

you know, get on the list of where we need to have facilities out there. So, it's -- it's always a good thing to see. Pretty impressive building for sure.

Fitzgerald: Absolutely. Commissioner McCarvel, go ahead.

McCarvel: No. Mr. Chair, I was just going to go ahead and make a motion. I think it's pretty straightforward and it is a very striking building. Kudos to the architects. So, after considering all staff, applicant, and public testimony I -- I move to recommend approval to the City Council of file number H-2020-0085 as presented in the staff report on the hearing date of October 15th, 2020, with no modifications.

Seal: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0085. All those in favor say aye. Any opposed? That was delayed reaction time. Motion passes. Thank you. And we wish you guys good luck in your next steps in the process.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**6. Public Hearing for Landing South (H-2020-0005) by Jim Jewett,  
Located at 660 S. Linder Rd.**

**A. Request: A Preliminary Plat consisting of 8 building lots and 2  
common lots on 2.27 acres of land in the R-4 zoning district.**

Fitzgerald: Okay. Moving to the next item on our agenda, I guess it's -- tonight's theme is things we have seen before. So, moving to the next item on the agenda is file number H-2020-0005, Landing South, and we will turn it back over to Sonya for next steps, ma'am.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for a preliminary plat. This application was previously heard by the Commission, along with a request for a rezone, and a recommendation of denial was forwarded to the Council based on the belief that the development plan was not consistent with the Comprehensive Plan. Issues with the turnarounds and access drives and the revised plat and didn't address previous concerns of the Commission. The City Council heard the application and remanded it back to the Commission for review of a revised plat meeting the R-4 dimensional standards. So, I will just review real quick with you -- remind you of the original plat on the left that was submitted. There was a combination of single family attached -- excuse me -- not attached, they were actually duplex buildings on the lots fronting on Linder Road and, then, single family residential detached on the eastern portion of the development. The Commission requested some changes to the plat. The applicant came back with the plat on the right there and, then, the Commission, then, made a recommendation to Council and forwarded the application on to them for their review and the plat on the left there is the current revised plat that is before you tonight for review and I will just go through the -- the application again, since it's been a while since you guys have seen it. This site consists of 2.27 acres of land. It's zoned R-

4 and is located at 660 South Linder Road. Adjacent land uses and zoning are single family residential properties surrounding this site, zoned R-4 and R-8. This property was annexed back in 1994 without the requirement of a development agreement. The Comprehensive Plan designates the property as medium density residential on the future land use map, which calls for three to eight dwelling units per acre. The proposed revised preliminary plat consists of eight building lots and two common lots on 2.27 acres of land in the R-4 district for the development of single family residential detached homes. The minimum lot size proposed is 8,018 square feet, with an average lot size of 8,199 square feet. Access is proposed via the extension of an existing stub street, South Spoonbill Avenue from Joshua Street from the north boundary of the site, which ends in a cul-de-sac. No access is proposed or approved via Linder Road. An emergency access only exists off site to the north via Linder Road. Off-street parking is provided in accord with UDC standards. Two on-street parking spaces are available in front of the two northern lots, but parking is not allowed within the cul-de-sac. Staff is concerned there may not be adequate on-street parking for guests. However, the UDC does not have standards for on-street parking. The Kennedy Lateral runs along the northern boundary of the site and has been piped. The pathways master plan depicts a ten foot wide multi-use pathway along the frontage of this site adjacent to Linder Road. However, because there is an existing sidewalk that is in good condition in this area, the Parks Department is not requiring it to be reconstructed and is only requiring an easement for a future pathway. A 25 foot wide landscape street buffer is required along Linder Road. Because this site is below five acres in size, the qualified open space and site amenity standards in the UDC do not apply. An open space exhibit was submitted that depicts .32 of an acre of common open space, consisting of the street buffer along Linder Road and the area along the north boundary where the Kennedy Lateral lies. No amenities are proposed. Wrought iron fencing is proposed to be constructed at the back edge of the street buffer along Linder Road and along the Kennedy Lateral easement. And the exhibit on the left there is the open space exhibit. Although not required, the applicant did submit that just to show what areas are common open space and the concept elevations on the right represent elevations for single family residential detached homes proposed to be constructed in this development. The applicant submitted written testimony. He is agreement, except for conditions A-3-B and A-3-C in regard to tree mitigation requirements. The applicant states that the -- incorrectly states that 67 caliper inches of trees are required for mitigation, but that the city arborist only determined that 17 inches are required based on retention of an existing 50 inch maple tree. So, staff is okay with this change to those conditions. Written testimony previously was submitted on this application. I'm not sure if it necessarily still applies, but it is on the record from Chris and Candice Johnson. They are requesting Joshua Street is allowed to extend to the west and connect to Linder Road as a permanent access, instead of emergency access only, or, at the very least, the construction traffic is allowed to use this access for development of the subdivision and that a no outlet sign be installed at South Tylee Way where it intersects Waltman Drive to notify drivers the dead ends -- the street dead ends to prevent unnecessary traffic. Jeff Bolen submitted testimony. He requested direct access via Linder Road is allowed for this development. Staff did reach out to ACHD to see if an access via Linder would be allowed and it would not, as it does not meet district policies. The site does not have sufficient frontage to meet spacing requirements from Gander Drive to the south and

