 600. So, still under the maximum 750 period, but it does require a Council waiver to exceed the 500 foot, which the applicant is seeking, because they can't connect to Amity and they are not going to connect the Locust Grove to the west, so it is basically required. Access is proposed via extension of the existing stub street East Grayson, stubbed to the east property. It's proposed to be extended into the site and terminate in a hammerhead type turnaround by encumbering building lot number seven, which is here. That's how it was originally proposed. ACHD did not approve this. They are requiring a temporary cul-de-sac and so we have the revised primary plat that now shows building Lots 7 and 8 encumbered by this. Staff already has an existing condition regarding this potential outcome, so there is no need to have any motion addressing that. I just wanted to note that for you. As of about 4:00 there was no written testimony for the application and staff does recommend approval. I will stand for any questions.

Grove: All right. Thank you. Could we get the applicant to come up, please.

Schultz: Hello. Matt Schultz. 4914 South Colusa in Meridian. It's good to be here. It's been a while. Good to see some faces I know and some good to meet. I have been out here in south Meridian forever, about 20 years, doing developments for different people over the years, like Tuscany and Bear Creek and Reflection Ridge, Kings Bridge, Wells and -- and Calistoga and it's -- it's -- it's home for me and I'm excited about Albertson's. I just live just off Amity just down the road a little bit and an associate came to me and asked me to help him with this little in-fill that he found and I went, cool, it's in the neighborhood and I like to fill in these little blanks and I think this little blank -- there wasn't a whole lot of options that we could do with it, other than we could do R-4 lots or R-8 lots. So, that was pretty much it. So, what we are doing is kind of an R-8 light and that we are not going for 40 foot lots, we are not going to -- to the low-end of R-4, but we feel like that 50 foot minimum, single story on the north, to be more compatible, even though it could be argued that we are compatible anyways, we are adding that -- that single story in the north as a development agreement condition with them and if you look at the home sizes

north of us we are proposing the same size. They are in that 1,500 square foot range north of us and that's what we are -- 15 to 17 hundred is what we are proposing. The issues that were kind of unknowns originally is how much the proposed roundabout might impact our site. We did a preliminary drop-in of a template to see how that would -- we were confident that we were just going to squeeze on by, hopefully, and nothing was going to hit us and that we got to dedicate two more feet of right of way, so instead of 48 we are giving 50 on our side, which is not a big change, and this revised preliminary plat does indicate that. We just did that yesterday and ACHD did want a no build on two of the lots, instead of one. Okay. Do that. And, then, the city would like us to expand the five foot pathway from a five to a ten, like you see on the newly rebuilt Eagle Road, Victory and Amity, those nice little yellow lines down the middle. You know, it's -- it's cool and so we will be the only one on Amity now that has that, but whenever ACHD does go through and widen out Amity they will continue the ten foot on the other side. So, we have -- we have got the room to do that. So, we do agree with all staff and ACHD's conditions of approval. We have added our own. We have offered some development agreement conditions in our -- in our narrative about the homes in the single story and we think we have a piece that fits and it's going to be good to kind of further -- not that what's there is too trashy, but it's going to clean up the neighborhood a little bit. It's -- it's going to be better. So, we appreciate the opportunity and I'm really excited about that roundabout. I had to come in on the way here tonight at 5:30, it's really backed up all the way to the entrance of Estancia, you know, going -- going west on -- on Amity, so that roundabout is going to be nice. So, thank you.

Grove: All right. Thank you. Commissioners, any questions for applicant or staff?

Yearsley: Mr. Chair?

Grove: Yes.

Yearsley: Isn't there a cell tower? Is that what your one lot is at your drainage lot? Isn't there a cell tower on there as well?

Schultz: Commissioner Yearsley, Commissioner Grove, it's that -- it's that very corner lot that dash, dash, dash, on the corner of -- I think it's even in the right of way that's shown here. What we show as the future expanded right of way, I think that thing's closer to Locust Grove. It's off our property, but it is right there on that corner --

Yearsley: Okay.

Schultz: -- and that roundabout is going to, obviously, have to take that into account. That's why I think that roundabout is going to shift a little bit to the west to clear that -- that cell tower is my guess. That's why I was even more confident we weren't going to get clipped by whatever went east.

Yearsley: Right.

Schultz: So -- but, yeah, it's -- it's nearby, but not on our property.

Yearsley: Okay. I -- I knew it was there, but I -- I wasn't sure where it --

Schultz: It's Victory I think.

Yearsley: Couldn't get that last corner piece, huh.

Schultz: Well, now that this has utilities it's obviously -- I think it's going to become available and I wouldn't be surprised if ACHD might buy the whole thing. You don't know. They might need some drainage there. But they are I hear about the 50 percent stage on their drawings right now and I'm sure they are negotiating for right of way right now of with all those owners on the four corners. So, we will see what comes of it in terms of how much ACHD needs out of it.

Yearsley: Okay. That makes sense, because -- yeah, if I was that owner I don't know if I would want what's left.

Schultz: Yeah. There is -- there will be utilities right to it with us.

Yearsley: Okay.

Schultz: So -- and access.

Wheeler: Mr. Chair?

Grove: Commissioner Wheeler.

Wheeler: I have got a question here, Matt. So, that -- that's a little park area there, right, that northeast spot; right? Okay. And is there -- is that going to be -- are you going to be kind of like, hey, this is only for us 16 people here or is it going to be like -- I'm sure there is going to be some people are going to trickle over from the other, but --

Schultz: Yeah. Commissioner Grove, Commissioner Wheeler, it was going to be an open space lot, depressed, grassed. It would never hold water, except for when it rained a really bunch and, then, staff recommended we put a bench in there, a little passive sitting area, which that's a good idea. That would be cool. But, you know, the enforcement of -- of -- of that I -- I doubt it. You guys couldn't be that overkill. You stay off this. This is for these 15 people only. Do you have a pass? You know, I -- I just don't see that happening.

Wheeler: Good. Okay. Just -- I was just double checking on that then.

Schultz: I -- I think it was a great idea to put something in there. You know, a little sitting area and people walking the dog and just hang out.

Wheeler: Yeah. And, then, this is -- this doesn't have a gate or anything, it's just straight open road; right? All the way --

Schultz: Open road. We are continuing the detached parkway, park strips. The geometry works to where our lots are appropriate. They get a little bit shallow abutting Victory, but they are deep enough to meet all setbacks and get what we need in there, so --

Yearsley: There is no modifications to the deal, so I'm looking for -- at the -- who is making a motion that there is no modifications to this, you are okay with all the --

Schultz: I'm okay with everything.

Yearsley: Okay. Perfect.

Schultz: Thanks.

Grove: All right. Thank you. All right. At this time we will take public testimony. Mr. Clerk, do we have anyone signed in for this application?

Johnson: Mr. Chair, we did not.

Grove: All right. Is there anyone online or in the audience that would like to testify on this application? All right. Seeing none, would the applicant like to have any closing? All right. Making it easier. So, can I get a motion to close the hearing for file number -- I'm going to mess it up. H-2021-0099 -- nope. Wrong one. Let's try that again. Can I get a motion to close the public hearing for Grayson Subdivision, file number H-2022-0014?

Wheeler: So moved.

Yearsley: Second.

Grove: All right. All those in favor aye. All those opposed? All right. Motion passed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Grove: Any prevailing thoughts?

Lorcher: Commissioner Grove. It's pretty straightforward, so -- they came up with a thoughtful plan to be able to use that space. They are following ACHD rules. Their connectivity. No modifications. So, I'm good with it.

Yearsley: Mr. Chair?

Wheeler: Commissioners, is there any significant discussion or do you guys just want to me to pitch this one through?

Yearsley: I'm good.

Wheeler: Okay. All right. After considering all staff, applicant, and public testimony I move we recommend approval to the City Council of file number H-2022-0014 as presented in the staff report for the hearing date of April 28, 2022, without any modifications.

Yearsley: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

5. Public Hearing Continued from April 21, 2022 for I-84 and Meridian Rd. (H-2021-0099) by Hawkins Companies, Generally Located at the Northwest Corner of S. Meridian Rd. and Interstate 84.

