

Holland: So, if anybody wants to take a stab at making a motion, certainly welcome to, but it sounds like a couple of things we could do is move forward with recommendation of approval of the plat and, then, make a suggestion that Council would take into consideration a request to consider more parking and open space as part of the DA.

Seal: Madam Chair?

Holland: Go ahead, Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2020-0093, as presented in the staff report for the hearing date of November 5th, 2020, with the following modifications: That the plat be approved, but we are recommending for the DA that no more than three residents on shared drives, that they provide plans for dedicated parking central to the townhomes before City Council, and they work to increase the open space in the townhome area, as possibly part of the parking.

Holland: We have a motion on the table. Is there a second?

Yearsley: I will second that.

McCarvel: Second.

Holland: Commissioner Yearsley seconded first. All those in favor? Any opposed? Hearing none, motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**3. Public Hearing for Goddard Creek Subdivision (H-2020-0092) by Conger Group, Located in the Northwest Corner of W. McMillan Road and N. Goddard Creek Way**

- A. Request: Development Agreement Modification (Inst. #102012598) to allow the development of an age restricted community consisting of thirty-four (34) attached SFR homes instead of offices.
- B. Request: A Rezone of approximately 5 acres of land from the R-4 to the R-15 zoning district.
- C. Request: A Preliminary Plat for 34 residential lots and 8 common lots in the proposed R-15 zoning district.

Holland: All right. With that we will move on to the public hearing for Goddard Creek Subdivision, H-2020-0092, by Conger, and we will begin with the staff report.

Parsons: One second, Madam Chair.

Holland: Whenever you are ready, Bill.

Parsons: We got to do some COVID disinfecting here while we switch staff members here, so bear with us.

Holland: No problem. Thank you.

Parsons: The sign of the times here. Thank you, Madam Chair, Members of the Commission. The last item on the agenda this evening is the Goddard Creek project. This property is located at -- on McMillan and West Goddard -- excuse me -- North Goddard Street. This property was before this Commission several times over the last couple of years and has quite a bit of history on it. The applications before you are a rezone and a preliminary plat. Of course, concurrently submitted were also a couple alternative compliance requests -- or an alternative compliance request, a private street request, which is -- or which are -- which have been approved at the director level and, then, of course, another development agreement modification in which this body could add some DA provisions, but ultimately the Council will have the decision making ability on that -- that application as it moves forward through the hearing process. The subject site consists of 4.62 acres of land, currently zoned R-4 in the city and is located, again, at the northwest corner of McMillan and Goddard Creek Way. The adjacent land uses -- we have to the west C-C zoning and a self storage facility. To the north we have R-4 zoning, although it is developed with a 170 unit multi-family development that was approved with the Lochsa Falls PUD back in 2002. To the east we have the collector street, Goddard Creek, and, actually, a common lot that abuts this property as well on the -- along the roadway there that is owned by the Lochsa Falls homeowners association and it's not part of this project. And to the south is, again, McMillan Road and, then, across the street from that is Bridge Tower, which is R-4 and, again, single family detached homes. There is a lot of history on this site. So, essentially, in 2002 this property was approved as a use exception as part of the Lochsa Falls PUD process, which allowed -- although it's zoned R-4 currently, it allows office uses to develop on this site. There have been several attempts over the years to get something other than office uses entitled on this property. In 2017 there was a conditional use permit for another multi-family development on this site in which ultimately the -- the Planning and Zoning Commission did recommend denial of the conditional use permit and after -- based on that recommendation of denial they elected to withdraw that application prior to City Council taking action on that and so, therefore, Council did approve the CUP for the storage facility, the comp plan amendment to change it from the office to the mixed use community designation that's currently on this property and, then, they also -- the Council also approved the DA to remain in effect for this site, which allows the office uses. In 2019 the most recent applications -- was before you was the Goddard Creek Townhome Subdivision and that project was endorsed by the Planning and Zoning Commission. Again, it was controversial. I remember it was a split tie vote, came down to three to two, if I remember -- or some -- something to that effect. You guys felt it was a great project, but it wasn't the right location. Ultimately it went to City Council. City Council heard the neighbors, kind of reflected on the public record, like your guys' testimony, agreed that it wasn't the right time for this project and, ultimately, denied that project. The primary

