

Public Hearing for West Valley Emergency Center (H-2022-0065) by Fulmer Lucas Engineering, LLC., located at the southwest corner of N. Levi Ln. and N. Rustic Way

A. Request: Development Agreement Modification to the existing development agreement for Prescott Ridge (Hospital Portion) (Inst.#2021-132724) to update the phasing plan and modify the provision requiring noise abatement to be provided along W. Chinden Blvd./State Highway 20-26 to allow for alternative compliance.

B. Request: Conditional Use Permit for a hospital in the C-G zoning district.

Seal: Give everybody a second here to clear out and, then, we will start the next one. All right. At this time I would like to open File No. H-2022-0065 for West Valley Emergency Center and we will begin with the staff report.

Parsons: Thank you, Mr. Chair, Members of the Commission. The last item on the agenda this evening is the West Valley Emergency Center. As you mentioned, this is a development agreement and a conditional use permit before you this evening. As we typically explained to this Commission, the development agreement -- because the CUP is with -- concurrent with a development agreement modification, both -- you guys are recommending tonight and that CUP will go up with that DA modification to City Council.

Seal: Okay.

Parsons: So, the site consists of 16.46 acres of land. It's currently zoned C-G in the city. It's located at the southwest corner of North Levi Lane and North Rustic Oak Way. If you recall, this project was in front of you in 2021 as part of the Prescott Ridge development and so all of that R-15 and R-8 to the south of this property was also annexed in with this particular piece. At the time of that hearing it was disclosed that a future hospital would be located on this site. As part of that process with -- as they went through City Council, Council made a determination -- you know, typically when we look at hospital specific use standards, they typically have access to arterial roadways and we know how constrained a corridor that Chinden Boulevard is, but one of the requests that we made of City Council at the time was whether or not this hospital taking access off the collector road would still meet the intent of it -- the collector road tying into the arterial -- the state highway would still meet that intent and they could move forward with that and the Commission -- or, excuse me, the Council did conclude that they could make that finding. So, therefore, we are here tonight to talk about phase one with you. You can see here on the future land use map that there -- again, this property has two designations on it. A mixed use regional and -- and medium density residential and that's how it ended up zoned C-G, because it's predominantly mixed use regional and a hospital tends to have a regional draw. The other issue, if you recall, as part of that application was the hospital was -- or at least the applicant was generous enough to go back and purchase additional property to make sure that we had a cohesive plan as part of their development. So, again, that's why we are here tonight and you can see here they have provided -- so, really, the purpose of the