- A. Request: Annexation of 18.30 acres of land with a C-G zoning district.
- B. Request: A Comprehensive Plan Future Land Use Map Amendment to change the future land use designation on 33.13 acres of land from Mixed Use – Community (MU-C) to Mixed Use – Regional (MU-R)

Grove: All right. All right. So, we will now open the public hearing for file number H-2021-0099 for -- for I-84 and Meridian Road, continued from April 21st, 2022, and with that we will pass it over to Sonya for the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for annexation and zoning and a Comprehensive Plan map amendment. The -- the Comprehensive Plan map amendment portion of this site consists of 33.13 acres of land and the annexation portion consists of 18.3 acres of land, zoned C-G and RUT in Ada county, generally located at the northwest corner of South Meridian Road and I-84. The northern portion of this site was previously annexed in 1984 and 2002. No development agreements were required with those annexations. The Comprehensive Plan future land use map designation is mixed use community for the overall site. The applicant is requesting an amendment to the Comprehensive Plan future land use map to change the future land use designation on 33.13 acres of land from the mixed use community to the mixed use regional designation. Get my map to capture my -- presentation to catch up here. Excuse me just a moment. Oops. Don't know what happened there, but going again here. So, the -- the exhibit there on the left is the map amendment request and the annexation is requested of 18.3 acres of land with the C-G, general retail and service commercial zoning district, and the annexation area is shown on the exhibit on the right. A conceptual development plan was submitted as shown that depicts how this property is proposed to be -- excuse me -- that depicts how the property

proposed to be annexed, as well as the area currently zoned C-G, is planned to develop with two big box retail stores and a junior anchor retail space, which is called out as retail one, consisting of 130 to 150 thousand square feet, retail two, which is approximately 80,000 square feet and retail three, lot two, which is 20 to 30 thousand square feet. Three out pads with two drive-throughs and a four-story 80,000 square foot office building. The northern portion of the site, already zoned C-G, is entitled to develop subject to UDC Table 11-2-B-2, allowed uses in the commercial districts, regardless of whether or not the annexation is approved, as there is no development agreement that is in place that governs future development of that property. A vehicular connection and stub is depicted on the concept plan to the property to the west for future extension across the Ten Mile Creek and for interconnectivity. The applicant has submitted an emergency access easement agreement with the property owner to the west for access to Ruddy Drive and Waltman Lane. Per the Comprehensive Plan mixed use designated areas should include at least three types of land uses. The proposed concept plan only includes two land use types, commercial retail and office. Although residential land uses are still planned to develop on the adjacent property to the west, the property is currently entitled to develop solely with commercial uses. The previous residential development proposed for that property, Tanner Creek, was denied. Reasons for denial included Council's determination that the sole residential use of the property was not consistent with the mixed-use community designation, because a mix of uses wasn't proposed and they didn't want to burden this property with providing only the non-residential component of the mix of uses desired for this area. For this reason staff recommended this property and adjacent property to the west come in for review concurrently in order to ensure the overall development is consistent with the development guidelines in the Comprehensive Plan for the mixed use designation. Because the traffic impact study for that development is in the queue for review at ACHD and isn't anticipated to be reviewed until at least June, the applicant declined to wait and chose to move forward on their own. In accord with staff's analysis in the report, the proposed development is not consistent with the general mixed-use development guidelines, the existing mixed-use community, or the proposed mixed-use regional guidelines. The project as proposed is a commercial development, not mixed use. There are no significant attempts to integrate any of the on-site uses or with any of the adjacent uses. There are no community serving uses for existing and future residents. Pedestrian connections are proposed through vehicular use areas, which could result in vehicle and pedestrian conflicts and safety issues. No public, quasi-public uses are proposed, except an open space area located in the middle of the parking area with unsafe access and at the periphery of the development. Staff is also concerned with the ability of the existing transportation network being able to support the proposed development as a traffic impact study hasn't been submitted for the proposed development. For these reasons staff does not support -- is not in support of the requested annexation with the conceptual development plan proposed due to its inconsistency with the Comprehensive Plan. As recommended in the pre-application meetings for this property and the adjacent property to the west, staff recommends development applications are submitted concurrently for those properties with a master plan for the overall area that demonstrates consistency with the guidelines in the Comprehensive Plan for mixed-use developments and specifically the mixed-use community designation or an alternate designation if proposed. Alternatively, if submitted

separately, the development plan for each property should demonstrate consistency with the plan on its own merits. The traffic impact study should also be updated to take into consideration the development impacts of both properties in the overall mixed use designated area and the necessary road and intersection improvements needed in this area in order for the street network to function sufficiently with the intensity of development proposed. There has been no written testimony submitted on this application. Staff is recommending denial per the analysis and findings in the staff report. Staff will stand for any questions.

Grove: Thanks, Sonya. And could we get the applicant to come up, please?

Mansfield: Good evening, Commissioners. Thanks for hanging out so late tonight. I really appreciate it.

Grove: Need to get your name and address, please.

Mansfield: Yeah. I'm Ethan Mansfield with Hawkins Companies. We are the developers on the project and we are located at 855 West Broad Street in Boise, Idaho. I'm just waiting for our presentation to be pulled up, if that's okay. Thanks, Sonya. Yeah. So, first I would like to thank you all for your time this evening, your service to the community is much appreciated and -- and thanks for -- thanks for hearing this. So, our request tonight -- let's see if I can get this thing to change. Do I need to press a special button? All right. Our request tonight is for a Comprehensive Plan amendment to regional mixed use for about 33 acres and an annexation and rezone to general retail and service commercial for about 18 acres on the northwestern corner of Meridian Road and I-84. The 18 acres includes about an acre of ITD drainage facility, so I will be talking about 17 acres for actually -- that actually applies to the project. So, before I dig in I think it's extremely important to acknowledge that about 16 acres of this site is already entitled and zoned C-G, as Sonya mentioned. As you all understand, the zoning of a certain piece of land governs the specific uses allowed and the design criteria of those uses. The land use map or Comprehensive Plan, on the other hand, helps define and guide the general character of future development. So, it helps you make decisions about annexations, rezones, and conditional use permits. In this case the 17 acres on the south side of the site are what requires this sort of action, not the northern 16 acres. So, the northern land is entitled and only a site plan approval is required to develop that piece of land. The southern 17 acres are funky, there is no doubt about it. First they sit about 20 feet below the on ramp to the interstate. There is a steep grade going down to our site from that corner of the interstate and Meridian Road. Next. The only way to access the southern portion of this site is directly through the northern portion of the site, so as such, regardless of zoning or land use, the character of the development on the southern parts of land will largely reflect what is developed on the 16 acres of entitled property to the north, simply because that's where all the connectivity comes from, that -- it's kind of like a neighborhood on that whole piece, so, please, consider that through this discussion tonight. Now, let's chat about the overall plan for the site. Hawkins proposes to develop a mix of retail, food service, and office uses. Anchoring the development is a 145,000 square foot national retailer and here are the renderings of this user. In addition, we are

