

Public Hearing for Alexanders Landing Subdivision (H-2022-0084) by Kent Brown Planning Services, located at the southeast corner of W. Pine St. and Black Cat Rd.

- A. Request: Annexation and Zoning of 5.2 acres of land from RUT in Ada County to the R-8 zoning district. B. Request: Preliminary Plat consisting of 24 building lots and 4 common lots .

Seal: All right. I would like to open File No. H-2022-0084, Alexanders Landing Subdivision and we will begin with the staff report.

Hersh: Good evening, Mr. Chair and Commissioners. The applicant is here to present their presentation for Alexanders Landing Subdivision. It's -- the applications are annexation and zoning and preliminary plat. The site consists of 5.2 acres of land, zoned RUT, located near the southeast corner of West Pine Avenue and Black Cat. The Comprehensive Plan FLUM designation is medium density residential. The subject 5.23 acres currently contains an existing home. The subject site abutting an R-8 development to the north, Horse Meadows Subdivision. To the east and west is county residential, not yet annexed into the City of Meridian. And to the south is the railroad and the Purdam Gulch Drain. The subject property is designated as medium density residential and the future land use map consistent with the approved development to the north. The applicant proposes a 24 lot subdivision and four common lots for single family residential detached homes at a gross density of 4.59 units per acre, which is in the -- within the desired density range of the medium density residential designation. An existing home on the property is proposed to remain on Lot 1, Block 2. The outbuilding located on Lot 3, Block 2, shall be removed with development of this property. The existing home does not meet the required number of off-street parking spaces per the UDC for a three bedroom home. Four parking spaces are required -- or at least two in an enclosed garage or other spaces may be enclosed or a minimum of ten foot by 20 foot parking pad. The existing home does not comprise of an enclosed garage and staff recommends that the nonconformity of the home be remedied to meet the off-street parking regulations prior to the city's -- city engineer's signature on the final plat. Access is proposed from Quarter Horse Lane from the north. Direct access to North Black Cat Road and Pine Avenue is prohibited. The subject property is dependent upon the development of the Horse Meadows Subdivision directly to the north to reconstruct a portion of -- this property is required to reconstruct a portion of Quarter Horse Lane, which is an existing private road as a public street, which would provide public street frontage and access to this site. So, due to access availability, development should not commence until a public road access is available to the site upon development of the Horse Meadow Subdivision prior to submitting a final plat for approval. A local stub street is proposed for interconnectivity between the two developments that is stubbed at the east-west boundary on the site in accordance with the UDC. The street does exceed 150 feet, so, therefore, a temporary turnaround is required. The applicant is proposing to construct the temporary turnaround on a common lot, which decreases the usability of the area. Staff recommends that the applicant construct the temporary turnaround on Lots 5, 7, Block 3, in the southwest corner of the development to increase the open space for the development. The reason for this recommendation is to ensure

open space for the development remains intact without placing a burden on the HOA to remediate the removal of the turnaround area, The applicant included a concept plan for the property on the west to show how that would develop in the future and it's currently zoned R-1 in the county. And that road also goes to the west to go through that property. This is potential. No street buffers are required per the UDC for internal local streets. Common open space landscaping is proposed as shown on the landscape plan. A minimum of 15 percent or 1.23 acres based on the 5.23 acres of qualified open space is required to be provided in this development per the standards in the UDC -- UDC. An open space exhibit was submitted that depicts 2.15 acres of common open space for development and .78 acres of this area is qualified open space. The amount of qualified open space required is 0.78 acres, approximately 33,977 square feet. There is -- a ten foot wide pathway is required per the master pathways plan in lieu of the proposed six foot pathway running along the southern border. The project size of 5.23 acres requires a minimum of one amenity point for every five acres and according to the plan submitted there are three amenities -- three amenity points. A picnic shelter -- shelter with tables and a pathway, according to the UDC. The proposed amenities and their point value is correct and exceed UDC requirements for this project of this size. Sidewalks are all five feet attached and proposed within the development in accordance with the UDC standards and the Purdam Gulch Drain runs along the southern border of the site and staff did not receive a response from Meridian-Nampa Irrigation District on whether or not an easement exists on the property for the lateral. If it does it should be depicted on the plat and no encroachments allowed within the easement and, then, per the UDC the applicant is requesting -- requesting a Council waiver to allow the Purdam Gulch Drain to remain open in a natural state. Elevation -- three conceptual elevations were submitted and floor plans that demonstrate what future homes in this development will look like. Variations of two-story homes with two car garages are proposed. The submitted elevations depict a number of architectural and design styles with field materials of lap siding, different coloring accents, roof purlines and varying of home styles. Staff recommends the applicant add additional stone or brick accents to the front of the homes to provide more of a variation of materials. There wasn't any written testimony on this project and staff recommends approval for this annexation with the requirement of a development agreement and a preliminary plat and with the conditions listed in the staff report. And that concludes the presentation and I stand for any questions.

Seal: All right. Thank you very much. Would the applicant like to come forward? Good evening. We thought our technical troubles were over, but we are going to get to it.

Brown: Can you hear me now?

Seal: We can hear you now. There we go.

Brown: I think we have heard that before. For the record Kent Brown. 3161 East Springwood, Meridian, Idaho. And I'm representing Quarter Horse Lane, LLC, on this project. I just click the presentation? I submitted some slides for my presentation, Joy. Only got two slides that we -- this is the part of my job that's the most difficult is the IT technical part, so --

Seal: Technology is wonderful when it works.

Brown: It is. What I want to show you is a vicinity map. One of the challenges of doing this kind of development as in-fill is keeping the existing that's there and -- and, then, at the same time being a part of, if you will, a master plan for the -- for the area. It's like the master plan pathway that we have along our southerly boundary, so -- yes. Can you make that vicinity map bigger for me? There we go. Thank you. As you can see our site, we are right adjacent to the railroad tracks and one home off of Black Cat Road. The Comprehensive Plan calls for a regional pathway to go along there. What's interesting is -- I did the developments there along Ten Mile, the Mile High Pines and Foxcroft, and we were able to put that pathway in. I did quite a bit of the developments that are to the -- to the east -- or to the west that -- which is the Chesterfield Subdivision that's there. There is approximately 2,500 feet of that that's in there that doesn't have any accommodations for a future path. So, you have a pathway that is coming from the east and off of Ten Mile and, then, you have the ability when the property between us and Ten Mile goes in that the pathway can be extended out to Black Cat and, then, when the property to the east of us goes in, then, the pathway can continue, but, then, it needs to get up to a street somehow and, then, get back up onto Pine, because there is no way for it to go through that 2,500 feet and so that's some of the challenges that you end up with. We can see the advantage in doing that -- that regional pathway in our development long term, but it is something that the HOA is going to have out there for quite some time and -- depending on what -- what takes place with our neighbors. If you look to the north of us, just above where I put Pine Street, there is an entrance into the Castlebrook Subdivision up there and, then, a common -- a vertical common area. Can you put a cursor right there? So, to the right of where it says Pine Street there is an entrance to that subdivision to the north and, then, right straight through that common area and, then, right there at that location is a bridge that enters into the park -- the City Park. So, that link, however that takes place when development goes around us, will actually make that pathway kind of work. Over here on the Ten Mile side I show what's in green, which we are building in those two developments and, then, we are putting in a bridge that takes us into the park and also provides a safe access into the school. So, then, it -- then it makes sense. But by itself it's kind of difficult at the -- at this point. Let's go to the next slide, which is the one of the plat. We chose to put the turnaround on the common area. We are doing a development agreement. In the development agreement we can put conditions that would ensure that the developer has put money aside to remove that common -- that -- that space. We really feel that it's a good location for that turnaround at that point versus having to basically put nonbuilds on the lots that staff is recommending to the south. We have no idea when the property to the west of us is going to develop and he can remain doing what he's doing currently and not be affected by either the Horse Meadows that's to the north of us -- we have been working with them to get access and help them meet some of their ACHD requirements and, in turn, water and sewer comes through their development and helps get to us. So, we would like that as our -- I guess change to what staff asked. Everything else I think we are agreeable to. We have tried to do a development that fits in with what's existing and still meet what's going on around us. We have plenty of common area without -- we will increase it when our turnaround goes away,

but currently we meet the -- the open space requirement by having that with a temporary turnaround on it for right now. I stand for any questions that you might have.

Seal: Okay, Kent. Commissioners, do we have any questions for -- Commissioner Grace, I see you reaching for the microphone. Go right ahead.

Grace: Thank you, Mr. Chairman. Mr. Brown, with regard to the existing structure that's there, there is a comment in the report that they are going to have to update their off-street parking. Is that something there -- so, is the existing homeowner is going to continue to live there?

Brown: Yes.

Grace: Is that something they are going to have to pay for?

Brown: They -- they will be a part of it, but the -- basically what we are talking about is that you -- you need parking pads. Right now in front of their house they have a circle driveway and people park on that circle driveway, because it's been at the end -- or near the end of, basically, a private lane that was gravel to begin with. So, we are sure that we can provide some parking pads and meet those requirements that the city has.

Grace: Okay. Thank you, Mr. Chairman.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: For new Newland Drive where you have the turnaround as it exists right now, is the -- if the parcel to the west becomes developed is that intentioned that would go out as an access road to Black Cat then?

Brown: No. The highway district and -- and city staff don't want any further connections to -- to Black Cat. So, what would end up happening -- and we provided staff with, you know, a possible scenario. So, what it would tie in is that basically you would have that - - what's Horse Meadows with the cul-de-sac, that that street would stub down and it would connect there and that would provide a means of resubdividing that property someday in the future. So, we kind of anticipate that. It is also on the -- the east end of that property we have aligned the -- our stub that goes to the east with what's in Chesterfield that's a property away also. So, we have tried to put those in locations and staff has been a part of that review to make sure that we are not putting a road -- it's like saying you put the bridge to nowhere. Well, we are -- we are trying to put a bridge -- a road and the stub in a location that is beneficial for the -- the future property, as well as us.

Lorcher: Mr. Chair, one more question.

Seal: Yes. Go ahead.

Lorcher: Are -- is your group involved in the Horse Meadow Subdivision?

Brown: We are not a part of it, but our -- our developer has been in very close contact with them about that. They are supposed to start construction soon. So, we -- obviously, we -- we didn't want to really move forward until we knew that that was taking place, because -- I mean that's going to be our access. We could not access off of Black Cat, we need to access off of Pine that's to the north.

Lorcher: Okay. Thank you.

Seal: Any further questions?

Smith: Mr. Chair?

Seal: Oh. Go ahead.

Smith: More of a -- a newbie question, if you will, for maybe staff or other Commissioners. Reading through the Fire Department comments it looks like -- and it looks like this is the same case for the other application they commented in the packet. They state that they are able to service the area, but not within the five minute goal. I don't know that I have seen any applications where they are confident they have been able to hit the five minute goal. Do they ever comment on what the estimated time would be? Obviously there is a difference in my mind between six minutes and 15 minutes theoretically. Do we -- do we know that at all and, you know, I guess any clarification around that would be helpful.

Seal: We have had a couple of different meetings with the -- with the Fire Department and that's pretty common for them to not be able to make a five minute goal, unless it's right, you know, in real close proximity. That said, there -- I was kind of hoping to see more of a time estimate instead of, you know, we don't make the five minutes, but we expect to make it in eight. You know, like you said, and -- and I'm not seeing that at this point yet, so, hopefully, that's to come, but generally speaking if there is a large issue with it that they -- they will definitely point that out if they are opposed to it for -- for whatever reason or they think it's going to create an unsafe condition or if it's really outside of a time limit they will, you know, require places to be -- you know, have sprinkler in them and things like that, So -- good question though.

Smith: Thank you.

Seal: Commissioner Grace?

Brown: If I could comment about that.

Seal: Okay.

Brown: We look back at the vicinity map. So, the two developments that I'm working on off of Ten Mile, Foxcroft is the one that's right next to the canal. Currently everybody that's on Pine that lives there has to go to the west back to Black Cat, even though they might be wanting to go to the east. We are in the process -- we just had the precon to put that bridge in and have that bridge installed. The road will continue to the -- to the west and what's to take place over there -- actually it's right along the railroad tracks that road extends and that area is industrial, but this road will help improve the timeline that they are talking, because right now they have to drive around and by having this road cut through and that being created, it's viewed by the highway district that most of that traffic is going to go to the east to Ten Mile, then the interchange and so forth. So, that's taking place and being done. Most of that Pine Street has been constructed, except for the bridge. So, as soon as we can get that bridge in before water enters the ditch, then, that will change the traffic patterns there, so --

Seal: Which is going to be good news all around I think. Commissioner Grace.

Grace: Thank you, Mr. Chairman. This question is probably for staff. Can I just get some clarity on the open space requirement? I was a little confused maybe on the -- on the staff report as to -- it looked like 15 percent or 1.23 acres was needed to qualify -- for qualified open space and, then, below it -- it talks about .788 acres. I was just looking for some clarity on that. Either way it looks like they have met it, but --

Hersh: Mr. Chair, Commissioner Grace, we are going to pull up the staff report and double check, but they did provide 2.15 acres of open space, but we are double checking the staff report right now.

Seal: Okay. We will go back to that answer. Any other questions from staff -- for staff or the applicant?

Smith: Mr. Chair?

Seal: Yep. Go ahead.

Smith: Another process question if you will. So, with the potential -- if we were to approve this with the requirement of a development agreement, I know there was discussion about in that development agreement being the need for setting aside funds for remedying -- the event -- eventual remedying of that turnaround. Would that be something that we include in this approval condition or is that just for a future -- like will that be discussed in the future with the development agreement?

Seal: For -- for Planning and Zoning -- and since we are a recommending body we can - - we can ask to have that be a provision -- a provision of our recommendation, but it's something that we would have to have stated in our motion.

Smith: Okay. Thank you.

Seal: Any others? All right.

Brown: The one comment I will make is as we worked with the engineers that was our goal was to make sure that even though we were doing the turnaround we didn't view that we could count that as open space and so I'm pretty confident that we -- the open space outside of that that's required and we will have more open space as soon as the turnaround goes away, so --

Seal: Okay. Madam Clerk, do we have anybody signed up to testify on this? Will that make this quick for you?

Hall: We have Lindsey Nikki or Nikki? Okay.

Seal: The lady in the back. Thank you. Ma'am, do you want to go ahead and come on up? Sorry, there is somebody sitting right behind you that -- oh. Okay. Is there anybody else that would like to come up and testify on this? I don't think we have anybody online that's going to be doing anything. Nobody's raising their hand.

Hall: I do not have anybody signed up online, Mr. Chairman.

Seal: Okay. Mr. Brown, do you have anything else to add? All right. Thank you very much. Well, I will take a -- unless there is any other discussion I will take a motion to close the public hearing for Item No. H-2022-0084, Alexanders Landing Subdivision.

Smith: So moved.

Rivera: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2022-0084. All in favor, please, say aye. Opposed nay? Okay. The public hearing is closed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: I will take any discussion.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I live near Black Cat and Cherry, so I'm familiar with this site. I'm also familiar with the site -- the homestead in front of this development and it's the Roosevelt Elementary School that was used in 1910. So, it's a part of our Meridian history and it's a little presumptuous to say that there will be development. It would be a catastrophe for the City of Meridian to lose that as a historical building with a road possibly going through it in the future. So, I'm not part of the historical committee, but I would fight pretty hard to make sure that that school slash home now stays part of our history. The fact that there is so much going on here right now with everything happening at Ten Mile with Pine

coming through, but it hasn't happened yet. Horse Meadow being developed, but it hasn't happened yet. ACHD is not planning to widen Black Cat yet. I believe they have the right product for the site, but in the best interest of the city I think a few things need to happen before the site can be developed.

Seal: Anybody else have comments?

Grace: Mr. Chairman, I would only make the comment that I was really curious about the -- the open space. It's not critical to me. It's only the annexation stage and I'm sure that's subject to some change in the future. So, I don't want staff to get too wrapped around the axle about it. But, yeah, I was just a little confused on that piece.

Seal: Okay. Stacy, do you have anything to contribute on there?

Hersh: Mr. Chair, Commissioner Grace, so, yes, we just were double checking the numbers and they are only required to have 34,000 square foot open space, so they exceed it. It maybe wasn't explained. It was a little bit thrown off. The 2.15 -- it's actually all of the open space they proposed, not the qualified. So, it was broken down.

Grace: Thank you.

Seal: Thank you very much. Any other comments?

Smith: Mr. Chair?

Seal: Go right ahead.

Smith: Just to put some thoughts out there around the -- the -- the timing. I agree there is a lot going on in that area and -- and Black Cat seems to be one of those areas that will be hopefully worked on at some point maybe. That being said, I think that Horse Meadows -- the requirement that Horse Meadows be developed prior to this I -- I do think alleviates some of my concerns around that -- around that -- that access and the -- kind of the things up in the air. I do -- I appreciate the information around that historical site and that does certainly factor in. I -- I wonder, though, if there are certain possibilities for these to be worked out, not -- not necessarily all the additional external factors, but, you know, to be considered during the development process, because, otherwise, you know, like my fellow Commissioner said, it does seem like it's the right product for the area. It does seem like it's a good fit for the area. So, those are just some thoughts. I think it's -- it's -- it's a tough balancing act at the moment, but I -- I think it -- I am generally more amenable to letting them work on those -- those historical site considerations and those kind of externalities on that end as development progresses, given the Horse Meadows requirement and the development agreement, that I would probably -- I would support requiring as well.

Seal: I will -- a couple thoughts on this. In-fill is tough, so -- you know, I mean I'm generally a little critical of some of these -- I call them -- call them that have your cake and eat them

too developments where the property owner wants to maintain their house. So, sometimes that makes for good transitions, sometimes it doesn't, so this seems to me it's not outlandish in this case for sure. One of the concerns that I have that was addressed is that, you know, basically the funding to take care of the turnaround that's there. One of the concerns I have about it, just being that turnaround, is it's somewhat unusable. Another -- we have had other circumstances like this where, you know, other Commissioners have talked about putting up a basketball hoop or something like that just to make it a usable space basically. It's not qualified open space, so something along those lines. But the -- the private road dimensions of this are a little concerning, because there is not a lot of homes here to support the private road as far as the funding for that in the future. So, that to me is probably the bigger concern I have of this. I mean, I -- you know, my comments about the ACHD report is maybe they haven't been there when I have been there, so -- but that seems to happen a lot with the ACHD reports saying that Black Cat is okay. When Pine Street opens up I think that's going to eliminate a lot of the problems that we are seeing on the Black Cat area there. It's going to create a whole new set of problems for Ten Mile and that intersection there, but it's being built to handle it. But, again, I think the -- the private road and just the funding of that is probably more -- that's a concern for me just for the -- the people that live there in the -- in the future and their -- their ability to fund, you know, maintenance and care on those roads, so that -- that is all private, correct; Bill? No. Oh, I thought it was all private. Just the -- just the extension? Sorry. I may be speaking out of turn.

Parsons: Mr. Chairman, Members of the Commission, currently the -- the property only has private street access, but as part of this project they are dedicating right of way to ACHD, contingent upon Horse Meadows happening and --

Seal: Got you.

Parsons: -- public street being provided to this property.

Seal: Okay.

Parsons: And, then, the applicant will have to relinquish their rights to use their current access to Black Cat --

Seal: Okay.

Parsons: -- which is Quarter Horse Lane, which is that easement that we discussed when Horse Meadows came through.

Seal: Right.

Parsons: So whatever they do out here -- and Kent Brown -- Kent -- Kent Brown. Kent knows very well that they can't just remove somebody's easement, they have to maintain access in perpetuity or provide other means of access and that's what they are doing here. So, just for the record, to clear it up, this is intended to be public streets, not private.

Seal: Got it. Okay. That makes a lot more sense, so -- never mind everything I said about the public streets -- or the private streets then, so -- interpreted that incorrectly,

Lorcher: Mr. Chair?

Seal: Yes, Commissioner Lorcher, go right ahead.

Lorcher: But currently Quarter Horse is a private street, so --

Seal: Right.

Lorcher: -- as everything gets developed it will become a public street and ACHD will manage it; correct?

Seal: Yeah. Okay. Anymore discussion? Motions?

Grace: Mr. Chair, I -- I was talking about the open space and I probably didn't comment generally about it. I -- I don't necessarily know that I have too many issues with the -- with the proposal, but I -- I do agree -- I guess I didn't pick up on the -- the historical school aspect of it and I would agree that whatever is in our purview to try to preserve that -- and I don't know what is in our purview, but I would agree that we should try to do that. We - - we don't probably have a tremendous amount of those kind of historical sites in Meridian and to the extent we do have them I think we should try to preserve them. So, that would be the only caveat to my -- to my support.

Seal: Okay. Yeah. And I -- I mean I have similar feelings to that piece of property myself, but I'm also looking at the application that's in hand and the rules we have to follow, and the code that's there in order to provide for this application. So, myself, I'm trying not to get too wrapped up in that, but good comments. Anymore discussion or a motion? I'm open to --

Smith: Mr. Chair?

Seal: Go right ahead.

Smith: I -- I do have a potential motion. I -- looking over to counsel to hopefully help me ensure that this is proper. But I would like to make a motion to approve -- recommend approval to City Council for File No. H-2020 -- sorry. That's not the right. That is right. H-2022-0088 as presented in the staff report for the hearing date of February 16th, 2023, with the following modifications -- and that would be the modifications laid out by staff in section -- I believe Sections 9 and 10, with the exception of the requirement to move the turnaround. Instead I'm asking for requiring a development agreement and requesting that that be part of that development agreement, that funds be set aside for future remediation of that turnaround, as well as a recommendation or request in an advisory capacity to work with the city on preserving that historic site in the future. I hope that's kosher.

Seal: Do I have a second?

Grace: Second.

Seal: Okay.

Starman: And, Mr. Chair, just for the record -- great first motion. Well done.

Smith: Thank you.

Starman: And just for clarity, we both heard on this end that we may have misstated the file numbers. I just wanted to clarify for the record the -- the file before the -- that you are voting on right now, which is H-2022-0084. This will get that for the record, and you are -- Mr. Chairman, you are -- feel free to proceed with your vote.

Hall: And, Mr. Chair, who made the second, please?

Seal: Commissioner Grace. So, it has been moved and seconded to approve File No. H-2022-0084 for Alexanders Landing Subdivision, with the aforementioned modifications. All in favor, please, say aye. Opposed nay?

Lorcher: Nay,

Parsons: Mr. -- Mr. Chair, just before -- I'm sorry, I should have caught you a little sooner. Is the motion also currently -- and Stacy can correct me if I'm wrong, but currently we have a condition of approval that states that they relocate that turnaround on those buildable lots. So, we probably -- if it's your intention to allow the turnaround to stay on the common lot through the surety process, then, we probably should strike that condition as well.

Seal: Okay. That --

Parsons: Was that your intention for the motion?

Smith: Yes. Mr. Chair, yes, that was my intention. Apologies.

Parsons: Thank you. I just wanted to make sure we still had that condition.

Seal: I was going to say that's how I understood it, so I just wanted to make sure. No opposed, so motion carries. Thanks for --

Lorcher: I opposed.

Seal: Oh. Sorry. One opposed, but motion carries.

MOTION CARRIED: FOUR AYES. ONE NAY. TWO ABSENT.