difference between this project and that project at the time was that was a townhome unit development and it had a total of 44 units. The plat before you tonight is -- is actually a less dense project and it consists -- it lost -- it has ten fewer units and rather than two story townhome they are proposing single -- single story -- single family attached homes. You can see here this is something new that we are trying to provide for this body and City Council -- is, essentially, staff is including maps as part of our presentations to you that shows current roadway improvements planned in the area and what other developments have been proposed within a couple mile radius of this proposed project. So, that's what you see there. You can see -- if all of you have gone to the new Costco you will see that Ten Mile has actually been widened to five lanes all the way up to Chinden now, so that -- those road projects are nearing completion and, then, you can see all the other preliminary plats that have been approved in the area, including some final plats. So, again, just trying to give you a little bit more information as you guys deliberate on applications and keep you informed as to what's been approved in the area surrounding any future developments coming forward. So, again, here is the proposed preliminary plat. Again, it's -- the applicant is proposing to rezone this from the R-4 zone to the R-15 zone, which was consistent with the previous approval. Again, this is a 34 lot, 50 foot -- age restricted development is proposed for this site. As I mentioned to you, it is a mixed use community on the Comprehensive Plan and typically we like to three -- we like to see three distinct land uses on a specific property. But given the fact that we have storage, multi-family, and farther to the west some adjacent commercial development -- commercial properties that aren't fully developed yet, staff believes developing this with a single use as proposed still is consistent with that comp plan designation and the proposal density on this particular project this evening is a gross density that's 7.36 dwelling units to the acre, which falls right in between that density range of six to 15 dwelling units to the acre in the Comprehensive Plan. Access to this site is provided via a private street, which is -- on this map you can see it says West -- West Selway Rapids Lane and that was meant to serve as access for the apartments, but also for the future office that was to develop. So, staff didn't really anticipate residential developing on this site at that time when those apartments went in and so now we are kind of stuck with a situation where we have a piece of property that is bound by an arterial on the south side and a common lot on the east side where there is no real viability of having a public street connection to this development and, therefore, the applicant is proposing a private street as part of the development. Now, the UDC does try to discourage private streets for single family developments, unless it's either a MEW development or a gated community and neither one of those are proposed for this project this evening. And the applicant has also submitted an alternative compliance to allow the two common driveways off the private street, which have been approved by the director. Staff has also conditioned -- because there is no gated community proposed for this site and there isn't really room to provide adequate gates and separations per the code, we have recommended a condition as part of -- a condition of approval as part of this project that the applicant create some kind of -- go through the alternative compliance with their final plat submittal and incorporate some kind -- some decorative entry features at both of these entrance locations to almost mimic like it is a 55 an older or a gated community. Let's just do it as a decorative entry feature, rather than having an actual gate to provide access. Because this project -- this project is over 30 units the fire department will

required emergency access and that is proposed to McDermott Road here -- or, excuse me, to McMillan Road here. So, they are meeting the fire department requirements. One of the unique characteristics of this particular project is the applicant's ability to work with the adjacent neighborhood. I think in the previous projects there was quite a bit of opposition to both the townhome project and the previous multi-family project and so this applicant was able to work with them. They made some concessions to the neighbors where they were asked to make this an age restricted development, which they are amenable to. The residents were -- were asked -- asked the developer to make -- limit the height of these buildings to single stories, which they are amenable to, and, then, also there is a real parking issue with the apartment complex in this development and so what the applicant has gone ahead and done is they have provided 16 additional guest parking here along the north side of the road here and then a -- where West Selway Rapids comes into the development they are actually proposing to widen that to add some additional parallel parking along that roadway to offset some of those parking concerns that we have heard from the neighbors in the past. So, I would just like to go on the record and commend the applicant for stepping up and trying to make those concessions and try to address some of those concerns they have heard with previous applications. This development, as you know, is under five acres in size, so the UDC -- except for the 25 foot wide landscape buffer along West McMillan Road, there really is no requirement for usable open space, but as you can see here the applicant is trying to include some detached sidewalks and some parkways to count as some qualified open space and, then, they are also providing a central open space and a covered picnic area for the residents to use as part of this development. One of staff's recommendations is because this will be an age restricted development or proposed to be one, we wanted to make sure whatever -- and -- and the private streets -- and our private street standards don't require sidewalks on -- on those streets, but the applicant is providing that on the internal street section. We wanted to make sure that they enhanced the pedestrian connectivity into the site by not only extending any sidewalks from the Selway apartments from the north, but also delineate pedestrian walkways through the private roads to guide citizens and residents to the use of that open space. So, in our staff report we require the applicant to provide us a pedestrian circulation plan with their final plat application that shows an interconnected pathway that comes off of McMillan Road, may be able to have some crossings -- if you can see my cursor here -- have some crossings that ties into the sidewalk that runs in front of the guest parking and, then, have another crossing that heads east that ties pedestrians and residents to this open space and, then, also do the same along the north boundary just to kind of get more of an enhanced pedestrian connectivity and safety aspect to the development. The applicant did provide sample elevations, so you can see here that there is a mix of siding materials and different variations in rooflines. Some of these units are built throughout our community and been very successful by the client. I would just let the Commission know that any attached unit such as these requires design review from staff prior to getting buildings permit submittal, so they have been conditioned to do so. Staff did look at the public record before the tonight's festivities and we did note that there was one person that had sent written testimony in. If you have had a chance to look at the public record you can see staff actually responded in the e-mail and explained the merits of the development and it seemed like we were able to gain -- change her mind of the development going from

maybe proposing a denial to -- or in support of what the applicant was proposing to do. And staff also received an e-mail late this afternoon from the applicant in which they have read through the staff report and they are in agreement with all staff conditions. So, with that Planning and Zoning -- Planning and Zoning staff is recommending approval of the rezone and the preliminary plat and we would humbly stand for any questions from you.