proposing another large format retailer, as well as a junior anchor. I guess I can let you hang out and look at these renderings for a second. In addition, we are proposing another large format retailer, as well as a junior anchor shown here in the red box. Several -- several food users and shop space and a four story 80,000 square foot office building in the southeast corner of the site. Linking these uses is a network of pathways that extends throughout the site and provides connectivity to the west and north. We propose a ten foot multi-use pathway along Waltman Street to provide connectivity to the east and west and a pedestrian and bicycle access to Tanner Creek, the residential development to the west. A sidewalk currently exists along Meridian Road to provide connectivity to the south and I should notice that Sonya -- or note that Sonya was referring to this as a vehicular access point. This is proposed for emergency vehicle access, but it's not proposed for open vehicle access between the two sites, only emergency vehicles, and we do plan to put bollards there, just so you understand it -- it is designed as a pedestrian connectivity primarily with -- with fire and emergency access points. The development includes a one acre parklet positioned to provide a transition from the apartments proposed to the west in Tanner Creek to our commercial development. It also includes a one-third acre urban plaza located near the office development. While we understand that outdoor patio seating does not officially qualify as an amenity, it's tough to argue that outdoor patios suck and so we have included space for two next to our shops building and here is some renderings of those features. You can see the bollards here that would kind of protect that as a bike and ped connection to Tanner Creek. Here is the urban plaza and, then, the patio dining. So, Tanner Creek, a residential project from Schultz development, with 264 multi-family units and 128 single-family homes, is proposed immediately west of our project. Last June City Council denied this exact proposal. Why? Because it didn't have commercial uses associated with it. As Matt Schultz will share with you later this evening, here are our commercial uses. Council specifically directed him to wait until commercial uses develop to the east. Well, here we are. Our application fulfills City Council's request. It provides open space, retail, restaurants within walking distance and thoughtfully connected to Tanner Creek. Tanner Creek has been required by the -- by the Ada County Highway District to update their traffic impact study, as Sonya noted, which is why it has not yet been submitted to the city for review. So, here is a little play-by-play of why Tanner Creek is still on the bench. So, first, comp plan amendments, as you heard earlier, are only processed by the city twice a year, December 15th and June 15th. Tanner Creek had proposed to submit in early January, concurrent with our December 15th deadline. However, ACHD required an updated TIS. These take a while, as I think we all know or have seen, and Tanner Creek submitted their updated TIS in March. It will likely be July before it is approved. Could be late June optimistically. To require Tanner Creek to come in concurrently with us would, at a minimum, require an eight month hold until next December. As we need housing and services to serve the intense growth Meridian is experiencing, we believe this is a risky and potentially costly move. It's also one that could be avoided by simply acknowledging the reality of the situation. The Tanner Creek and our development will complement each other and create a desirable regional commercial and residential hub. Staff is also concerned about the current development rights on the Tanner Creek site. Let's talk a little bit about the existing development that could occur on the site without going through an entitlement process. There is an existing development agreement on the site that governs the development of the site. This

development agreement limits the site to commercial uses, as Sonya noted. However, it also limits it to one of two site plans without the City Council approval to modify. So, here are the site plans. Here is site plan number one. We are not quite sure what all these boxes are and there is some flexibility there, but, you know, you can kind of see a big box on the bottom right-hand corner, some smaller commercial uses here. You know, significant commercial use abutting the single family neighborhood here or this one, which provides the big box immediately adjacent to the single family homes next door and a giant parking lot. So, anything other than these two site plans would require a trip back to City Council. I think it's important to understand that. So, the question is what's the likelihood that if our site is approved for retail, food, and office uses, that the contiguous landowner would scrap a residential project and sell the land and, then, that another owner would pick it up and develop a 37 acre development with the same uses that we will develop in our project. Right now I think that's a relatively non-existent likelihood and I think Matt, when he shares later this evening, can confirm this, as he is the developer of the adjacent site. So, next let's talk a little bit about the comp plan amendment and the subsequent rezone. Here is a description of the mixed use and regional mixed-use land uses from the comp plan. In general, the purpose of the mixed-use designation is to provide for a combination of compatible land uses within a close geographic area that allows for easily accessible and convenient services for residents and workers. The purpose of the mixed use regional designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections and developments should be anchored by uses that have a regional draw with the appropriate supporting uses. Here is a map showing the general location of our development over the comp plan map. The surrounding development is already a regional destination. Several big box stores and hotels are located on the east side of Meridian Road and two regional entertainment uses and an event center exist across the freeway to the south. The interchange is also the gateway to downtown Meridian. Meridian Road in front of the site is the third busiest roadway segment in the state of Idaho. That's after Eagle Road in case you were wondering. In other words, the already entitled portion of our site is begging to be developed into a regional hub. In that spirit, we are proposing a retail center with a regional draw. A regional employment hub, restaurants, and amenities that are complementary to Tanner Creek, which will provide 400 households within walking or biking distance to our site. Put simply, our development will serve the residents of the entire region, while maintaining walkability and bike ability to residents of the adjacent multi-family and single-family housing developments. The mixed-use regional designation is also the only mixed use land use designation that supports general retail and service commercial zone. This zone appears to be expressly designed for the subject parcel. Commercial uses, in quote, close proximity and/or access to interstate or arterial intersections, end quote. It is logical to continue that zone to the south closer to the interstate and the mixed use regional designation supports this, while the mixed use community designation does not. Based on the comments we heard from staff at the pre-application meeting last fall, the entire reason that this site was designated community, rather than regional mixed use, was that the transportation infrastructure serving the site was insufficient to support a regional draw. This is an extremely reasonable point. However, it seems that rather than limiting the use of the land on this very visible regional corner, it might work better for the city if we simply increase the capacity of the

transportation network, which is what we propose to do with this development. Here is how we are going to do this. First we propose to work with ACHD to extend Corporate Drive across Ten Mile Creek to Waltman and I should say not just ACHD, but Tanner Creek as well. We have been discussing this intimately, let's just say. Next we will improve Waltman to a collector roadway with a center turn lane throughout the entire project. We will also install infrastructure for a future transit stop on the corner of Waltman and Meridian Road and, finally, we will install an additional northbound left-turn lane on Meridian Road to accommodate traffic turning into the site from the interstate. Here is a cross-section of the proposed roadway improvements. There will be two lanes heading west from the Waltman-Meridian Road intersection, then a center turn lane and a lane heading eastbound, which will split into various turning movements near the intersection. You can also see where we are proposing to install the infrastructure to accommodate the transit stop. That's that little star there that says future transit stop. In sum, we are beefing up the transportation infrastructure to keep pace with the mix of uses that want to be on this corner. Our proposed mix of uses is of a similar scale and fits appropriately within the surrounding development, with roadway improvements and enhanced connectivity delivered by this project and Tanner Creek to the west. In tandem we propose to capitalize on the location of the site to deliver homes, jobs, goods and services to the population epicenter of the Treasure Valley. We look forward to your recommendation of approval to City Council and thanks so much. I'm happy to stand for any questions.

Grove: All right. Commissioners, any questions for the applicant or staff?

Yearsley: Mr. Chair?

Grove: Commissioner Yearsley.

Yearsley: So, I'm going to just be blunt. Sonya, is -- was the main reason for -- for recommending denial at this point is because you don't have the ACHD traffic impact study and having the two applications come together as one? I'm not quite sure why it did not -- I apologize, it may have been clear, but I -- I didn't catch it.

Allen: Mr. Chair, Commissioner Yearsley, transportation issue is huge and, yes, we feel that the TIS needs to contemplate the overall development for the master plan for this area, but the proposed concept plan is -- is not consistent with the mixed use designation and specifically the mixed use community, which is the existing designation, or the proposed mixed use regional designation.

Yearsley: Okay. Well, if they -- if they had both applications come into one that would meet that requirement; is that correct?

Allen: Not necessarily saying that --

Yearsley: Or --

Allen: That the -- the concept plan for this site, even -- even if it's -- the development to the west comes in with the -- with the multi-family, they -- they aren't integrated well. They -- they aren't interconnected as they should be in a mixed-use designation.

Yearsley: Okay.

Allen: The uses -- there is no community serving uses. It's -- it just doesn't meet our mixed-use guidelines --

Yearsley: Okay.

Allen: -- overall.

Yearsley: Okay. Like I said, there is -- there is a lot of nuances within that, so I wasn't quite sure exactly, so -- and -- and I agree that this is a big enough development that the traffic impact study is a big concern, so --

Grove: I have a question directly piggy backing off that. So, you mentioned it, but I -- I'm very unclear as to why you did not wait until you had the traffic impact study and an ACHD -- you know, this is -- you know, sometimes we can be like, okay, like we can move forward without something like this, but this is probably the most messed up intersection next to a giant parcel of land that is going to be extremely intensified. It's already hard to get around that area. You are -- you are -- you have mentioned making improvements, but those are fairly minor in comparison to the level of intensification that you are proposing specifically with this, let alone anything to the west of you. I mean I'm just really wondering why now and not -- I know that there is -- with the comp plan piece there is an additional piece, but this is -- I mean just to be very blunt, it's going to be very hard to properly evaluate this without having a much clearer understanding of what that impact study is, what those recommendations are, how do we mitigate the extreme mess that this could have. I have a few other questions, but I will let you tackle that first.