DA mod for City Council is to basically pull this to have them enter into their own DA subject to their own phasing plan and allow them to seek alternative compliance for the noise abatement along Chinden Boulevard. It's interesting that uses other -- you know, typically when we have residential uses along a state highway we have a four foot berm and a sound attenuation wall to mitigate the residential use, but there is also specific uses like hospitals, schools and churches that also have that same requirement and so in this particular case the applicant has submitted an alternative compliance, which has been approved, to present their case that there is not a need for it, because they are set back from the highway and I think from our discussions with the applicant I think they are amenable to doing some type of berming, just not a ten foot tall berm or a fence. Just maybe a four -- three or four foot tall berm, just to kind of screen the parking lot and soften the -- the amount of asphalt that you see from the roadway. But I won't get into too many of those details. As I mentioned to you, staff's already approved that request and, then, ultimately Council has to approve the DA mod to go along with that alternative compliance request. So, you can see here -- here is their phasing plan and so the first portion of their development will be the emergency center. You can see two access points here and, then, the applicant is also proposing to build the 30 foot wide landscape buffer adjacent to those residential uses as well with the first phase. What the ultimate goal of having a secondary access that ties into Serenity Lane here in the northwest corner -- if you had a chance to look at our staff report you realize that there -- there may be some obstacles for that to occur. I think the applicant's working through those details, but if they can't or don't have the right to get an emergency access to that roadway, we have conditioned them to provide that emergency access to this cul-de-sac. Also mention to the Council -- or to the Commission that this phase of the Prescott Ridge Subdivision has been approved or will be approved for final plat and we also condition -- placed that same condition, that if the hospital is not able to obtain the emergency access in the northwest corner, that they work with the hospital in order to facilitate that secondary access through this cul-de-sac here in the southwest corner. So, we have -- I think we have had -- that provision is covered. I know the applicant's aware of that and they are good with that as well. I would also mention to the Commission that because this is not a lot of square footage with this particular phase, secondary access is not required at this time. So, that will happen probably with a later phase, but I just wanted to at least go on the record and share that with you. I would also mention to you that the MOB retails, restaurant building, phase two will not require any further refinement or action from the Commission, because that is a principally permitted use, so they will just have to go through staff level approval for that. But because this CUP does not include the third phase, they will have to come back and modify the CUP to -- to construct the third phase and that's been conditioned in the staff report. Here is the landscape plan again. Alternative compliance. That multi-use pathway is occurring. Access, again, is located off the collector roadway. To my knowledge the applicant is in agreement with the conditions in the staff report. I would mention to the Commission that we did receive written testimony from some of the adjacent neighbors in Val Vista I think it was the subdivision, if I -- memory serves -- well, not -- what -- Serenity Lane. And they would prefer that the emergency access go with option two, which is the cul-de-sac in the southwest corner. Again, with that I will conclude my presentation and stand for any additional questions you may have.

Seal: Thank you very much. Would the applicant like come forward. Good evening, ma'am. Need your name and address, please.

Hunsicker: Betsy Hunsicker. 1717 Arlington Avenue, Caldwell. 83605. I'm the administrator at West Valley Medical Center and with HCA Healthcare. So, good evening and thank you. We have been here -- I feel like -- I feel like I have been here a lot and it looks like we have got a few new faces from maybe the last time we were here. So, thanks for hearing this tonight. We also have several others with us who can speak to any questions you might have about the project, including our architect and our civil engineer, if you have some specific questions. And as Mr. Parsons mentioned, this project was previously approved as part of a master development and we are back today seeking the required conditional use permit, which we knew at the time would be coming back for that and, then, also some development -- development agreement amendments that Mr. Parsons also described. We continue to be really excited about bringing this project to -- to this area of Meridian. You all know better than anyone how quickly -- how fast this area is growing and there are really no healthcare services in this part of the community and, you know, I would like to just give you a little bit about HCA and West Valley, since we do have some new folks here. We are a taxpaying entity. So, unlike some other hospital partners in the area and across the country, this property will generate property taxes and income taxes for the City of Meridian, thereby supporting growth and infrastructure well beyond our own use. West Valley has been the best place for modern healthcare. Over seven times in the last eight years we have received a leapfrog in safety score, which is the highest score possible, 18 periods in a row and we have received the Patient Safety Excellence Award from Health Grades, which puts us in the top ten percent of hospitals across the country for patient safety based on publicly reported data. I'm really proud of who we are and I'm really proud that we are going to be able to bring our people and our culture to this area and provide great patient care for people in this community and, then, I would also mention that HCA has been recognized by Ethisphere as one of the world's most ethical companies for 12 consecutive years. So, I would really like to thank the Planning staff for working with us and all the various recommendations and involvement in this phase of the project. We are comfortable with their recommendations. There was one public comment letter in the packet that he referred to and I was just going to address that as well. We also would prefer to use that south emergency access through the cul-de-sac and we have talked to Hubble Homes about that. So, I think that would be our plan of -- kind of our plan moving forward, which addresses the neighbors concerns. You know, that road is I believe required by the city, so if we do need to construct that road at this stage and we would basically barricade it at both ends -- or, you know, block it, not allow use on it. And, then, the other comment was really around the -- the berm wall, the noise abatement, and in the report you will see we did hire a noise engineer to make sure that we were -- that this alternative compliance would meet the requirements and that noise engineer felt that the distance of -- I think it's 400 feet set off the property was an adequate noise abatement, just distance alone. But we do definitely agree with the staff -- staff's recommendation for a three foot berm and, actually, I think that will provide some -- the opportunity to provide a nice landscape and screening and really make that an inviting property for the community. So, with that I will

stand for any questions. Which I may need backup on just -- you know, if you get too technical on me.