Holland: Do we have any questions for staff?

Cassinelli: Madam Chair?

Holland: Go ahead, Commissioner Cassinelli.

Cassinelli: Bill, the parking -- I have got a concern there. Let me back up just a little bit. Did the -- did the applicant not propose a gated community? And -- and the reason why I'm asking -- to me some of the parking -- I mean I like that they are adding in extra parking, but the concern would be that every time we have looked at stuff in this area here historically, the -- one of the biggest objections is the parking situation at the Selway and how it spills over into -- it goes -- it -- it goes east of Goddard Creek -- I can recall a lot of these comments. So, it seems to me that the parking that they are adding in -- what's to stop people from the Selway apartments using some of those spots?

Parsons: Yeah. Madam Chair, Members of the Commission, there really isn't. I mean the applicant has not proposed gates. Certainly they are going to have their own CC&Rs and how they are going to control that. I think maybe the applicant should probably address that concern. But from our standpoint and looking at this, these are private streets, so, technically, they could restrict people from driving on them, not necessarily West Selway Rapids Lane, because that's access to the apartments, but certainly anything that connects into that in that loop road they can -- they could sign that as private property and not for use for the apartment complex. So, that's something that they are going to have to manage and determine how they are going to deter people from using that parking area.

Cassinelli: Okay. Thank you.

Seal: Madam Chair?

Holland: Other questions for staff?

Seal: Madam Chair?

Holland: Go ahead, Commissioner Seal.

Seal: On the -- the loop road here, is there a -- is parking available on any of that or is that -- it doesn't look like it's the 30 foot --

Parsons: Madam -- Madam Chair, Members of the Commission, there is not. It's -- it's

the minimum width of 24 feet per the city standard. So, they do not -- they are not -- they are going to have to put up no parking signs to make sure no one's parking and blocking that roadway for the fire department.

Seal: A follow-up question on that. On the shared driveway, as you said, they already have director approval for the shared driveways? Does that mean that's something we can't condition? Considering we just conditioned it on the last application.

Parsons: Madam Chair, Members of the Commission, there is -- there is still a DA, so there is still some -- some wiggle room there for you. All I'm stating is -- as far as driveway access by a company driveway is allowed -- as open to that. So, if you wanted to restrict the number of units, that's something you could do as part of a recommendation to be included at a -- at a DA provision. But as far as allowing units to take access off a common driveway, yes, the director has approved the two common drives.

Seal: Okay. Appreciate that.

Holland: Any other questions for staff? Hearing none, is the applicant here? It looks like we have got Hethe Clark on.

Clark: Hi, Commissioners. Hethe Clark for the applicant. 251 East Front Street in Boise. And I am going to turn on my little presentation here. Okay. So, as Bill mentioned, this is a project that -- that I would say has kind of been through the wringer. It's got a pretty decent history to it and that's always fun to kind of look back and see where things have been and how they have gotten there. As Bill mentioned, this project is on -- off of McMillan between Ten Mile and Linder. As you can see it's one of those last properties on that square mile to develop and down the street from Rocky Mountain High School and it's what I'm going to call the -- we will call it the big box shopping quadruple double. It's got Walmart, Costco, Fred Meyer, and Winco all right in the immediate vicinity. Like I say, it's -- it's been through the wringer and Bill mentioned the history -- the previous applications with the apartments and, then, the last iteration with the 44 unit project. P&Z had recommended approval of that project and, then, it went down at Council due to the -- as I understand it due to traffic and parking concerns. So, that's been a lot of what we have tried to pay attention to. So, with this plan, again, it's a reduction from the prior application of 44 units down by ten to 34. There is additional parking as Bill mentioned, so in addition to the -- the two in the garage, two on each driveway, we provided 15 internal stalls on the south along Ap -- Ap -- Apgar -- that's easy for me to say. I have struggled with that all day. Apgar. And, then, in addition, to kind of address what Commissioner Cassinelli had mentioned, we did -- have provided an additional eight up on West Selway Lane. That's in addition to widening that by eight feet. So, we have tried to be very responsive to what we have heard as being that concern in terms of -- in terms of parking in that area. We have proposed detached housing with single level, trying to be responsive to the neighbors again. And, again, I think this is important, it's an age restricted community. This applicant, the landowner, Schmidt Investments, has experience with that and that will help to further address I think any of the concerns about traffic and parking. With -- with age restricted communities you see less traffic generation