Mansfield: Thanks, Chairman Grove. That was a great question and it is a mess. Thanks for recognizing that and I think I just need to be a little more clear on where we both are in the process. So, we have completed a traffic impact study. TIS'es are not required to be approved prior to rezones and annexations. They are with preliminary plats, which is why we typically see a preliminary plat come in with an annexation and a rezone. In this case we are not pursuing a preliminary plat at this time, so we are just doing the annexation rezone. However, these transportation improvements that we are recommending are taken straight from the recommendations from our TIS and I have spoken with our traffic engineer a multitude of times to make sure I have got all those incorporated into this, because I understand that it is a big deal and so my job is to make sure that we are not missing something the TIS would recommend that's going to come in later, blindside us, blindside you guys, blindside Council, blindside ACHD and what I have done is thoroughly read through it, talked to our engineer about it and said am I missing anything and, actually, he is the one who came up with this improvements drawing for us. So, we have not been approved by ACHD yet. However, we have

submitted and it's under review and, as you guys understand, you know, ACHD is four, five, six months out for their review times right now and I think Matt can speak to that, too. He is just behind us in the queue. We are right ahead of him. And so given the nature of these staggered comp plan amendment time frames, we thought that we could submit right now and, then, when future development happens on the site, you know, we -- you know, anything from a zoning certificate, a CZC site plan review, that that will absolutely -- or preliminary plat or whatever we end up with, that will absolutely require an approved ACHD site plan -- or traffic impact study and we are confident that what we produced and what we are recommending to be improved will end up being the final approval of the ACHD site plan.

Grove: I -- I appreciate that. I -- I guess some feedback is this has been empty for a very long time, understanding that there is a traffic problem and that we are going to want to understand those parameters, along with this and have a lot better information, even if it's not required. It -- it's a -- it's something that is extremely important to this project and how we -- we look at it as a holistic approach and so knowing that it's just really concerning that it's not coming in at the same time. I understand that there is timeline pieces, but this is not something that came out of the blue for this project as -- as a concern. So, I -- I have some misgivings on that. I -- I guess my other question is in terms of how you view this overall project and being, essentially, at the gateway into Meridian, for all intents and purposes, how does that stack up with being a -- the proper visual in terms of -- you know, we already have one box store on the other side, like how does that -- how are we -- I'm having a hard time getting my head around what that overall concept looks like or what we want our community to look like to people coming into our city.

Mansfield: Yeah. Chairman Grove, that's another great question and I think there is a -- there is a couple different answers to that. You know, we are proposing a large format retailer. There is no doubt about it. It's a big box. It's a large box. However, you know, this is a major regional intersection and that's where large boxes want to be. That is why we have secured this particular tenant and we are providing right on the corner, you know, an 80,000 square foot office building, just like you see at every other intersection -- or, sorry, interchange in Meridian, to kind of, you know, provide -- and, you know what, it's -- it's -- if you look at our project it is only two mix of uses. You know, I'm not going to beat around the bush there. Tanner Creek provides the third and we have been working with them, but, you know, you do provide -- we do have 80,000 square feet of office. So, 50 percent of the stuff that's getting annexed into the city is office and 50 percent is going to be retail. The other stuff on the north that's already zoned, so that's already something where, you know, we are experiencing this intense demand for this aux user and we could put them there, you know. So -- so, we are trying to -- we are -- anyway, I will -- I will let -- I will leave it there.

Grove: Yeah, I get what you are saying. It -- it feels to a certain extent with -- with how it's positioned that that southern portion is landlocked and being held hostage here in terms of how we have to think about this. So, having a hard time feeling good about that. So, just giving you some pieces there. I can jump off my soap boxes for a minute, but if anybody wants to jump in with questions. I have another. So, you -- you said you did

have your traffic identity -- or traffic study and you have a general idea at least of -- what is your -- you know, trip count look like per day coming out of the overall development?

Mansfield: Sure. That's actually displayed right here on the screen.

Grove: Okay.

Mansfield: So, we can definitely talk a little bit about that. The total daily trips with the -- you know, sophisticated modeling of the reduction in pass-by trips, you know, that's -- that's, you know, captured by people driving by -- is nearly 11,000 primary trips. That's 740 in the a.m. and 950 in the peak period. Again, the recommendations in the TIS are reflected in our transportation kind of analysis of the site and our proposed improvements. So, based on this, our engineer proposed the improvements that we are proposing to make and I should say that there is actually one additional re-striping of Franklin Road as it -- or on 5th Street as it goes north to Franklin Road to provide a left and a right turn, where currently there is just one lane. There is no widening. It's only a restriping. So, I didn't want to confuse the conversation, you know, of these bigger changes by including that, but that is also included in our proposal.

Grove: Well, if we don't have any other questions, we will go ahead and open it up to public testimony. Mr. Clerk.

Johnson: Thank you, Mr. Chair. First is Kelsee Lorcher. Kelsee, you should be able to unmute yourself.

K.Lorcher: Hi. Kelsee Lorcher. 2099 -- oh, sorry. Can you hear me?

Grove: Yes.

K.Lorcher: Okay. Kelsee Lorcher. 2099 West Snyder, Meridian, Idaho. 83642. I do not agree with this -- this proposal at all. I actually agree with the staff report. This application does not have a master plan with Tanner Creek development to the west. The City Council last year said that they needed to do it together to get both sides approved and Hawkins has not done that. He has moved forward without Tanner Creek, but yet his proposal relies heavily on Tanner Creek development to be mixed use zoning and also for his emergency access as well and also for Corporate Drive. Tanner Creek's the one who is going to be building Corporate Drive, not Hawkins. We do not have both Hawkins or Tanner's traffic impact study, so without having both of those developments traffic impact studies we do not know the true impact this will have to Waltman Lane and to the gateway of our city and to that intersection of Meridian Road and Waltman. This development is way too high traffic for Waltman Lane and to the gateway of our city and even according to the Fire Department staff report on this application, it stated that the current resources would not be adequate to supply service to this proposed project, which entails greater risk for the occupants, as well as the first responders. In addition, the intersection at Waltman Lane and Meridian is already, as you said, a mess and a -- it's a burden with high traffic and there is -- it's landlocked. There is no wiggle room for

improvement or any major improvement. It's landlocked. It is what it is and we are already high traffic and we do not want to become an Eagle Road and this project is just too big for the area. You know, the -- the comp plan it -- it said that this needed to be mixed use community for a reason, not a mixed use regional. And, lastly, the parking lot is not designed well or safe for pedestrians or bicyclists and that's basically all I have to say tonight. Thank you.

Grove: Thank you. Mr. Clerk?

K.Lorcher: Also -- I'm so sorry. I have Joe Lorcher here with me.

Johnson: Mr. Chair, I was going to say, Kelsee, if Joe is with you, but, Joe, you are up next.

J.Lorcher: Can you hear me?

Grove: Yes.

J.Lorcher: Joe Lorcher. 740 West Walton Lane, Meridian, Idaho. 83642. My family and -- and I have worked in -- on Waltman Lane and lived on Waltman Lane since 1976. I understand that this is being considered the gateway into the City of Meridian, but I'm hoping that we don't turn it into, like my daughter said, an Eagle Road where it just becomes a standstill. Certain times of the day the intersection -- you literally watch the light change three times before you can get to the light to even turn left onto Waltman Lane and if this traffic study that was up there a second ago shows another 10,000 more cars, the intersection just can't handle it. The proposal of Tanner Creek to punch Corporate Road through to Waltman Lane will help, but first Tanner Creek has to pass and it's already been denied three times or two times --

K.Lorcher: Two times.

J.Lorcher: Two times. And the whole idea last time was for them to produce Tanner Creek and Hawkins together and that's what the City Council wanted and it's not happening, so -- and go back to the traffic study, we -- we need to wait until we learn more about the traffic that's going to happen for this intersection, so that it just does not become a complete parking lot all the time. Ethan was talking about using Tanner Creek to help with the mixed use qualification. He's assuming that Tanner Creek is going to get passed. That's why both of them need to come in together to see if they work together and will get passed and presented together. Overall the applicant should wait until the traffic study is complete and also should stay away from the MUR to keep it so it's not so dense and keep the traffic down. And, finally, do work with Tanner Creek and come together, so that both proposals are presented together and Council and Planning and Zoning can listen to both sides and decide what's best for the Waltman Lane area. So, hopefully, we can postpone this and let them wait until traffic's done -- traffic studies are done and they come together and work it together. That's all.

