

after you have given your three minute presentation. So, please, make sure you get your points across. If we have heard issues that have already been brought up, please, focus on new issues or things that the Commission hasn't heard. After we have taken all testimony the applicant will be given another ten minutes to come up and close and, hopefully, answer any questions that the public has presented during the evening conversation and after that we will close the public hearing and the Commission will have an opportunity to deliberate on the application and, hopefully, make a recommendation to City Council.

ACTION ITEMS

- 2. Public Hearing Continued from October 15, 2020 for Skybreak (H-2020-0079) by Laren Bailey, Conger Group, Located at 3487 E. Adler Hoff Ln.**
 - A. Request: Annexation of 80.46 acres of land with an R-8 zoning district.**
 - B. Request: A Preliminary Plat consisting of 353 building lots, 40 common lots and 14 other lots (i.e. 12 common driveway lots, 1 private street lot and 1 lot for the existing home) on 79.69 acres of land in the R-8 zoning district.**

Fitzgerald: So, with that we will move on to the first item on our agenda, which is the public hearing for Skybreak Subdivision, H-2020-0079, and can I get a motion to allow this applicant to redraw that application?

Yearsley: Mr. Chair, I move that we accept the application to withdraw.

Holland: Second.

Fitzgerald: I have a motion and a second to allow the applicant to withdraw Skybreak Subdivision, H-2020-0079. All those in favor say aye. Any opposed? Motion passes. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

- 3. Public Hearing for 2810 E. Franklin Rd. (H-2020-0097) by KM Engineering, Located at 2810 E. Franklin Rd.**
 - A. Request: Annexation of 1.01 acres of land with a C-G zoning district.**

Fitzgerald: Next item on the agenda is the public hearing for 2010 East Franklin Road, the file number H-2020-0097, and I will turn it over to Sonya for the staff report. And, Sonya, if you are talking we cannot hear you, because you are on mute. I see you coming off mute, Sonya, are you --

Allen: Oh, there we go. Thank you, Adrienne. A bit of a learning curve. It has a different display tonight and it's not very intuitive. Any who. The application before you next is a request for annexation and zoning. This site consists of 1.01 acres of land. It's zoned RUT in Ada county and is located at 2810 East Franklin Road.

Fitzgerald: Sonya, can you hold on one second. We don't see your slides if we are working on that. Can we get those up on Zoom for us or is that possible from --

Allen: Yes. Just a moment. I'm sorry. I'm seeing a different screen on my side and it looked like it was up. Just a moment.

Fitzgerald: Thank you, ma'am.

Allen: How about that? Can you see that?

Fitzgerald: Yep.

Allen: Okay.

Fitzgerald: Thank you so much.

Allen: All right. We are rolling. Sorry about that. Adjacent land use and zoning. To the west is a multi-tenant commercial building, zoned M1 in Ada county. To the north is industrial property vacant and a landscape supply business, zoned I-L. To the east is a residential home, zoned C-G, to be redeveloped in the future with commercial use. And south is Franklin Road and across Franklin is a residential home, zoned R1 and Jump Time, an indoor entertainment center, zoned C-C. The Comprehensive Plan future land use map designation for this property is commercial. The applicant proposes to annex the 1.01 acres of land with the C-G zoning district consistent with the associated future land use designation of commercial. A conceptual development plan is proposed as shown that depicts the existing residential home on the property that the applicant proposes to remodel and expand for a flex space use. The concept plan depicts 2,239 square feet of office on the first floor and 1,550 square feet of office and support uses in the basement of the existing structure and a new 2,600 square foot structure for a warehouse. The new structure is proposed to the north behind the existing building and will include a daylight basement. The user will be an automotive tool and equipment supplier classified as a flex space use. The business proposes to sell products online to automotive businesses and to home mechanics and will not conduct any retail sales on the site. Flex space is a principal permitted use in the C-G zoning district and is subject to the specific use standards listed in UDC 11-4-3-18. The proposed use and site design complies with these standards. The topography of the site slopes down significantly from Franklin Road to the north property boundary and has approximately a 20 foot grade difference as shown on the grading plan on the right. A retaining wall is proposed at the north and west boundaries of the area proposed to be improved with this project. A 35 foot wide street buffer is required with development along Franklin Road, an entryway corridor. Landscape per the standards listed in UDC 11-3B-7C. The existing driveway

access via Franklin Road is proposed to remain for access to the site and has been approved by ACHD. Because it closely aligns with the driveway on the south side of Franklin Road, relocation of the driveway is not recommended. The UDC requires cross-access ingress-egress easements to be granted to adjoining properties where access to a local street is not available, unless otherwise waived by City Council. In accord with this standard, staff is recommending cross-access easements are provided and driveways are constructed to the properties to the east and west. A 20 foot wide cross-access easement is depicted on the concept plan to the east and west, but the applicant is requesting Council approval of a waiver to this requirement to not provide cross-access easements due to the topography of the site and site constraints related to the space available for development. At a minimum staff is recommending that Council require cross-access to the west. Would like to note, though, however, staff did contact Ada county to see if a cross-access easement was provided to the subject property with redevelopment of the adjacent property to the west in 2002, but it was not. So, if a cross-access is granted on this property, it will not be able to connect until the properties to the east and west, if required, grant reciprocal cross-access. So, just a note on that. A minimum of 12 vehicle spaces, based on 6,389 square feet of gross floor area, and one bicycle space is required. A total of 13 spaces are depicted on the concept plan, including an ADA space, which is one more than required. However, if cross-access easement driveways are promoted -- are provided to adjacent properties as required, parking will be reduced by up to three spaces, which will result in parking below the minimum required standard. If a waiver is not approved by Council to the requirement for cross-access, the applicant may apply for alternative compliance or construct a smaller addition to reduce the parking requirement. Parking lot landscaping is required to be provided in accord with UDC standards, which requires a minimum five foot wide perimeter landscape buffer adjacent to parking, loading, or other paved vehicular use areas, landscaped per the standards in the UDC. A retaining wall and fence is proposed along the west boundary adjacent to the parallel parking spaces where the buffer is required, which doesn't leave adequate area for landscaping. If the site cannot be reconfigured to comply with this standard, alternative compliance may be requested with the certificate of zoning compliance application. The Snyder Lateral exists in a 40 foot wide easement on the northern property -- portion of the property that is not proposed to be improved. All irrigation lateral -- laterals are required to be piped unless improved as a water amenity or linear open space. The City Council may waive this requirement if it finds a public purpose requiring such will not be served and public safety can be preserved. The applicant proposes to fence off the area where the lateral is located to preserve public safety and request a Council waiver to this requirement to allow the lateral to remain open. Because a large portion of the site on the north end is not proposed to be improved, staff is recommending weeds are regularly maintained in this area, so as not to create a nuisance and in a manner that prevents wildfire in accord with Meridian City Code 4-2. Conceptual building elevations with materials were submitted for the remodel of the existing structure and proposed addition as shown. The materials for the front facade and sides of the existing building consistent of stucco with pre-faced metal siding and stone veneer accents. The materials for the proposed warehouse addition consist of a mix of horizontal and vertical metal siding. All improvements to the existing structure and new construction are required to comply with the design standards listed in the

architectural standards manual. Written testimony was received from Stephanie Leonard, KM Engineering, the applicant's representative, in agreement with the staff report, except for condition A-1-B, which requires cross-access easements to be granted and driveways constructed for cross-access with the abutting properties to the east and west. The applicant requests Council approval of a waiver of this provision, as previously mentioned, to not require cross-access to adjacent properties due to existing site constraints. The amount of grade, combined with elimination of parking stalls, would make construction of cross-access driveways infeasible. Staff is recommending approval of the annexation with a development agreement with the provisions noted in the staff report. Staff will stand for any questions.

Fitzgerald: Thanks, Sonya. Are there any questions for staff at this time?

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: Sonya, the -- on the frontage, are they going to be required to remove that white fence that's on the frontage there and do -- they are going to have to do landscaping on the frontage as well; is that correct?

Allen: Mr. Chair, Commissioner Holland, yes, they will be required to provide a new 35 foot wide landscape buffer and fences cannot be within that buffer, they would have to be at the back edge of the buffer.

Holland: Okay. Thank you.

Allen: Yes.

Fitzgerald: Additional questions for Sonya? Hearing none at this time -- I know Stephanie is with us. Hopefully you can transfer her over.

Weatherly: Stephanie, one moment.

Allen: Stephanie, I have stopped sharing my screen, so you should be able to go in and share yours now.

Fitzgerald: Stephanie, welcome. Thanks for joining us this evening. I think -- Sonya said she stopped sharing her -- sharing her screen, so if you would like to take over and --

Leonard: Okay.

Fitzgerald: -- put up your slides you are welcome to do so, ma'am.

Leonard: Perfect. Thank you. Just a second. Okay. It should be showing up shortly. Hopefully.

Fitzgerald: Yep.

Leonard: Okay. Good evening. Thank you very much. Good evening, Mr. Chair, Members of the Commission. Thanks for allowing me to join you virtually tonight. My name is Stephanie Leonard with KM Engineering. 9233 West State, Boise. 83714. Sonya did a great job summarizing our request. I will try to keep my presentation pithy, so we can keep to discussing it. We are requesting to annex into the city for a flex space building to accommodate an online sales of automotive tools and equipment and we are requesting -- let me see if I can get it -- sorry, my screen isn't working. We are requesting the C-G zoning district. So, we are requesting to zone from RUT to C-G, which as you can see with this map is consistent with property to the east. We have also got light industry to the north and, then, community business district -- district down to the south. The future land use map, as Sonya said, is commercial for this area as well. So, we are consistent with that. There are some residential properties to the west, but a nice buffer of commercial and industrial directly to our west. This is our conceptual site plan. It's changed a bit since the one that we submitted with our application. We chatted with staff and made some changes, specifically added the 35 foot land -- landscape buffer that Sonya mentioned and, then, moved the ADA space out of that buffer. Otherwise, everything has remained the same. We are planning to renovate the existing building on the property and use that as office and support space. So, that's this front part of the building, the existing home, and, then, proposing to add a building addition that will include a daylight basement and will be used for warehouse space and that's approximately 2,600 square feet. We are providing the required number of parking spaces with the site plan and have specifically tried to work around this existing building and configured our drive aisle the best we can and parking the best we can, given the current configuration of the building on the site and, then, the site concerns that Sonya has mentioned with the grade and some of just the interesting site characteristics here. So, the driveway that we are proposing to Franklin is an existing driveway that's there. It does align fairly well with Jump Time to the south. ACHD and the city both agree that that's a good location, since it aligns there. These are our building elevations. The west and north -- so, this will be facing the industrial property to the north. We are proposing a roll up door for the deliveries that occur occasionally and, then, the northern -- I'm sorry. The south elevation will be more ornate for the -- for facing Franklin Road and, then, also the east elevation -- you can see here, too, with the daylight basement we are accommodating some of the grades. You can kind of see how much that changes throughout the site. We are proposing a mix of materials and finishes. We are going to have varying siding materials, stone veneer product on the front, and, then, stucco as well. All of that will be kind of further detailed in our certificate of zoning compliance and design review application should this annexation application be approved. As Sonya mentioned, we are requesting -- or going to be requesting a couple of waivers from Council to deal with the cross-access ingress-egress easements and construction of those driveways to the east and west. As she mentioned, there is a fair amount of grade on this site and building those would actually be a little bit awkward, just because the site's out of a grade that would be about five -- I believe it's five feet lower than what ours would be. So, it would almost be like a driveway leading to a -- much higher than the site to our west. To the east I believe staff is in agreement with us, we don't think that adding a cross-access driveway there would

make sense, just because it would get rid of some of our parking and there is also the additional grade and retaining walls that we have planned on the west and east. So, let's see. The second waiver that we are requesting that she mentioned is to leave the Snyder Lateral open. It's actually -- so, the retaining wall I just mentioned is going to go kind of along our property boundary on the west here and, then, across and, then, it does -- kind of curves that way. The Snyder Lateral is a fair distance away from that retaining wall and fence. We think that that will provide some security for folks that may be entering the building and we will kind of keep that lateral safe -- and folks safe from it and we also think it will be a nice amenity to be left open. In addition, it looks like there is quite a bit of vegetation out there and leaving that kind of in its natural state is something that the property owner would prefer to do. So, that's another waiver that we will be discussing with City Council. So, overall we think that this project is really going to be an improvement for this area. It's -- as you can see from the elevations it's going to be a nice building. It's going to be an improvement from what's already there and will add existing commercial opportunities to the area in line with the future land use map and just consistent with the rest of the zoning in the area and we think that this is in the best interest for the City of Meridian. So, with that -- I think that our -- one of our design members is on the phone, too, if you have got any questions for him, but I'm happy to stand for questions as well.

Fitzgerald: Thanks, Stephanie. We appreciate it. Are there any questions for the applicant at this time?

Seal: Mr. Chair?

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: Looking at how much -- you have got about -- a little over 35 -- well, over 3,500 square feet of office space. I'm a little bit concerned about the parking ratio and I know it meets code standards, but is there -- I mean I don't know if you have another option of where to add more parking in there, but do they have a significant number of people that are planning to work in those offices?

Leonard: No. Thank you, Commissioner. Sorry, Mr. Chair, Commissioner Holland. No, they actually -- I don't actually know how many employees they are planning on having, but they won't have a retail component or any customers that will be -- or coming to the office, so it's really going to be just the folks that work there that are preparing things to be shipped out, essentially. So, they use FedEx and UPS and they occasionally have larger trucks that will come to deliver things. From my understanding that's a couple times a year. But, otherwise, they are not going to have a lot of folks coming and going, it's just going to be -- my guess is probably four or five employees. I don't know for sure how many they have got. But I think that the parking should be adequate. That was my understanding from the owner.

Holland: Okay. Thanks, Stephanie.

Seal: Mr. Chair?

Fitzgerald: With alternative -- I mean if you are not granted a waiver on the cross-access easement request, what is your alternative compliance concept? Do you have one?

Leonard: Thank you, Mr. Chair. I -- you know, I think if we were required to construct the cross-access it's probably something that we could figure out. I don't know that we have got an alternative figured out for that specifically. I don't know that it's an -- I don't know that we would be able to approve it with an alternate compliance request. I think that it's something that we would be required to get a waiver from for Council. We are -- we are amenable to providing the cross-access easement. As we put on our site plan it's the construction that we are kind of having a hard time with specifically. So, I don't know, maybe -- I could speak with our client and see if there is something that they would be able to propose in lieu of that, but I think it's just, really, the grade and kind of the site constraints that are making it difficult to construct it.

Fitzgerald: Understood. Thank you for the clarification.

Leonard: Uh-huh.

Fitzgerald: Commissioner Seal.

Seal: Yeah. Just a question on the fence. On the -- essentially the north eastern side of the property there, is --

Leonard: Uh-huh.

Seal: -- is that fence going to continue all the way down to the building that's being built or does it just incorporate the west side and the north side?

Leonard: The -- I have, actually, an exhibit that I meant to include here, but the retaining wall and fence -- so, this is the fence line with the X's and just this -- the dashes and, then, the retaining wall is this larger kind of thick line. So, the fence line will continue to the building. I'm sorry. The edge of the parking lot and will stop at the building and, then, the retaining wall will kind of continue almost to the -- to the east side.

Seal: Okay. Thank you.

Leonard: Thank you.

Holland: Mr. Chair, one more follow up question.

Fitzgerald: Go right ahead, ma'am.

Holland: In the parking area there is kind of a patch that's labeled number three. Is that -- can you just explain to me what that is, just so I'm understanding what I'm looking at.

Leonard: Sure. Mr. Chair, Commissioner Holland. I believe that's a drainage swale. I can -- unfortunately, when sharing my screen I can't look at all my things in detail, but -- yeah, that's a -- like a sewer drainage kind of. Well, actually, storm drainage. I'm sorry.

Holland: Okay. Thank you.

Leonard: Yeah. It's just --

Fitzgerald: Any additional questions for Stephanie? Well, Stephanie, we will let -- we will have public testimony and if there are questions or comments we will have you come and close either way, but we really appreciate the information.

Leonard: Of course. Thank you.

Fitzgerald: Madam Clerk, are -- do we have anyone in the public who would like to testify on this application?

Weatherly: Mr. Chair, we have no one in house, but I also see that Tamara Thompson signed up online and indicated a wish to testify. Tamara, I'm just going to allow you to talk if you wanted to say anything. You should have the ability to unmute yourself.

Thompson: Hi. Tamara Thompson. That was a mistake. I meant to do the next two. Apologies.

Fitzgerald: Well, we appreciate you being here, Tamara. Is there anyone who would like to testify on this application? Please put your hand up, raise your hand via the Zoom platform, and the clerk will make sure you are transferred over to the -- as a panelist, so we can hear you. Leaving that pregnant pause for a moment. Not seeing anyone, are there any questions for staff? If not, I will bring Tamara up -- or, sorry, Tamara. Stephanie up to close and see if there is any final comments she wants to make. Stephanie, do you want to say any additional words for us to close?

Leonard: Mr. Chair, I don't have a whole lot to add. I will I guess just reiterate that we are in agreement with the staff's conditions in their report and just would like to thank them for their discussion with Council about those waivers that we are requesting. So, thank you. If you have any questions I'm happy to answer.

Fitzgerald: Well, we appreciate you being here tonight. Any additional questions for Stephanie or for staff? If not, I would entertain a motion to close the public hearing.

Seal: Mr. Chair?

Holland: Mr. Chair, I move we close the public hearing -- or close the evidence and move

to deliberation for 2810 East Franklin Road, H-2020-0097.

Seal: Second.

McCarvel: Second.

Fitzgerald: I have a second to close the public hearing on H-2020-0097. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Weatherly: Mr. Chair?

Fitzgerald: Madam Clerk.

Weatherly: Pardon me for the interruption. I just wanted to note for the record Commissioner McCarvel joined us at 6:20 p.m.

Fitzgerald: Glad they turned the lights over on Victory for you, madam.

McCarvel: Yeah. It shut down my internet right as I was logging on and, then, it just frazzled everything for a few minutes.

Fitzgerald: Well, we are happy to have you. With that would anyone like to start us off? This one seems pretty straightforward to me. I understand there may be a parking question, but the use seems pretty -- not people or car heavy, so I think it's up to Council whether they are going to require an alternative compliance. So, I don't understand why their requests aren't made to have those cross-accesses put in when -- when the -- at least the property to the west was redeveloped. It's baffling to me. But that's -- and it's challenging. But anyone want to start off comments?

Yearsley: Mr. Chair, this is Steven Yearsley.

Fitzgerald: Commissioner Yearsley, go right ahead, sir.

Yearsley: I -- you know, when you -- you have a good staff report and the applicant agrees with the staff report, it sure makes it a lot easier to comment on. I think it's a good project. I think it kind of fits the area. A good transition spot for the -- the site -- or the -- I can't even think of it now. The -- the building frontages look really good. I think it looks nice and so I would be in favor of it.

Fitzgerald: Spoken like a true former chairman. I like it. Commissioner Holland, you came off mute, so you get to go next.

Holland: Oh, great. Mr. Chair, I -- I don't see any big concerns with it either. My only preference would be that -- I wish sometimes that projects like this could have -- both this

property and the one to the east of them developing at the same time, so we didn't have multiple of these kind of projects next to each other, but I think it's -- it's nice that they are going to plan to upgrade the frontage, make it look a little bit nicer on the facade. It won't look like a residential house anymore and certainly an improvement to what's there right now. So, I don't see any big concerns and appreciate the applicant's explanation of -- looking at 3,700 square feet of office space, that can house quite a few people, so that would be my only concern in the future if it ever changed uses, if you had somebody that came in that had a lot more parking needs, but for what use they are proposing I'm not too worried about it.

Fitzgerald: Commissioner Seal or Commissioner Grove, any thoughts?

Grove: Mr. Chair?

Fitzgerald: Go ahead, Commissioner Grove.

Grove: I don't have anything substantial to add. It looks good. It looks like it will fit with what's there, so --

Fitzgerald: Thanks, sir.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: The only -- only thing that I would -- in looking at it -- and Commissioner Holland kind of touched on it -- was that it looks like the little drainage that they have in the middle of what is the parking lot there, it seems like maybe that could move -- or be built where the -- you know, where they have difficulties with the grade and kind of get that out of that area, so they could have more parking spots. That could also be something that they could consider I think for, you know, that cross-easement possibly. I don't know. To make that a reality. But it just seems like that was kind of put in there where it could be put somewhere else on the site and, again, I'm not an engineer, so I don't know if that's feasible or not, but it seems like there is a -- some space over there they could -- they could definitely take advantage of to do a couple of different things. As far as the application itself, I think it's going to be a good fit for that -- that part of the city and -- I mean where they are going to have, you know, different shipments coming in and out, you know, it's a good place for that as well. So, the -- the traffic -- or, sorry, the streets are already improved and signalized and close access to the freeway, so it's a good fit.

Fitzgerald: Thank you, Commissioner Seal. Commissioner McCarvel.

McCarvel: Yeah. I'm -- I agree with Commissioner Yearsley before, when you have got a well written staff report and when the applicant agrees, it's pretty easy. I guess there is, you know, always some -- a few things that could be tweaked, but I'm in general in favor of the project.

Fitzgerald: Somebody want to take a swing?

Seal: Mr. Chair.

Fitzgerald: Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to recommend approval of the City Council of file number H-2020-0097 as presented in the staff report for the hearing date of November 19th, 2020.

Grove: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0097, 2810 East Franklin Road. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

- 4. Public Hearing for Poiema Calvary Chapel (H-2020-0095) by The Land Group, Inc., Located at 3727 E. Lake Hazel Rd.**
 - A. Request: A Conditional Use Permit to construct a new church facility built in two phases to total 52,000 square feet and 320 parking spaces at total buildout on approximately 7 acres of land on Lot 1, Block 2 of Poiema Subdivision in the R-15 zoning district.**

Fitzgerald: Stephanie, thanks for being here tonight. Good luck and we will see you soon. So, moving on to the next item on our agenda is Poiema Calvary -- Calvary Chapel and, Joe, I think we were moving to continue this one, so you want to give us a heads up and, then, we can let Tamara come in and give us her thoughts as well.

Dodson: Yes, sir, Mr. Chair. Can everybody hear me okay?

Fitzgerald: Yes.

Dodson: I'm not Darth Vader still? Okay. Yeah. I wish we could hear this tonight. Unfortunately, there was a condition in the staff report that is going to require a little further review by both me and the applicant to clarify and, then, make sure that the -- the notice that went out regarding the project includes something about this. So, at this point the applicant is requesting to continue it. I'm not sure of the date. I would love for it to be on the next hearing on the 17th -- or in a month I should say, but I do show that we already have six on that and a few of them are quite large. I do think that this would be a straightforward hearing, in my professional opinion, for this project, but we will -- I would leave that up to you guys and the clerk to tell us a little bit more. I don't know if -- of those six of how many of those were actually scheduled or if they are just a placeholder.