Pintail Drive to the north. With the proposed development factored in traffic volumes on Gander Drive are anticipated to be well below what is allowed on a local street. Kenneth Scott Grapatin submitted testimony. He's concerned pertaining to the continued provision of irrigation water to his property, which currently runs through the north side of their proposed project and accessibility of the ditch for repairs and cleaning. Staff is recommending approval of the proposed preliminary plat with a modification to conditions A-3-B and A-3-C as requested by the applicant. Staff will stand for any questions.

Fitzgerald: Thanks, Sonya. We appreciate it. Are there any questions for the staff?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Sonya, just a question about the parking that you mentioned. Is there -- is the road wide enough between this subdivision and the one to the north for parking on street on that roadway?

Allen: Commissioners, I -- as far as I know it is. I believe it is. The applicant could probably answer that question.

Fitzgerald: Commissioner Grove, do you have any follow up or are you good? Okay. Any additional questions for Sonya? Hearing none, is the applicant available in some form?

Yearsley: He is coming up.

Fitzgerald: Okay. Thanks, Commissioner Yearsley.

Jewett: Yeah. Mr. Chair, Members of the Commission, Jim Jewett, 776 East Riverside Drive, Eagle, Idaho.

Yearsley: If you can speak into the microphone a little closer.

Jewett: Do you want me to repeat the address?

Yearsley: We are good.

Jewett: Thank you. As Sonya stated, this application came prior as a rezone with some more dense smaller lots and some duplexes. We subsequently after City Council discussion decided to withdraw the R-8 rezone, come back with a straight R-4 plat and asking for none of the previous requests before, the duplex, the common lots, common driveways and just a straight plat. We are in agreeance with the staff report and would stand for any questions.

Fitzgerald: Are there any questions for the applicant?

Grove: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Grove: Same question that I asked Sonya in regards to the parking between this subdivision plat and the road that it comes off of to the north. Is there parking along -- access on those -- or on that street?

Jewett: As currently constructed there is no restrictive parking from the cul-de-sac to this cul-de-sac that we are proposing, albeit there is that canal easement that's in there, but there is no requirement for no parking in front of the canal that I'm aware of. So, yes, there would be additional parking between our boundary and the next property boundary to our north for at least one vehicle per side, if not two.

Grove: Thank you.

Fitzgerald: Additional questions for Mr. Jewett? Thank you, sir. We appreciate you being here tonight.

Jewett: Thank you.

Fitzgerald: And we will let you come close if there are additional public testimony.

Jewett: Thank you much.

Fitzgerald: Madam Clerk, do we have anyone who would like to testify on this application?

Weatherly: Mr. Chair, we do not.

Fitzgerald: Okay. Is there a show of hands on -- if there is anyone in the public in the chambers that would like to testify or please raise your hand via Zoom if you would like to testify on this application.

Yearsley: No one's indicating they want to testify.

Fitzgerald: Thanks, Commissioner Yearsley. Mr. Jewett, did you want to say any further closing remarks, sir, or are you good?

Yearsley: He said he's good.

Fitzgerald: Okay. Can I get a motion to close the public hearing?

Grove: So moved.

Seal: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-0005. All those in favor say aye. Any opposed. Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Fitzgerald: Commissioners, what are your thoughts? Commissioner Seal.

Seal: Mr. Chair. Recurring theme tonight. In-fill property that we have seen a number of times.

Fitzgerald: Yes.

Seal: I -- compared to the layouts that we have seen before I like this -- this concept in here for this piece of in-fill. It's because of the restrictions on roadway access and how it's, you know, basically blocked in here, I think this is about as good as it's going to get. It's -- I really like the idea that they had as far as the -- some of the properties facing the frontage on -- on Linder Road there. I was, you know, a little sad to see that go, but I can -- you know, like I said, seeing this layout and how it works and flows a little bit better, I'm happy to see this is where it landed. The only concerns I have are, you know, the same as -- that Commissioner Grove shared, just the parking is going to be an issue in here. So, you know, you have one -- one Super Bowl party over here and the next thing you know you are going to have people parking up on the -- you know, into the next subdivision there. So, you know, it's -- it's a similar problem everywhere. So, it will just be a little bit more of an issue here I think. So, that and, you know, trash delivery days and things like that are going to be interesting in here. But, you know, I seeing cul-de-sacs like -- like this. They seem to work it out in the end. So, again, for a piece of in-fill property like this I think it turned out pretty well.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I will just echo everything that Commissioner Seal said. This is a difficult one just based on its size and I don't know how much different you could really go and still do something with this. So, I appreciate them coming back and -- and trying this again and it -- we have seen it a few times. So, this is easily the best one we have seen, so --

Fitzgerald: I agree. I didn't get to -- I wasn't here for the first one, but I was here for the last two or three, and I think, if I recall, this was the request of the neighborhood. The neighbors next door where -- can we just match it up to what we have got next door and I think they did a good job of doing that. I think -- if there was a theme I can say tonight is our staff's pretty talented in regards to working through things before they get to us and, you know, just like giving direction to our -- our development community out there is they kind of know what we are -- where we head a lot of times in our conversations. Listen to them, because it saves everybody some time and effort. But I think -- I agree with the comments that Commissioner Seal and Commissioner Grove made, this is a much better

and much more improved -- with not having access to -- to the Locust Grove, I think it's -- or to Linder, I'm sorry, I think it's going to be a very limited opportunity without doing something like this. So, I'm in agreement. This is probably the best we are going to get. I think where we are dealing with cul-de-sacs everybody -- they seem to manage through it, you know, whether it's neighbors or the trash trucks that are racing to get through it. So, I think this is probably a significant improvement from where we were.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I totally agree. This is by far the best we have seen and probably the best configuration is going to work in this little corner and I do appreciate the thought to have the different product along the frontage road there, but it just -- it just was putting a square peg in a round hole for this piece, so I agree. This is something I could support and probably just recommend as big a driveway as you can get.

Fitzgerald: That's totally true. Commissioner Yearsley, do you have any thoughts, sir?

Yearsley: I -- there is nothing more to say than what's been said. It's -- it is what it is and I much prefer the R-4, to be honest with you.

Fitzgerald: Well, team, I am ready for motions whenever you are.

Seal: Mr. Chair?

Fitzgerald: Go ahead, Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2020-0005 as presented in the staff report for the hearing date of June 4th, 2020, with the following modifications: That A-3-A and A-3-B are remediated to reflect the -- the reduction in tree mitigation to the 17 inches as proposed by the applicant.

Grove: Second.

Fitzgerald: Is that A and B or B and C?

McCarvel: Mr. Chair, I have B and C.

Seal: Do I have that wrong?

Fitzgerald: Sonya, can you clarify that?

McCarvel: Sonya is nodding.

Fitzgerald: Sonya is nodding. Okay. So, Commissioner Seal, that's B and C. Would that be your revised motion?

Seal: My revised motion will be for A-3-B and A-3-C. That is correct.

Fitzgerald: Does the second -- second agree with that?

Grove: Second. Yes.

Fitzgerald: Okay. Second's seconding. I have a motion and a second to recommend approval of file number H-2020-0005, Landing South, with modifications. All those in favor say aye. Any opposed? Motion passes. Thank you. Appreciate it, Mr. Jewett. Good luck.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

- 7. Public Hearing for Spurwing Sewer Easement Annexation (H-2020-0087) by Shari Stiles, Engineering Solutions, LLP, Generally Located North of W. Chinden Blvd./Sh 20-26, Northeast of N. Ten Mile Rd.**
  - A. Request: Annexation of 0.60 of an acre of land with an R-4 zoning district.**

Fitzgerald: The last item on our agenda for this evening is the public hearing for Spurwing Sewer Easement and Annexation, file number H-2020-0087. Before we get started I need to check in with my fellow Commissioners. I live in Spurwing and I will be honest with you and tell you I have -- people have asked me about this thing and I have given some information about what I thought it was, mostly before when it was in front of Ada county. I haven't given anybody my opinion, but I told them what I -- what they saw on the notifications they got in the mail. I don't think that puts me in a place where I should recuse myself, but I will let the Commission make a combination -- or that call. So, I think I can be impartial on this discussion, but I also want to give that -- I have provided some information when people ask me about the application that was in front of Ada county. So, if that is an issue with anybody I'm happy to step away, but want to give that -- that opportunity for you guys to comment -- or any comments you might have.

McCarvel: I'm good.

Fitzgerald: Okay.

Seal: I was going to say, being that you are chair and you can't make the motion, I think we are safe.

Fitzgerald: That's probably a good call. Commissioner Yearsley, any concerns?

Yearsley: I'm good.