Seal: Commissioners, do we have any questions for the applicant or staff?

Hunsicker: Okay. Thank you.

Seal: None right now. Thank you very much. Madam Clerk, do we have anybody signed up to testify?

Hall: We have a Sharon Kamel or Kamal. How about Cory Coltrin?

Seal: Good evening, sir. Name and address, please.

Coltrin: Cory Coltrin. 6178 North Serenity Lane. I'm the third lot from Chinden that backs up to the -- to the hospital there and I am here representing the HOA for the Peregrine Heights Subdivision. The -- no one from HOA was able to make it, so they asked if I would come and I just wanted to express our -- our opinion that we are really in favor of that access going out that back cul-de-sac to the south. Serenity Lane is a private lane and we -- we don't plan on -- we -- that -- we not going to -- we don't appreciate a private entity trying to take that over and we would really appreciate if that was -- if this -- we appreciate the staff's opinion on going out the back as a way better alternate -- alternative to kind of hijacking our -- our private neighborhood that we have had for -- I have been there for 22 years. So, appreciate your time. I look forward to being a good neighbor and -- and it's going to be a wonderful facility, we know that, and we just would like to keep our lane to ourselves.

Seal: All right. Thank you very much.

Hall: Mr. Chair, that is all we have signed up online or in house.

Seal: Okay. I only see one other person in Chambers. I don't see a hand popping up. Would any of our Zoom attendees like to raise a hand? If not, the applicant can come back up. Is there anything further you want to add?

Hunsicker: I just would like to clarify. So, you know, if we all agree to -- that we would prefer to use that south access, what -- maybe, Bill, we just need to clarify what the expectations are for that frontage road, because if we -- you know -- and what the city's expectation is on the construction of that frontage road and maybe that's a separate staff conversation, but I don't know what has to be kind of in the development agreement, because right now the development agreement requires us to build that frontage road. So, that would be I think a question for staff, because we would be fine not even -- we would be fine not constructing the frontage road if we don't have to.

Seal: Okay. Quick question on the -- on the berm and everything. Could we do like four foot berm, six foot fence, because that's generally -- there is a lot of that that goes around and that's generally what's worked off of. So, kind of makes it in compliance with

everything else and might have a similar look and feel for anything that goes in down the road.

Hunsicker: Well, the recommendation from staff was a three foot berm.

Seal: I know. I want another foot, Bill.

Hunsicker: Without a fence?

Seal: No. With a fence.

Hunsicker: So, the commercial developments on Chinden do not have a berm and a fence. I mean so from my -- from our perspective as a business that's a real deterrent, because you can't see the business and the only reason that's required is for noise abatement. So, it's not a -- it's not a -- it's not a screen for the property, it's for noise abatement. So, I guess that would be -- that's why we -- that's why -- it's not required for -- I'm looking at the staff. It's not -- my understanding is it's -- the only reason the walls -- or that berm's height is for noise abatement. I mean that's -- for us as the -- as the occupant of that property to be setback 400 feet and, then, have a six foot wall and a four foot berm, you're -- we are -- it needs to be a viable business.

Seal: Oh, yeah. Absolutely. I mean that's -- you know, I'm also looking at the restaurant pad that's going to go there and just try to make sure that we get a similar look and feel as we go into this thing. So, I mean whatever is going to go along there, as we stretch down -- further down Chinden Boulevard to the east is -- you know, we want to make sure what -- whatever gets put here is going to set a precedent for whatever goes in. So, if something taller is going to be required further down the road, then, I would think we would want to start here.

Hunsicker: I guess I would point out that Costco has zero berm zero landscaping on the Costco lot, which is -- I mean I know it's not a hospital use, but it is a commercial use. And the only reason that is required in our properties is for noise abatement purpose.

Seal: Okay.

Parsons: Mr. Chair, Members of the Commission, just those two points. So, first of all, the director has already approved the alternative compliance, so it's a four foot berm is what we are getting. Certainly if you want Council to take that under consideration they can do that as part of their purview, but right now we have -- the director has approved it and they -- approved that they do at least a minimum four foot tall berm along that.

Seal: Okay.

Parsons: To the second topic that the applicant's brought up is if the DA requires the road -- and so there is a couple things we have to look out. One is their MDA request does not include that to be modified. Two, the property was mixed use regional at the time that we acted on this application. The way our code reads is when you front of state

highway code requires you to build a backage road, because we try to limit accesses on Chinden Boulevard. Typically the code says you do that by building a road 660 feet from the intersection. So, you have adequate light depth to do something in that area. This particular case, given this -- the existing county subdivision, that limited -- that they are walled off and couldn't do that, the concession was made that they would build that road -- that cross-access road across the frontage there, consistent with this plan. So, again, need to look at the DA. I think it's more of a conversation with staff. But, certainly, if that's something they need to address, they should take that up with Council when they do that with a DA modification.

Seal: Okay. Thank you much for that. Appreciate it. Okay. If nobody else wants to testify, can I get a motion to close the public hearing for File No. H-2022-0065?

Stoddard: So moved.

Grace: Second.

Seal: It's been moved and seconded to close public hearing for File No. H-2022-0065. All in favor, please, say aye. Any opposed say nay? I'm not sure what that sound was, but I will I take that as an aye and the public hearing is closed for File No. 2022-0065.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Seal: Who would like to comment first or we can hear a motion or any of the above.

Grace: Mr. Chairman, just a comment that I think it's -- it's a well needed -- well -- much needed service in that area and I -- it seems like there is universal agreement on the -- on the emergency access on the south via the cul-de-sac. So, that would be my recommendation to the City Council to -- to the extent they need it. So I'm in favor of it.

Seal: Okay. Other Commissioners want to comment?

Wheeler: Mr. Chair, this is Commissioner Wheeler.

Seal: Go right ahead, Commissioner Wheeler.

Wheeler: I really don't see much of the -- the argument for, you know, anything else, but just -- for me it's just in the -- it seems that that's the best use for it. They are seeming to comply with city zoning requirements, access issues. I like the way that the parking space -- spacing is there to where it's not immediate access to any of the facilities, just straight off the highway. So, for me this is something I could support.

Seal: Yeah. I'm kind of the same -- on the same page. I mean what's in our purview to speak to you tonight is the CUP really, which has really nothing to do with the -- you know, which road they take at this point in time. So, it sounds like everybody's in agreement as to what they would like to do with this, it's just a matter of working with staff and making

sure that that's something that is provided for before you go to City Council. So, you know, the fact that the representative from the HOA is here to now say that this is a beautiful thing, after spending a lot of time with you previously, is a great thing. So, happy to hear that. I mean I'm of the opinion that, you know, this has been hashed out and what's here is -- is going to serve the community well and is a good thing for the community as well. So, I would be more than happy to take a motion on this.

Grace: Mr. Chairman?

Seal: Go right ahead.

Grace: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of File No. H-2022-0065 as presented in the staff report for the hearing date of December 1st, 2022.

Stoddard: Second.

Seal: It's been moved and seconded to approve File No. H-2022-0065 for West Valley Emergency Center with no modifications. All in favor, please, say aye. Opposed nay? Motion carries. Thank you very much. Appreciate it.

MOTION CARRIED: FIVE AYES. ONE ABSENT.