and less need for parking. As you can see, you saw this -- Bill showed you some of the attached product. Again, single level and two plus two on the parking on each unit. In terms of neighbor interaction, I need to give some credit to Laren Bailey of Conger Management Group. He did the -- you know, he put on the Kevlar and went to the neighborhood meetings and talked to the neighbors. He did have -- had conversations with those folks. There was eight people that attended the initial one. They did have a follow-up neighborhood meeting to discuss -- or to look at the proposed elevations and a couple people showed up to that one. Overall it's our understanding that the neighbors have appreciated the concept of a senior living approach, you know, with the, you know, associated reduction in traffic and with the belt and suspenders approach to adding parking. We talked a little bit about some of the solutions that we have worked on with staff, just to kind of help you know how this has gone and the collaboration that's gone on there. So, again, we worked -- we worked with staff to arrive at an alternative compliance approval for the -- for the private street and I think Bill's gone -- gone into detail on that to a level that I don't need to really deal with that too much. I will just say that we are in agreement with staff's recommendation of installing pillars and faux gates on the -- on the entries. So, over on West Selway. So, they would be at each of the entries to the project. Going along with that, we would be -- we will be installing the pedestrian amenities that Bill mentioned. So, that includes the sidewalk connection at the western entry over at West Selway. There will be pedestrian treatment there at each entry. Also down at the shared driveway to McMillan and also at the -- the open area -- park area here on the east. There will also be, as Bill mentioned, a sidewalk connection on the south to the McMillan Road, a meandering sidewalk that you can see on the bottom of this drawing. As I mentioned with parking, at an age restricted community, they tend to be over parked. Again, we have provided the 15 internal parking spaces at West Selway Rapids Lane. Again, we have committed to widening that lane to address any fire concerns. In response to Commissioner Cassinelli's question, I think I -- my response would be very similar to Bill's. We don't expect overparking through here, but it is private property. So, if there is an issue, the -- this little HOA would be able to sign that and -- and help address that. But, again, we don't -- we don't expect to have that type of problem. I'm trying to keep this easy for everybody. So, on the staff report we are in agreement with the terms and conditions of the staff report. We appreciate the work that Bill and Joe have done on this. Appreciated Joe reaching out to the -- the public in response to the questions. This does provide a variety of housing types in an area that already has a pretty abundant mix of uses and we think it's -- it's checked all the boxes and we would ask for an approval tonight. So, with that happy to answer any questions that you may have.

Holland: Thank you for that. Any questions for the applicant? I will actually start with one question. So, I know that the neighbors seem to be happier about the age restricted units, but it seems like we have been having a lot of age restricted units coming into Meridian lately and I know for resale value it can be tricky, because it is only a limited population that can buy those types of products. Are you set on having the age restricted community?

Clark: Commissioner Holland, I would just say, yeah, that's the -- that's the model here and, you know, it's -- my understanding of the market and I know that this applicant feels

the same way, is that there is a really significant demand for age restricted communities throughout the -- throughout the area. So, yes, that -- that is the plan and that has been what we have discussed with staff and that's what we would proceed to do.

Holland: Okay. Any other questions for the applicant?

Cassinelli: Madam Chair?

Holland: Go ahead, Commissioner Cassinelli.

Cassinelli: Hethe, could you go to -- it looks like it's slide number five with the elevations. Thank you. I'm going to -- I'm going to ask, only because we have been down this road before with the applicant, are we talking -- are these all meant to have full eaves all the way around the home?

Clark: Madam Chair, Commissioner Cassinelli, this -- this is a different client. Not -- not the same client. Not the same model. But -- and, yes, there are eaves on this model.

Cassinelli: Okay. Sorry. I'm just confused then.

Clark: That's okay. It's okay. It's a small community and I'm here a lot for, you know, certain clients, so I get it.

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Just a couple of questions on the -- since there is going to be faux gates in there, will that be posted as a private drive? That will be posted is my question.

Clark: Madam Chair, Commissioner Seal, yes, that would be posted as a private drive.

Seal: The follow-up question to it is why not real gates, if you are going to go through trying to make something -- doing something elaborate to provide that it looks like a gate, why not just put gates in?

Clark: Madam Chair, Commissioner Seal, it really is a matter of room. You are going to -- you are going to end up with stacking distance questions. You know, if those gates would be opening in front of lots, they go internal, they would be opening up onto Selway if they are external and it doesn't make sense. This -- the faux gates -- you know, they are much more effective practically given the size constraints and they still I think convey the -- the point, which is that it's -- it's a private community, it's not a -- not a through street, not -- not a place that, you know, folks are going to necessarily head into. So, we are using visual cues, rather than the physical barriers.

Seal: Final question. Do you have any elevations of showing the park area with the picnic



shelter, what that might look like? I mean I -- I tend to agree with what's in the staff report where you have all of this going on and, then, you have a big open area and you are going to put a picnic shelter in it. So, it seems kind of lackluster considering the -- what's going in here.

Clark: Madam Chair, Commissioner Seal, I think we have a condition of approval to show -- to show detail on that, if I remember correctly. And Bill might be able to jump in there. But to -- I think that they asked for more detail on that when we come back at final plat and I think that would be typical for that. I mean we are certainly open to the Planning and Zoning Commission's recommendations on that, but -- and -- and we would be happy to provide more detail as this goes, which -- as would be typical.

Seal: Okay. Thank you.

Holland: Any last questions for Hethe before we open up for public testimony? Seeing none, Hethe, we will be right back with you. Madam Clerk, do we have anyone signed in to testify?

Weatherly: Madam Chair, we do have some people signed in. Dan and Penny Fisher are on the line with us. Fishers, one moment. And no one -- while I'm transferring them over, Madam Chair, no one is in house, so we don't have anybody here to raise their hand.

Holland: Okay. All right. It looks like what was labeled as Fishers is over on the panelist side now, so if you wouldn't mind stating your name and address for the record and, then, feel free -- you have got three minutes for us. And you will have to unmute yourself or the clerks can help you with that, too, if you need. It looks like you are talking, but I'm not hearing anything from -- from our side. Is that just me? Is anybody else able to hear them?

Cassinelli: I'm not hearing anything.

Seal: Nothing in chambers either.

McCarvel: I don't hear him.

Holland: There -- there is an option. I'm not sure if you can hear us, but there is an option that you can call in. It looks like you are still trying to talk to us, but if you go to the bottom you can switch to using phone audio. Sometimes that helps if your computer is not working. So, right down on the bottom left corner where it's next to the mute button, if you click the up arrow, there is this option that says switch to phone if you want to try that. But, I'm sorry, we are not able to hear you right now. Adrienne, is there anyone else that we want to try while we are trying to figure out how to help these guys?

Weatherly: Madam Chair, Penny and Dan Fisher were the only two that signed up with a wish to testify.

Holland: Looks like they are still trying to talk, but we can't hear them.

Weatherly: I'm going to try one thing, Madam Chair, if I could here.

Holland: Go ahead, Madam Clerk. I always hate when technology doesn't work with us the way we want it to.

Weatherly: Penny or Dan, if you could try to talk again and we can see if we can try to hear you. Madam Chair, I have tried all the tricks up my sleeve and we still can't hear them in chambers either.

Holland: Yeah. I'm not quite sure what to do here either.

McCarvel: Yeah. I wonder if they are muted on their end.

Holland: And it's Penny and Dan, is that what you said?

Weatherly: Yes. Correct.

Holland: If you guys can hear us at all, if there is another way that you can call into the meeting we would love to hear from you. Adrienne, do we have a call in number that they can try?

Weatherly: We do have the number right here. Penny and Dan, the phone number to call in is 1-669-900-6833. The ID number is 89068341242. I do see that you have the ability to raise your hand, but you are unmuted, so you would be allowed to talk now and we still cannot hear you. If you want to try calling in with the information I just gave you we can try that way.

Holland: It looks like they hung up from there, so we will see -- they came over to panelists one more time.

Weatherly: Madam Chair, we are trying to pull out all the stops here to try to get them set up.

Holland: Yeah. Dan and Penny, we still can't hear you. I'm sorry. Can you hear us? You can hear us. Do you have the option to call in on the number that Adrienne gave you? Okay. It looks like they are trying to call in, so we are just going to wait another minute for you.

P.Fisher: Can you hear us now?

Holland: We can. And if you could go ahead and mute your computer, so that way we don't get the feedback, that would be great.

D.Fisher: Sorry about that. Okay. Thank you for your patience. We really appreciate it.

Dan Fisher. 2382 West Apgar Creek Drive in Meridian. And we are the -- we are the last house on Apgar Creek before Goddard Creek. So, we are the closest house to the development. Overall I like the 55 and older concept and I really appreciate that and think that that's definitely headed in the right direction. My primary concerns are still parking. I don't think that -- I think that the parking spots that are going to be on Selway Rapids would be immediately gobbled up by vehicles from Selway. So, I don't -- I don't think that that would make even a dent in the parking issue. My second concern is the back of the unit that faces Goddard Creek and McMillan, they don't have any real detail to them, other than some variation in colors, but there is no stone, there is no -- no real textures, no beams, anything like that to make them a little more attractive. I think that that might be a good idea. If you look at what was proposed and -- for the mini storage and, then, you look at what was actually built, there is -- they are not even identifiable between what was -- what we were shown in drawings versus what was built. It's horrible. The corrugated steel right on the outside. The -- nothing stucco and cinderblock. It's one of the worst looking mini storages in the city. So, I think we would really be benefited by sprucing this up a little bit.

P.Fisher: My name is Penny Fisher. Also at 2382 West Apgar Creek Drive. One -- one of the concerns that we do have, like Dan said, is -- is the parking. We do have the overflow in front of our home and probably nine times out of ten it is not -- it's just from Selway. So, I do worry if you guys require like the gated, that they would have to remove those extra parking spots in the top and that was a very -- that was a selling point for a lot of the people that we spoke with, is that would remove some of it. We like the 55 and older age, because it didn't affect the school population and that was one of the big things. This would be -- this would be 55 and older. We wouldn't have the worry of the overpopulation of the school. We do feel like there would be less of traffic, but, again, the biggest concern is the parking and, then, the -- just making it fit over the aesthetics overall is -- we do like the stone, like Dan said, but we want to make sure that it goes through and, then, if we were to rezone it we want to make sure that there is a contingency that if this project for any reason does not go through, that the zoning does not go through as well. But it was the only contingent for this project and only this project.

Holland: Thank you, Dan and Penny. Are there any questions for Dan and Penny while they are on the line with us? We -- we greatly appreciate you guys making the time to join us tonight and sorry about the technical difficulties. Thanks for calling back in and we are glad we got you back on the line. So, we appreciate your comments.

P. Fisher: Thank you.

D. Fisher: Thanks.

Holland: Adrienne, do we have anybody else signed in to testify?

Weatherly: We didn't have anybody else sign in with a wish to testify, Madam Chair.

Holland: Okay. It looks like there might be one other person in the attendee panel, but if

they would like to testify now is the time to raise your hand. If not, we will hand it back over to Hethe, if he had got any closing comments he would like to make. Hethe, it looks like the floor is yours. Go ahead, sir.

Clark: Great. Once again for the record Hethe Clark. 251 East Front Street. Representing the applicant. Thanks to the Fishers for your comments. Just to respond, with regard to the appearance, the -- these are duplexes, so they will have to go through design review. So, the city will have another bite at the apple to ensure that that -- that everything looks appropriate. With regard to the -- I guess the -- the question of whether the proposal would ride through with -- with any changes, I guess, in terms of who the applicant is -- this is a -- a development agreement modification, which means that there are conditions of approval that the zoning is tied to. So, if there was going to be a change in the project there would have to be a development agreement or modification in order to make that happen. With regard to the parking, I understand the concern. It sounds like it's been something folks have been living with. When we are putting those additional eight stalls and widening Selway by eight feet, we think that we are helping to address an existing problem and not one that's created by this project, which we believe is going to be adequately parked and is parked well in excess of what code requires. So, we have the two plus two at each unit and, then, in addition to that, the 15 stalls on the south. So, we are hoping that -- you know, to be a good neighbor on that front and help to address the -- the concern that Fishers have shared. With regard to some of the comments before, I just wanted to circle back on those. With regards to the amenity, Commissioner Seal, it's condition 3-A that I was trying to think of that requires us to come back with details of site amenities. You know, a picnic shelter is a typical amenity for a 55 plus community. I mean, obviously, you are not going to put a tot lot in, but, you know, appreciate the -- the comments there and that's something that we will take to heart as we put together that final list of site amenities at final plan -- or final plat. And, then, I did -- I -- this didn't come up in -- in our conversation, but with regard -- I heard Commissioner Seal ask about the number of lots on the common driveways. Just to circle up on that -- so, the maximum -- as I understand code is six. There is only three on each of these. So, we have tried to be mindful of that. I think that the -- the city is looking at a code amendment to cap it at four. We would still be below that. So, we think that we are not only within the four corners of the code as it exists, but as the -- the intent of future code amendments. So, with that I think I have hammered this to death and I would be happy to follow up on anything that you have got left.

Holland: Thanks, Hethe. Any final questions for Hethe before we move to deliberation?

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Just in -- in looking at the drawings that are out here and -- I mean it basically shows that there is four off the common drives. That's -- I mean that's what I'm looking at and that's what I'm seeing. So, if it is just three, then, that's, essentially, what we are aiming for is -- I mean just an overall reduction in the shared driveways, because they

seem to be everywhere and they are always an issue no matter if there is just two of them on there, so having three -- having more than three seems to be a really big issue.

Clark: Madam Chair, Commissioner Seal, if you can see my cursor, I'm not sure that you can. But you can see that this -- I think would be what you are referring to is the fourth. That would take access from the street. Same would be true down here on West Apgar. So, those -- those actually take access from the street -- or take access from the common drive.

Holland: Hethe, one follow up to that -- and I think one of the other challenges we always see -- and I know it's only one day a week, but where people put their trash carts, because that always tends to be an issue. They put them on somebody else's driveway and, then, there is problems getting around them. Do you guys have another designated area for trash enclosures or anything like that to try and help with the trash carts?

Clark: Madam Chair, Commissioner -- actually, just Madam Chair. So, the -- we have talked to the -- the garbage companies about that and there -- there are solutions to deal with that, so for a nominal fee folks can have it picked up at the door or at the garage, if that ends up becoming an issue. Otherwise, it would -- it would be at the street as typical.

Holland: Yeah. I think that the -- that goes back to the challenge about the shared drives, because I don't imagine the garbage company wanting to go all the way up the -- the shared drive to go pick up carts, but --

Clark: Yeah. Madam Chair, in that case they go out to the street. So, folks would bring them out to the street.

Holland: Okay. Yeah. I think that's -- that's where we always get back to the challenges with common drives, because it just -- they stack up so quick on the streets, because there is not really a good place to put them if there is not a driveway to put against them.

Clark: I understand.

Holland: Okay. Thank you.

Cassinelli: Madam Chair?

Holland: Any questions for Hethe?

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: Hethe, on the -- on those eight spots up on Selway Rapids, are you kind of -- are you conceding those to the apartments?

Clark: Madam Chair, Commissioner Cassinelli, I don't -- I don't know how necessarily -- we are not -- not giving up ownership of those parking spaces by any means. They are going to be external in many ways to the project and so I expect that there is going to be lots of different folks, including folks from the apartments, that might use them from time to time. We don't -- what we are trying to do is to try to help alleviate the existing problem there. We think we are going above and beyond by doing that. Saying that we are just giving them up to the apartments I think that might be overstating it, but we are providing additional parking there that might be used by them.

Cassinelli: Okay.

Holland: Any other questions for Hethe? Hearing none, thank you, Hethe, and I would be open to a motion to close the public hearing for Goddard Creek Subdivision, H-2020-0092, to move to deliberation.

Cassinelli: So moved.

Seal: Second.

Holland: Moved by Commissioner Cassinelli, seconded by Commissioner Seal. All those in favor? Any opposed?

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Holland: All right. The floor is yours, Commissioners. Anyone want to go first?

McCarvel: Madam Chair?

Holland: Go ahead, Commissioner McCarvel.

McCarvel: Our little map disappeared. I -- I tend to like what they have done. It seems to be pretty night and day from things we have seen. They have, obviously, taken into consideration a lot of the concerns of this area, including the eight external parking spots and I think the additional parking close to where those shared drives are will be a big help. All except for trash day and the addition of the sidewalks and everything and the -- I do like the age restricted aspect to this, because it just reduces many of the concerns of projects that have been in the past.

Holland: Thanks, Commissioner McCarvel. My comments in general -- I will jump in next. I -- I like the loop itself. I remember we have talked about this specific lot many times and it's kind of an awkward in-fill piece now the way that it developed and originally it was supposed to be offices, but it doesn't really fit for office. So, I think what they are proposing here makes sense. I'm not opposed to the way the development is. I appreciate that they have done some extra parking. I appreciate the little pocket park green space that they put in there. My biggest challenge is those common drives. I would prefer to not see more than three houses sharing that and I know it -- even though that

fourth house is kind of on the edge of it, it still looks like it's part of that shared drive to me, because it's connected to where that curb cut is. Because I don't know if there is anything we can do to alleviate that, but it is always a concern to me, because I always hate those shared drives. They just don't seem to function very well to me. My other comment in general is I -- I really don't love all the 55 and older subdivisions we have been approving, because there seems to be a lot of them and not that there is anything wrong with having an age restricted community, but it does challenge the marketability of those properties in the future if -- it gives a very narrow window of who could buy those properties and what they could be reused for in the future if there is resale. So, it's always challenging to me, because if our demographics change at some point and we end up having a bunch of communities with 55 and older restrictions, it just seems like a challenge to the market, but maybe that's a moot point and maybe there is more demand for that than I know of. But that's just a general comment, not something I would feel to take out of there, just something I wanted to put on record. Commissioner Seal, you want to go next?

Seal: Yes, ma'am.

Holland: And you are muted I think.

Seal: No. I'm unmuted. I should be unmuted.

Holland: Okay. You are okay now.

Seal: I echo some -- some of your statements in there. I mean adding the extra parking that -- to me that's above and beyond. I mean that's addressing, you know, directly a problem that's been brought to their attention. So, I really appreciate that. I do like the lay -- you know, the general layout of it. I'm -- I'm not a person that, you know, would probably be looking for, you know, a townhouse type community. That said I can -- there -- there is, you know, obviously, some demand for them, so -- especially kind of the townhome communities that are, you know, more or less kind of maintenance free. So, you know, the less common area kind of the better for -- for, you know, some of the 55 and older communities seems to be something that they -- they actually want, instead of having, you know, huge parks and parkways and things like that. One thing I think they could -- should definitely consider is like a central -- central trash collection site. I mean that would make me feel a little better about the -- you know, the shared driveways that are in there. Unfortunately, you know, one of the places I think it would land is possibly where they have added extra parking spots. So -- so, I'm a little divided on that for sure. You know, if there was a place to put, you know, central trash collection that could take up a couple of parking spots, I think that would alleviate a lot of problems that they are going to run into come trash collection days, so -- and those -- especially with the smaller streets and not allowing any parking on them, to have all the, you know, the -- the trash collection receptacles out there kind of presents some safety issues for me as we go down that road. So, I mean I would -- I would like to have them consider central trash collection and I still think that no more than three residents on shared driveways is -- especially considering, again, the density in here is more than fair.

Holland: Thanks, Commissioner Seal. Commissioner Yearsley, Commissioner Cassinelli, any comments?

Yearsley: Madam Chair?

Holland: Go ahead, Commissioner Yearsley.

Yearsley: I -- I guess my biggest concern -- and I don't know how to address it -- is I don't like private driveways. We -- so, actually, I'm -- I'm on the board of our HOA and we have quite a few private driveways and they become quite an expense that they have to maintain. You know, I'm not going to say we shouldn't have the private driveways, but I would like to have them reach out to the homeowners association and at least provide them some guidance on what they should be doing for maintenance and -- and storing money away for future improvements as those roads, you know, deteriorate. So, that would be my biggest concern and -- so, that's all I have.

Holland: Great comment. Thanks, Commissioner Yearsley. Any other comments out there?

Cassinelli: Madam Chair?

Holland: Go ahead, Commissioner Cassinelli.

Cassinelli: Pretty much everything. I'm going to kind of echo what everybody else has said, but I will just throw my comments out. I -- I kind of agree with you with maybe there has been a lot of age restriction going in, but I -- but I -- from what I hear there is demand for it and I think in this piece it -- it will help alleviate the -- the traffic. So, you know, there is -- there is some places that I have seen around town where I think it really fits and I think this is one place where the age restriction is a plus, because that's -- every time we have heard -- you know, every time when this parcel has come up the traffic and parking have been I think the number one things. If I can put a comment out there to maybe address the -- the Fishers -- and I don't know if they have spoken at one or two of the previous Planning and Zoning meetings. I think one time there was either two or three story proposed units going in there and they didn't want three stories looking down in their backyard. I think as far as -- you know, these are all single story. They are not going to even see the back of the home. Maybe a patio cover or two, but, you know, most of it won't be popping up above a six foot fence, you know, at the angle that they will have. So, I don't think that that's an issue. The -- I'm in -- I have got the same concerns about private -- not necessarily the private streets, those were great comments that Commissioner Yearsley addressed. So, I think we do got to make sure that -- that there is a -- there is a clause in there for the homeowners association to be well aware of -- of what their -- what their requirements are. But those -- I think -- I -- the way I'm looking at it and the way I see it, you can kind of spin it how you want. I'm counting four homes each of those -- on those shared driveways and the other thing -- to comment on the -- with the trash, in a lot of -- in a typical single family development with shared driveways there is a little bit more space on the homes that are up front, because they have got --



you know, they have got a full -- a full width yard with just a -- with a -- with a driveway. So, there is a little bit more room where you can put the trash receptacles. With the -- with the -- the attached homes here I think most of the frontage is going to be driveway and there can be very little room to put those. So, that is a concern of mine as well. I don't know how -- you know, short of having a -- a common collection area, how do you -- how you deal with that? But I think that is going to be a problem once a week, every week. And those are my comments.

Holland: Thanks, Commissioner --

Cassinelli: But in -- overall I'm in favor of it. I think it fits. Because it doesn't sound like an office development has -- has come along and I think this is the best we have seen yet. It fits. I think it just needs to -- it needs some tweaking. Oh. And one other comment, too. I'm in agreement with Commissioner Seal, I would like to see a little bit something more in that common area, given that 55 and over, and the picnic area is nice, maybe just a -- just a thought, just a comment for the -- for the developer. Maybe like a -- even a shuffleboard or -- or something else in there for the -- to give the residents something to do.

Holland: Okay. So, just to recap the things we have talked about. Comments about the private drive, that they should be putting in extra -- that they should put some resources forward with the HOA towards helping with that and that would be a suggestion. I don't know if that's something we can condition or not, but I agree with you, I'm not a big fan of private driveways either. I'm not sure what we can do there, if we can make a condition on that, but --

Yearsley: This is Steven. I don't know if we could condition it, but I would, you know, appreciate the applicant to let the HOA -- give them some guidance, because I -- we have -- before on Planning and Zoning Commission we have heard a lot of people talk about their infrastructure failing within the HOAs and no one knows what they should be doing to help make those last longer. So, at least providing some guidance, you know, from the engineer to the HOA, it would be helpful. So, like I said, I don't know if it needs to be a condition, but just have them, you know, if they would, just provide that guidance for them.

Holland: Any comments? The shared drives are a challenge it sounds like to almost all of us, so I -- I would like to see us restrict the number of those or have a requirement that they need to put in a parking -- or not a parking -- a trash enclosure. But I would rather see the elimination of one or two of those lots on there to make it easier instead. I will leave it open if anybody wants to try and attempt making a motion on this one.

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2020-0092 as presented in the staff report

for the hearing date of November 5th, 2020, with the following modifications: That no more than three residences are allowed on shared driveways and that the applicant consider central trash collection enclosure, because of the small width of the streets and the common driveways.

Holland: We have a motion on the table. Is there a second or any discussion?

McCarvel: Second.

Holland: Okay. Motion and a second by Commissioner McCarvel. All those in favor? Any opposed? All right. Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Holland: With that I believe that's all we have got on the agenda, unless staff has anything else. So, we have got one more motion for the night.

Yearsley: Madam Chair, I move we adjourn.

Seal: Second.

McCarvel: Second.

Holland: All right. Motion and a second. Any -- all those in favor? None opposed. Have a great night all.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 8:01 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

\_\_\_\_\_  
RYAN FITZGERALD - CHAIRMAN

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK