

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Fitzgerald: Appreciate the work of the team on this and we will move on to the next item on the agenda. And thank you to the public for your participation this evening. We really appreciate it. Next item on the agenda is a public hearing for Pearson Subdivision, H-2020-0075, and we will start with Joe in the staff report.

Seal: Mr. Chair? Could we do a --

Fitzgerald: Go ahead.

Seal: Could we do a quick break while they are --

Fitzgerald: Yes. That sounds great. We will take a five minute bio break and we will be back in five and be prepped for the next --

Seal: Thank you.

Fitzgerald: -- discussion. Thank you.

(Recess: 8:40 p.m. to 8:45 p.m.)

7. Public Hearing for Pearson Subdivision (H-2020-0075) by Melanie Pearson, Located at 175 W. Paint Horse Ln.

A. Request: A Combined Preliminary and Final Plat consisting of 2 building lots on 3.98 acres of land in the R-4 zoning district.

Fitzgerald: Mr. Seal, thank you for the break idea. That was great. So, we will open the public hearing on 2020-0075, Pearson Subdivision and, Joe, I will turn it over to you.

Dodson: Thank you, Mr. Chair. Can everybody hear me all right? Okay. No objection, so let's move forward. This project before you consists of 3.98 acres of land currently zoned R-4 and specifically located at 175 West Paint Horse Lane. To the west and south is City of Kuna area of impact, as just discussed, and directly to the east and north is existing R-4 City of Meridian zoning. Uses appear to be county residential in all directions and/or some agricultural land. The subject application is proposing to subdivide one four acre lot into two lots for the purposes of allowing the current owner of the parcel to deed the new lot over to her daughter, so that her and her family are close by and this does include helping raise Mrs. -- Melanie, Mrs. Pearson's newborn child, or soon to be. The subject property was annexed in 2015 as part of a larger annexation in south Meridian. There is an existing development agreement associated with the original annexation and this property and this application constitutes development under city code. In reviewing the existing DA the applicant needs to apply for a development agreement modification prior to the City Council hearing for this combined preliminary/final plat. For the existing DA, the first modification is at no cost to the applicant. The reason why they did not apply

with one with this was, frankly, a staff oversight. I originally told them that they did not need to and after reviewing the DA in more detail, the existing DA, I had found that they do, in fact, need to apply for one. The subject application has also received city engineer and Public Works director approval for a utilities waiver to not connect to city services at this time due to services being more than a half mile away. Staff finds that making a singular property owner pay for extending city services for a two lot subdivision is neither fair, nor necessary at this time. Central District Health has also approved for an additional temporary well site and septic system. This fact further diminishes any concern staff has with the applicant's application regarding water and sewer services. As noted, there is an existing single family home on the subject property that is not connected to city services. This property, along with nearby properties, again, was annexed in 2015 and they were not required to connect to city services at that time, because services were not available. This situation has not changed for this area of south Meridian. However, when services do become available in Meridian Road, the applicant will be required to connect to them as conditioned in this application and in the existing DA. Access to this development is proposed via an existing private lane, West Paint Horse Lane. ACHD is not requiring any public road dedication due to the access not being changed. The subject application does not warrant a public road or road improvements at this time, according to ACHD. In accord with the existing access, UDC 11-3H-4 requires that an existing state highway access as -- if an existing state highway access has an increase in intensity that is to be removed upon development or dedicated to ACHD and be constructed as noted on the master street map. Paint Horse Lane is shown as a future collector roadway on the master street map, but the addition of one single family home does not warrant the construction of a collector roadway at this time and with the DA modification the applicant needs to apply for prior to City Council new DA provisions will address this and ensure any future development meets the required development standards. Staff and ACHD find that the existing private access is sufficient for one additional single family home. Because other properties -- other abutting properties are not redeveloping at this time, there is no feasible way for the applicant-owner to comply with those requirements in 11-3H and take access from anywhere else. In addition, adding one home does not create sufficient traffic to warrant construction of the collector roadway. However, staff understands that should anymore intensive redevelopment occur on site or on those surrounding properties, the access will -- will need to be evaluated for compliance with these requirements. Staff is recommending DA provisions be added with the modification application that requires a future collector street consistent with the master street map if or when this or adjacent properties redevelop with more intense uses consistent with the mixed use regional future land use designation that exists in this area as noted. And I didn't put that on there. But the whole area around here is mixed use regional future land use. To summarize, the subject application is proposing to subdivide a four lot acre -- a four acre lot, I apologize, into two lots for the purposes of allowing the current owner of the parcel to deed the new lot over to her daughter. Staff does not find that the city loses anything by approving this application and understands that this area may not redevelop for quite some time. Staff recommends approval of the subject preliminary final plat per the conditions of approval in the staff report and I will stand for questions.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal. Commissioner Seal, go right ahead.

Seal: A couple questions for -- where they are really questions just for the -- is there a time frame -- an approximate time frame when services will be available to the area? If so, what would their proximity be and what's the cost attached to city services?

Dodson: Commissioner Seal, Members of the Commission, the closest services are about a mile away up Meridian Road right now. I do not know the costs for that, unfortunately. That was not part of the discussion. Public Works has not told me that or the applicant. Developmentwise, it is coming, but it -- it's not coming very quickly in this specific area. As you have probably seen with other development and you can see on our plan development map here, there is -- this is approximately half a mile square, half a mile, and there is nothing within that right now. So, I would assume that it's going to be years before services are close by.

Seal: Okay. Thank you.

Dodson: You are welcome.

Fitzgerald: Thanks, Commissioner Seal.

Holland: Mr. Chair?

Fitzgerald: Any additional -- Commissioner Holland.

Holland: If it's helpful for Commissioner Seal's question, I know we estimate in other cities that it takes about a million dollars per mile for extending services, so it would be a significant chunk, especially at a major corridor. If that helps.

Fitzgerald: Any additional questions for staff? Commissioner Seal, did you have any follow up?

Seal: Just -- the question was more based around the property owner. I mean they are -- they are -- it looked like they are going to sink a significant investment into the second property to put a well in there and if -- even in the next five years city services get to that and they are required to establish connectivity to that at a cost, then, you know, just want to make sure that the property owner is well aware that that is actually something that could happen sooner rather than later and that there is a, you know, probably a pretty big cost associated with it.

Fitzgerald: Appreciate the input and I think that's a great call. Eyes wide open is always better. Any additional questions for Joe? Would the applicant like to join us, either online or in person.

Weatherly: Mr. Chair, the applicant is online and, Melanie, if you want to unmute yourself you can have the floor after stating your name and address.

Pearson: Hi. I'm Melanie Pearson. 1717 North 7th Street, Boise. 83702. I don't have any additional comments.

Fitzgerald: Ms. Pearson, just -- everything that kind of -- Mr. Seal put forward, you guys are aware as you are drilling a well or putting in a secondary well and there could be sewer and water at your door down the road not very long, you guys are aware of that; right?

Pearson: We are aware. Yes.

Fitzgerald: Any questions for the applicant? And, Ms. Pearson, you guys are all in agreement with the staff report; correct? There was no concerns you had?

Pearson: Correct. We are in agreement.

Fitzgerald: Okay. Perfect. No questions for the applicant? Perfect. With that, Ms. Pearson, thank you for being a part of tonight and we will probably close the public hearing and, hopefully, get this wrapped up quickly. Is there a motion out there for a -- to close the public hearing?

Weatherly: Mr. Chair?

Fitzgerald: Oh, yeah, we do need to see if there is public. Sorry.

Weatherly: I just wanted to note there is no public testimony for this.

Fitzgerald: Thank you.

Weatherly: You are welcome. I didn't -- I didn't see anyone in the audience. I think Commissioner Seal and you guys are alone now. I didn't see anybody in the attendance side. So, thank you for clarifying. I was trying to go too fast. With that, there being no public testimony and there is nobody online that wants to raise their hand, could I get a motion to close public hearing.

Seal: So moved.

Grove: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-0075, Pearson Subdivision. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Fitzgerald: Any comments, concerns, thoughts?

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: I would be in support of this. I don't see any issues with it. We are not adding much of anything, you know, except the one house, so I -- I just don't see a problem with it. They are going in eyes open, so -- when utilities might be there, so --

Fitzgerald: I'm with you. I think if we were in other cities around the valley this would be a lot line -- a one -- one time split and not a development, so -- we don't have that function in Meridian, but I know Boise and Eagle do that, and Kuna may as well, but this is just some family carving up their land for their -- for their family. So, I have no problem with this and with them being aware that they are to hook up when the sewer gets there and water gets there, then, I think we are good to go. Additional comments or motion? Commissioner Seal.

Seal: I will take a stab at a -- at a motion here. So, after considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2020-0075 as presented in the staff report for the hearing date of August 20th, 2020.

McCarvel: Second.

Fitzgerald: I have a motion and a second to recommend approval of File No. H-2020-0075, Pearson Subdivision. All those in favor say aye. Any opposed? Motion passes. Thank you all very much. And, Ms. Pearson, good luck. We hope your process goes well.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- 8. Public Hearing for Modern Craftsman at Black Cat (H-2020-0022) by Baron Black Cat, LLC, Located in the Northeast Corner of N. Black Cat Rd. and W. Chinden Blvd. (SH 20/26)**
 - A. Rezone a total of 23.63 acres of land for the purpose of reducing the C-C zone from approximately 8 acres to 4.42 acres and increase the R-15 zone from approximately 15.1 acres to approximately 19.2 acres.**
 - B. Short Plat consisting of 2 building lots and 2 common lots on 21.59 acres of land in the C-C and R-15 zoning districts.**
 - C. Conditional Use Permit for a multi-family development consisting of 196 residential units on 20.13 acres in the R-15 zone.**