Grove: Thank you.

Johnson: Mr. Chair, Clair Manning is next. Mr. Manning, you are going to see yourself rejoin the meeting. He has a presentation to share.

Manning: Good morning, Council. Clair Manning at 650 West Walton Lane. I'm going to go ahead and share my screen. Oh, it's blocking me from sharing my screen.

Johnson: You can do that now, Mr. Manning.

Manning: Oh. Thank you. Okay. So, first off, I would like to thank the planning staff for their detailed analysis of -- of their -- of this application. I think their conclusions make it evident that you have no other choice but to deny this application. Are you seeing my PowerPoint right now?

Grove: Yes, we are.

Manning: Okay. So, this city has spent a lot of time and resources developing a Comprehensive Plan. There is a good reason. This was a designated mixed use community and not mixed use regional. The simple fact of the matter is there is not access -- there is not access to this area. It's not well suited to high traffic that these kind of commercial buildings will provide. So, I have a couple quick pictures just to illustrate that point. I think you guys are all familiar with the intersection, but as you can tell from this right picture here, there is a very short runway where you can stack up cars here and it's very very easy for them to back up and block the entire artery into the city here on one lane. Second off, it's extremely problematic once you also get onto Walmart, because it's very easy to back this up, because there is such a short runway before you need to start turning into this intersection. So, it would be very easy for cars to back up and just block that all together. So, let me direct you to that picture on the lower right. You can see I'm parked there right where you need to turn and I'm causing a really dangerous situation just for cars trying to get out. So, now imagine that you have semi trucks coming in and out to stock that big box store and imagine the kind of a mess that you are going to have with that. So, you know, overall this plan doesn't integrate very well with the overall area. The developer to the west is proposing high density apartments right across from Ten Mile Creek that look right into the back of the big box commercial area. So, you mix that kind of low cost housing with that environment and you have all the perfect makings for a slum and, you know, as staff points out, this area needs a Comprehensive Plan considered together, so -- and you must have that detailed traffic study combining both project to make a good decision. You cannot ignore that. This is a critical area. The 2018 traffic study on Tanner Creek already estimated 2,928 trips per day on Waltman, which clearly demonstrates -- you will see the 3,000 trip guideline for a collector. So, I can't really say any better than your staff did when they said this could cause irreparable harm to the flagship entrance to the city. So, I think you have a responsibility to deny this application. Thank you.

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

Johnson: Mr. Chair, that was everyone.

Grove: All right. And it looks like we have someone in the audience who would like to come forward. So come join us again, please.

Schultz: Good evening. Matt Schultz. 4914 South Colusa in Meridian and before I dive into this application let's say just as a resident I'm excited that something is planned for this corner. Something. Because it has been sitting there vacant and we have done the big interchange work. It's just sitting there and what really triggered this is -- I brought a little exhibit. Put on my reading glasses -- that I did back in 2018. That corner was actually 14 parcels back in 2018. One of those being the ITD parcel that Hawkins bought first, which is the one that you called the hostage parcel -- that needed to be re-comp planned, but they have since -- and kudos to them for assembling all the other parcels, including the last two. They got all but one acre up there in Waltman to do a master plan, instead of having several little trials. So, it's a positive that they have taken that on. They have assembled it all to the Comprehensive Plan. I speak for -- I'm the owner's representative for the -- the nine parcels under one ownership to the west that we have called Tanner Creek in the past. P&Z approved it twice. ACHD approved it. Staff approved it twice. And we got to Council and the first time in 2018 City Council said, you know, Matt, they are all tired from their budget meeting that day, he says, you know what, you know, the comp plan is going through right now; right? The area comp plan; right? Yep. Well, okay, well, you are going to have to wait until that goes through. So, that's where that dead ended and, then, we waited -- I think I met Mr. Grove through that process of the comp plan meetings and steering committee and with Tanner Creek we were previously approved for commercial before our time. They had about 10,000 trips approved and that's what's approved on Tanner Creek right now is a commercial zone with about 10,000 trips and a big box, which, ironically, I think it might be the same big box user that now wants the better piece, which we have always said is the front 30, not the back 30, for commercial. So, with Tanner Creek we asked for a rezone to go to -- go to residential to be a better transition on the west side of Ten Mile Creek, which is a division between the two properties. The only reason we haven't submitted is traffic studies take forever to get run through ACHD right now and we -- ours was approved previously. The results of that one in 2018 were extend Corporate Drive, connect Ruddy and make Waltman a collector and nothing had to be done to that intersection out there, even though everybody couldn't believe nothing had to be done to that intersection, because we had two 2,500 trips or whatever it is. Well, obviously, when a big box commercial, like 10,000 trips, something has to be done to that intersection. We did -- we redid our traffic study, because it was four years old. That's what ACHD has. They did their traffic study. We both used each other's numbers. We both coordinated with two different engineers. Came to the same conclusion. So, one last thing. They are already approved. They could do -- probably go do their big box right now under the entitlements. I know you feel like it's hostage, but I do feel like they are producing a Comprehensive Plan and we are excited, because Council told us come back when we know for sure that commercial is going out there before we change your commercial to residential, so we can have one big mixed use project. We would be here today if not for the traffic study, but we do think it's a great project and we think it's something that would be great for this -- this corner. Thank you.

Grove: A question for you, Mr. Schultz.

Schultz: Yeah.

Grove: Are you -- I'm -- I'm going to take a guess and say you are, but are you open to working with the applicant to make a more comprehensive integrated multi or -- I'm going to get -- been doing this too long tonight. To get a more integrated overall feel for that entire Waltman property?

Schultz: Commissioner Grove, we feel that we -- we have the transitional portion on the west side of the Ten Mile Creek, which is a hundred foot natural barrier that's going to divide it. That's -- that's the tran -- that's the transitional buffer between commercial and residential, instead of putting the previously approved commercial right up against existing residential. We are connected. We have the use that complements their use and vice-versa. Are we all integrated, all mixed up together? No, because we have separate properties. But we are connected. We are working together on a flood study. We are working together on a traffic -- we coordinated our traffic studies and we are working together on it. As far as -- you are saying more integrated. I don't know if you are like mixing residential on theirs with commercial on ours. The commercial all needs to be up front and the residential needs to be on back and that's what we have always said and we are kind of sticking with that.

Grove: Yeah. My -- my question there is not to move one or the other, it just feels like there is a very -- it's such a clear delineation between the two that it doesn't feel -- I -- I would like to see, as you know, staff had -- what Council had said before, what the public had said just a minute ago in terms of looking at those more holistically, because of how that's going to be coming in and the prominence of where it's at in our city, so --

Schultz: And I understand completely and that front 35 is very important to get right. I'm not saying the back 35 is not important to get right. It's all important to get it right and we have -- our application is not in front of you, so I don't want to go off in the weeds with ours, but I would just say that it has been approved twice by P&Z and, if not, for the fact that theirs was in for commercial already, we probably would have already had it half built out as a residential with a pathway along the Ten Mile Creek and a good project, so --

Grove: Thank you.

Schultz: Thanks.

Grove: Any other public testimony? All right. If we could get the applicant to come back up, please.

Mansfield: Thank you, Mr. Grove, Commissioners. I would like to talk about four things that I just heard in testimony, so -- and it more -- more than anything else it's just clarifications to make sure we are all on the same page. So, the first thing I would like to

chat about tonight is that I want to make it clear that Corporate Drive will be extended regardless of whether Tanner Creek comes in. It's not their responsibility. It's the first developer's responsibility to construct the Corporate Drive extension. So, whether -- I mean we are assuming Tanner Creek is coming in, because of everything you have heard tonight, but if it doesn't, Corporate will still be extended. Second, I want to just also kind of talk about the coordination and collaboration that Matt and I have had in the past six, eight, ten months. It's been overwhelmingly extreme and that's a good thing, but it's like we are talking two or three times a week, half hour, hour long conversations. How are you guys? Where are you guys? Hey, what are you doing here with this zone? What are you doing with that zone? What -- what's the status of your TIS? Can you share your TIS data with us, so that we can actually provide a comprehensive package to our respective engineers and because -- you know, because we have separate developments they are coming in at two different times, there is no doubt about it. We have two TIS'es, but they are using the same data and we have ensured that. So, I think it's important to understand that we are actually very heavily incorporating that TIS into our TIS and vice-versa. We submitted within a week of each other to ACHD. Finally -- well, number three, I would like to point out that, you know, there is a lot of traffic on Meridian Road. Like I said, it's a regional draw already. So, it -- it makes sense to put regional uses with other regional uses, because, then, you don't have regional uses on, you know, Linder and Chinden, you have community uses on Linder and Chinden, you know, you don't have regional uses down on like Amity and, you know, way, way -- you know, like in no man's land. You have community uses there. You have regional uses right on the interstate. In addition, the traffic volumes, you know, they are going to come right off the interstate and they are not -- I guess what I'm trying to say is it's not like we are trying to send a regional use out to the hinterlands where we are like annexing and rezoning something way out there. This is an in-fill project and we are proposing to upgrade the utility -- the street -- the streets that are already there, so, you know, this concern about the transportation network, it can still remain a concern, certainly, but it's not going to look like it does right now. We are not just dumping a bunch of cars onto this existing network where Waltman's not even built out at all, it's like this little farm road; right? We are -- we are putting that on a four lane collect -- collector roadway, two -- two lanes in one direction, center turn lane, one lane the other direction goes into a bunch of different turning movements. It's probably going to be better, if anything else. I counted the p.m. peaks in a per minute basis -- or I'm sorry -- yeah. Per minute basis and this is the worst it's expected to get, 13 cars per minute. You know, I mean like 13 cars per minute -- I guess doesn't seem like a lot to me. It's a lot, it's not a lot a lot. And, then, finally, I just want to talk about the integration of our two projects together. So, I think if we had come in in the same application, we would have split it up the same way. Ten Mile Creek is a perfect natural buffer to buffer residential and commercial uses. It just works and we are providing a bridge over the creek and we are redoing the bridge on Waltman over the creek, with a ten foot multi-use pathway and so it's tough to say how do we get more integration over that creek, because it's like, well, we -- it doesn't make sense to tile the creek, because it's a nice amenity and Tanner Creek is actually constructing a sidewalk, a pathway all along it, to connect to the ten foot -- the regional multi-use pathway and we are providing a park right on our side, which is, just to be clear, not actually -- our parcel does not touch the creek at all. It's all on the Tanner Creek parcel. But we are

constructing a park -- a one-acre park right on the creek there and we did that instead of putting it in the middle of a parking lot, which we realized -- you know, I think even Sonya -- Sonya mentioned this, it doesn't make sense to put a one acre park in the middle of a parking lot. It makes sense to put it kind of adjacent to where the people who are walking and biking from are actually going to use it and it also allows, you know -- you know, visitors to our shopping center to use it as well and -- and workers who work there. So, I think I hit everything. Thanks, again, for letting me present and I appreciate your time.

Grove: Thank you. Appreciate it.

Johnson: Mr. Chair, I know the applicant's closed. I do want to point out as soon as you went to the applicant there was a hand raised in Zoom. So, it's -- it's up to you with the advice of Legal, if you want to hear that, then, have the applicant speak again. Completely your call.

Starman: I think -- I think it's a Chairman's discretion. I would recommend that you allow the person to testify.

Grove: All right.

Johnson: Nona Haddock. You should be --

Haddock: Can you -- can you hear me now?

Johnson: We can hear you.

Haddock: Okay. Thank you. What I remember from the last time that we had this meeting -- the main thing that we were concerned about was the traffic and coming out of Ruddy, all of the traffic in that subdivision to the west, will be a tremendous amount, because people will not want to go down Linder Road and down Franklin Road to get to the freeway. Of course they, will pick the easiest route. The way it's designed now that would take all those people through the Tanner Creek Subdivision and I strongly request that a road be made where Ruddy connects that goes over against the freeway and follows the freeway up to the intersection, so all the development happens on the north side of that road. That road can be abutting along the side of the freeway and it will give more length for traffic than Walmart Lane ever will and it will give better access. That way you don't have people going through Tanner Creek coming and going from work. It will divert that traffic into a safer zone. Thank you.

Grove: Thank you. All right. And we will have the applicant come back up if you would like.

Mansfield: Mr. Chairman, Commissioners, I don't have much. I -- I do think that, you know, if there was a collector roadway that was placed along the freeway we would certainly use that. ACHD has not acquired right-of-way there. So, you know, we are using the existing right-of-way to construct a collector roadway, which is designed to carry

the number of vehicles that ACHD predicts will be, you know, generated through this Tanner Creek and other developments who might use the collector roadway that exist now. Thank you. Appreciate it.

Grove: All right. At this time we can take a motion to close the public hearing or if we are leaning towards doing a continuance maybe it's more prudent -- sorry. I keep turning. Maybe it's more prudent that we keep it open for that purpose. But wanted to have that conversation with you all now before we close it in case you want to close and, then, discuss and open back up or close and -- and continue on, but --

Yearsley: Mr. Chair?

Grove: Yes, Mr. Yearsley.

Yearsley: I'm just going to speak openly, like I always do. I -- I like the project. I -- I think it's an appropriate fit. I -- I think your -- your -- your -- your improvements are appropriate for the area. There is not much else you can do to make the traffic better and everything and I think -- I actually approved the Schultz development when it came to the first time as well. So, overall I think it's good. However, at this juncture I don't know if I can feel comfortable going against staff's recommended denial at this point, based on the concerns that they have and especially with the TIS and I understand that the issues that -- my guess is they are trying to get it going, so they can get locked in with their tenants and stuff like that, but I don't know if I'm comfortable making a motion to proceed forward with this and -- and my guess is he would prefer a denial versus a continuance, so he can go before Council, instead of just waiting. And so I would recommend we close public hearing and just proceed forward.

Wheeler: Mr. Chair?

Grove: Mr. Wheeler.

Wheeler: I would like to go ahead and make a motion that we close public testimony on H-2021-0099.

Yearsley: Second.

Grove: Motion has been moved and seconded to close the public hearing. All those in favor say aye. All right. Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: Mr. Chair?

Grove: Commissioner Lorcher.

Lorcher: I need to give full disclosure. A couple of people who testified tonight are family members. Kelsee Lorcher and Joe Lorcher -- Joe is my brother-in-law and Kelsee is his daughter. I do not have any invested interest in the property. I don't live in that area. I consulted with Legal to see if I needed to recuse myself and because I have no financial interest he didn't say I had to, but I did want to let you know that I did have some family members testify tonight.

Grove: Thank you.

Yearsley: I wondered if that was the case.

Wheeler: Mr. Chair?

Grove: Mr. Wheeler.

Wheeler: I -- I have -- I'm trying to just get things sorted out in my head, maybe it's just because it's a little bit late and part of it's because what I'm reading here and what I'm hearing being taught, discussed, or somehow -- I'm -- maybe I'm not picking it up together, so I was wondering if -- Sonya, if you can help me, just get some parameters on what we are actually approving today here. So, from what I understand all we are doing is that we are -- we are approving and if -- if we were what they are -- what they have been coming before us is they are requesting approval for an annexation to have that rezoned to C-G for that 18 acres, is that what I understand?

Allen: Mr. Chair, Commissioner, yes, that's correct.

Wheeler: Okay. And, then, the other part is they are asking for just a re-zone in the bottom 33 and some change acres from MU-C to MU-R. Is that what I understand?

Allen: No. It's -- it's not a re-zone, it's an amendment to our future land use map in the Comprehensive Plan.

Wheeler: Okay.

Allen: The land use designation -- the future land use designation from mixed use community to mixed use regional.

Wheeler: Okay. So, that being the case, their site plan that they put up there with all the stuff, we are not approving that at all.

Allen: That concept plan is associated with the annexation request.

Wheeler: Okay. But not what's going on --

Allen: So, it's two separate applications. The concept plan is for the overall site and it does include the portion that's already annexed in the city and is zoned C-G. So, that

portion is actually entitled to develop per the uses allowed in the C-G zoning district. It is not -- future development will not be tied -- if you -- if you recommend approval of the annexation tonight and if Council actually approves the annexation, that northern portion, although it's part of the concept plan, will not be part of the development agreement.

Wheeler: Okay.

Allen: Only the southern portion that's subject to the annexation request will be subject to the concept plan if it's approved.

Wheeler: Okay.

Grove: Sonya, I have a question regarding how that would work out. So, if the C-G continued, they built that, but, then, sold the property below, how -- because there is no DA with the C-G, how would we guarantee access to that property that would be south of the C-G property, but east of the canal and north of the freeway and west of the on-ramp, essentially?

Allen: Well, the parcel configuration isn't changing, Mr. Chair. It's -- it's the same.

Grove: My -- I think my question is where would you -- like where would you get access -- like -- because there -- if there is not a cross-parking lot agreement and -- for the DA, is that a concern?

Allen: No. It's all under the same developer.

Grove: For now. I guess that the -- I mean I -- like I would just be -- I don't know. I'm nervous about that I guess and -- I don't know -- I don't know if I'm -- I know that I'm not clearly expressing that, so -- Bill, can bail me out?

Parsons: Mr. Chair, I think I'm following your logic. So, essentially, if Hawkins developed the C-G portion of the property and sold off the property that's currently in the county, then, we would require a cross-access agreement with the development of the C-G portion and they would have to provide that executed agreement with us in the future and, then, when that property to the south were to annex or develop, they would reciprocate and make sure. We can't -- we can't approve a development and close off their access. I would let the Commission know that there was a street stubbed to that property and the applicant did go through the vacation process with ACHD to change that from being a public road access to a future cross-access as you see on the concept plan.

Grove: Okay. Thanks. I will go ahead and jump in with a few pieces, if it's not already evident, that I have some major concerns with this moving forward, either through denial or approval, just without having additional information. I feel like this is one of those ones where it would be really easy for Council to send it back to us, because we are sending it up without good information, so I -- I would have a hard time doing anything other than a continuance, but I will -- I'm not making motions, so that's on you all.

Lorcher: Mr. Chair?

Grove: Yes.

Lorcher: So, the ACHD study comes out in June; correct? That's what he alluded to?

Grove: That's the best --

Lorcher: So, if we were going to do a continuance, can we continue out that far? I mean we are only -- it's May 1st on Monday, so we are at least possibly eight to ten weeks away.

Grove: We would -- we would conceivably have to push it beyond that, because we would need to have time for staff to look at it and analyze it with -- through July 4th right there I would probably be more inclined to say at the beginning of August.

Lorcher: So, are we allowed to push it out that far?

Starman: Mr. Chairman, Commissioner Lorcher, yeah, I think in this instance, because the traffic impact study is such a critical piece of your decision-making and your deliberations, there is no legal prohibition in terms of continuing the public hearing until you have adequate information to make your decision. That's my first part of the answer. But the short answer to that is, yes, you may continue this to July or August. The next part of my comment is really for the Commission to decide is because of that lengthy -- if you go that direction you may want to consider re-noticing the hearing in the interest of transparency to make sure the public's aware of what's happening. That's a pretty lengthy period of time. I don't -- I wouldn't go as far as to say a legal requirement, but it would be in the interest of transparency.

Yearsley: Mr. Chair? I think -- as Sonya stated I think there is two aspects with this is one is the traffic impact study. The other one is -- is analyzing -- you know, as she says in her staff report, the -- the proposed development is not consistent with the general mixed use development guidelines as the existing MU-C or the proposed MU-R guidelines and that's why they are not in support of this annexation. That has nothing to do with the traffic impact study. So, I mean even if we continue it out there is still that other aspect that we -- we don't have enough information to -- to analyze and so with that being said the -- the applicant is -- is willing to take his chance in front of City Council, hoping that, you know, they can, you know, talk to, you know, for -- for me I -- I'm -- my rec -- my -- my thing on the Council is -- on Planning and Zoning is does it adhere to the code and stuff like that. Council gets a little bit better -- I think a little more leeway on some of these decisions, but based on this information I -- I can't -- I don't see a reason to continue it based on staff's comment.

Wheeler: Mr. Chair?

Grove: Commissioner Wheeler.

Wheeler: I had another thought on this here, too, is -- yeah, I see that the -- you know, the traffic study, but also like what Commissioner Yearsley was saying; right? It had to do more with like the uses on it, but I mean I'm looking around at just even like aerial photos, aerial views, you know, which is Google and there -- there is no other residential that's on any of these corners or even on the other side or across from it and so I can see why that would be just a very natural thing for the applicant to say, hey, the highest and best use and what seems to be concurrent with surrounding is -- is office, mixed use -- excuse me -- office, retail, because that's what's around in those side of things and so I'm -- I'm in support of the -- of the rezoning aspect to mixed use regional, but as staff also said, there is -- the components even in that side of it aren't -- well, on the site plan aren't even -- don't even work out with what's there.

Grove: Yeah. You still need three products --

Wheeler: Right.

Grove: -- three types. Pretty sure we build residential as one of those for mixed use regional; is that correct?

Allen: Chairman, yes. Residential is one component you could have. There is -- there is several in the Comprehensive Plan.

Wheeler: So -- so, it might be something where they even -- could even put in like a multi-family function on that -- or even just like a hotel, motel, kind of thing, might be able to function on this, too. Definitely they are going to want to have an anchor tenant and that one at that size would be enough to be able to draw the traffic into it, but I mean I -- I'm just -- I'm just thinking of the concurrency with everything else that's around there, except for to the west with the residential subdivision, to me it makes a lot of sense to not -- at least have that residential component on there.

Lorcher: Mr. Chair?

Grove: Legal --

Starman: Let me just put something on the table very quickly and I can pause for a moment, so with the chairman's indulgence. Yeah, because we are in a quasi-judicial type setting it's important that everybody has the same information before them, so when, you know, comments are made, like I'm looking at a Google screen or I'm looking at -- I'm looking at aerial photographs, that not everybody has -- is privy to, that creates a potential problem for the record. So, I wonder if I could ask Commissioner Wheeler would it be possible for you just to share your screen for a few seconds, so that everybody can see what you were talking about and that way the record is preserved and we have got a nice clean record of what transpired.

Lorcher: And Mr. Chair?

Wheeler: You bet.

Lorcher: In regard to the west side -- or the north side of Waltman Lane, Commissioner Wheeler, there are residences over there. They are farms and there is five to ten acre parcels and, then, the subdivision. So, there are people who live on the -- that side of the street.

Starman: Perfect. Thank you, Commissioner. I appreciate that. And thank you for indulging me.

Wheeler: Chairman -- Mr. Chairman? Commissioner Lorcher, what I'm saying is that on the other three sides is what I'm saying on my -- on my view; right? You have got -- it's just this area over here nothing residential; right? This whole area here nothing residential. This area over here nothing residential. It's only on this side where there is that factor that they have to be coming into and so what I'm just saying is I can see from the applicant's side that this part right here that's got a high traffic on-off ramp -- on-ramp here and the -- and the heavy use here, that there is not a residential component on the side that's -- that's where the -- the on-ramp doesn't even fully merge into I-84 at that juncture and I see that it's all -- you know, it's still very high trafficked area that there is nothing that's there that has a residential component. That's all that I'm saying is I see why they would say why don't we push that a little bit further west or farther west. Excuse me.

Grove: All right. So, Commissioner Yearsley, you were getting close to making a motion at one point of denial. Is that where you still want to take that?

Yearsley: That's where I'm proposing. I guess I can make the motion and see where it falls. So, Mr. Chair, after considering all staff, applicant, and public testimony, I move to recommend denial to City Council of file number H-2021-0099 as presented in the hearing date of April 28th, 2022, for the following reasons: That the requested use is not consistent with the general mixed-use development guidelines and the existing -- the existing MU-C or the proposed MU-R guidelines and we -- and needing a traffic impact study.

Stoddard: Second.

Grove: All right. So, we have a motion and a second for denial. All those in favor say aye. All those opposed say nay. All right. Denial passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**6. Public Hearing Continued from April 21, 2022 for Future Land Use Map
Ada County Area of City Impact Cleanup (H-2021-0098) by City of
Meridian Planning Division, Located Citywide**

- A. Request: Comprehensive Plan Map Amendment to clean up the map to better align with the adopted Ada County Area of City Impact (AOCI) boundary AND removing Civic designations and areas that will be serviced by other jurisdictions (Boise).

Grove: All right. Last agenda item for the night and we have Brian joining us to discuss public hearing for Future Land Use Map Ada County Area City Impact Cleanup, which is file H-2021-0098, and we will pass it over to Brian.

McClure: Sorry. I'm finding the PowerPoint. Oops. Good evening, Commission. I'm here tonight to discuss a Comprehensive Plan future land use map amendment. This application has no associated entitlements, no annexations, no anything else with it. Briefly some background. The genesis of this application goes back to December of 2019, like some other things tonight, and it's focused on the area of city impact boundary. After the new Comprehensive Plan was submitted Ada county staff led some coordination efforts to work with the other cities and Ada county and as part of that ultimately the Board of County Commissioners adopted our Comprehensive Plan with some minor tweaks to the area of city impact. This amendment aligns with those changes. There is also an additional AOCl, Area of City Impact, change to -- at the request of ACHD. They are developing a project on Franklin Road east of Eagle. That project falls in both Meridian and Boise boundaries and they are moving forward in Boise. Both Ada county and the city of Boise have coordinated with us on that application. As stated, a key element of this amendment is the continued coordination with other agencies. It's also intended to better reflect our service planning efforts, to improve transparency, to reduce efforts -- errors and to maintain a plan that is a living document. Broadly, the changes before you tonight can be categorized into two areas. One is map changes. Those include both area of city impact revisions and also future land use map designation revisions. The other one are graphic changes. These are generally other things on the map and include the legend. The graphic changes includes a new special area designation. Previously that was just for the Ten Mile Area Plan. That now includes The Fields Sub Area Plan, which was previously approved, but is not shown on the map. I will briefly walk through some of these changes. But on the right you can sort of see the areas where the land use designations and area of city impact boundary revisions are taking place. For area one here on the left, the only change is to remove a section of the -- of the area of city impact from our future land use map. That's on the northwest corner of US 20-26 and Highway 16. That area is no longer being planned for services in the City of Meridian. You have no access to it from the City of Meridian and Star has already taken that into their -- their area of city impact and the county has already approved that. The change on the right is an exceptionally minor change. It would be a scrivener's error, except I wanted to just sort of daylight why it's there. Generally when we make land use map changes we like them to be consistent with other -- with other boundaries, so follow a center line, follow a parcel line, whatever that one is. This one just sort of floated by itself and didn't follow what other map designations were doing and so in the future when you have a map amendment that's kind of what I would like to see happen. So, no significance there, other than just looking for some consistency. For area three on the left here, this is -- as previously -- previously mentioned is just removing the ACHD property from our

area of city impact. They do own several parcels -- more area, actually, in the city of Boise. Area four on the right looks complicated. It's not. There are no impacts in Meridian. All the properties in Meridian have already had entitlements handled. They have already had zoning done. This is just sort of modifying the future land use designation to align with our city limits. The other properties being removed are either already annexed into the city of Boise or are planned to be serviced by the city of Boise. Area five here on the left is another removal from the area of city impact. You are probably familiar with this site. It's the old barn on Fairview east of Kleiner Park. That area has been annexed into the city of Boise and so we are just removing it from our boundary. Area six here includes some -- what I consider to be cleanup changes. Those are actual future land use designate -- future land use designation changes that aren't associated with some of the other things I have mentioned previously. Both of these have civic designations currently and neither one of these properties are owned by a public agency or quasi-public agency. The one on the right along Meridian Road is what's happening across the street. That used to be old city hall, is now in private hands, and the proposal here is to change the designation to Old Town to match the Old Town zoning and what's already around it. The one on the left further down Pine is actually a bit of a mystery. It has had a civic designation for decades. I'm not -- I haven't been able to figure out why, but it is an R-4 property with a residential use on it and so the proposal here is just to clean that up and make it R-4, the rest of it. Area seven. These changes are a little less clean up. The one on Franklin is currently medium high density residential. That actually covers nothing but commercial uses, though. That includes a commercial development within the City of Meridian. It's been building out for a while and, then, it also includes a commercial use in the county. It's right by the cemetery and it's surrounded by industrial uses. You probably notice the old ranch style home there being operated as a business, is basically what that area is. And, then, also the office park next door. And, then, the last one down at the bottom is -- used to be commercial, we are proposing it to go to civic, because West Ada and ISU own that property. It is an ISU parking lot and fields that are currently used by both the school and the city. Next up are some of the graphic changes. This is the new symbology for the future land use map. You have probably actually seen this in some of the staff reports if you didn't notice. We have been using these for a while on our internal and unofficial maps. This was an effort to really just sort of improve the visibility of some of these. A lot of the colors, particularly the yellows and the browns, bled together. We added some hatching to some of them to differentiate the -- the extremes. We could add hatching to all of them, but it makes your eyes bleed and we don't want it to be too busy. So, we -- we try to take a minor touch to that. We did -- I have talked with some staff that have some color deficiencies and they seem to like this a lot more. So, hopefully, you find some benefit, but we are always willing to take feedback. Here you can just see the new special sub area planning boundary and you can just see that it's both the Ten Mile and The Fields area now it's really just renaming the legend item. We will note that all the interactive maps when you click anywhere in here, it not only pulls up the -- the land use designation, but it will also give you a link to the relevant sub area plan. On March 4th staff did send out letters to all property owners falling within -- under these areas of changes. I did receive several phone calls from people who were interested, but no one seemed concerned and as of this afternoon I did

not see any written public testimony. With that staff is recommending the changes as proposed and I'm happy to take questions.

Grove: All right. Do we have questions?

Yearsley: Mr. Chair? So, are we making a motion to approve or recommending approval to City Council?

McClure: Recommend approval to the City Council.

Yearsley: I don't see any problem with it. It just seems pretty -- pretty clear.

Grove: All right. So, it is a public hearing. So, do we have anybody signed up to testify on this application?

Johnson: Mr. Chair, we have nobody signed up and nobody online or in the room.

Grove: All right. Well, that makes it easy. So, can we get a motion to close the public hearing for file number H-2021-0098 for the Future Land Use Map Ada County Area of City Impact Cleanup.

Lorcher: So moved.

Wheeler: Second.

Grove: All right. We have a motion and a second to close public hearing. All in favor say aye. All right. All opposed nay? All right.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Wheeler: Any comment or -- or I will -- I will let you make the motion. Go for it. Want to do it? You haven't done one yet. Do you want to do it? No, not yet? Okay. All right. All right. This is a pretty easy one, so that's why I was like, hey, I will give you a little softball pitch if you want to make a run at it. No public and -- you want to make a run at it? She's thinking.

Yearsley: The only problem is there is nothing to read, so that's --

Wheeler: Okay. Okay. All righty. So -- so, Mr. Chair, after considering all staff, applicant and public testimony, I move that we recommend approval to the City Council on file number H-2021-0098 as presented in the staff report for the hearing date of April 28th, 2022, with no modifications.

Stoddard: Second.

Grove: All right. It's been moved and seconded. All those in favor say aye. All those opposed to say nay. The ayes have it.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Grove: Thank you, Brian, for presenting that and good job on all the clean up. The -- the Eagle Road one, that was a fun one to look through. It -- you say it's not confusing, but it was. It looks confusing with all the colors. There is a lot of colors going on. So, thank you for making it better.

Yearsley: Mr. Chair, I recommend we adjourn.

Lorcher: Second.

Grove: Motion and second to adjourn. All those in agreement say aye. All those opposed? All right. Thanks, everybody.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 10:00 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

NICK GROVE - VICE-CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK