

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Glen, thank you for being here tonight and good luck. I wish you guys the best.

Walker: All right. Thank you, Commissioners.

Fitzgerald: Does anyone need to take a break for any reason or you want to keep plowing forward and we get into a --

Parsons: That's -- Mr. Chair, that's up to you. If you want -- your purview. If you guys need a five minute break, happy to do that while we get set up for the next presentation.

Fitzgerald: Okay. Let's do that real quick. We are going to take a bio break.

(Recess: 8:35 p.m. to 8:44 p.m.)

Weatherly: Mr. Chair, we are all here and ready to go.

C. Public Hearing for Apex (H-2020-0066) by Brighton, Murgoitio, et al., Located generally located east of S. Meridian Rd. and north of E. Columbia Rd.

1. Request: Modification to Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. # 2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. # 2016-007074) to replace the agreements with one new agreement based on the proposed development plan.
2. Request: Annexation of 40.09 acres of land with an R-2 zoning district. Request Continued to a Future Date to be Determined
3. Request: A Rezone of 384.27 acres of land from the R-4 to the R-8 144.78+119.28=264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.

D. Public Hearing for Apex Northwest (H-2020-0056) by Brighton, Murgoitio, et al., Located at the Northwest Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

1. Request: Preliminary Plat consisting of 120 residential buildable lots, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts.

E. Public Hearing for Apex Southeast (H-2020-0057) by Brighton, Murgoitio, et al., Located at the Southeast Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

1. Request: A Preliminary Plat consisting of 237 residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts.

Fitzgerald: Thank you, Madam Clerk. So, moving on to the next three items on our agenda, we are going to open these in order all at the same time, so at this time I would like to open the public hearing for Apex by Brighton, File No. H-2020-0066, File No. H-2020-0056 and H-2020-0057 and start with the staff report. Sonya, it's all you, ma'am.

Allen: I see that, thank you. You always know, but it's after you say it. Thank you, Mr. Chair, Members of the Commission. We did have a request by the property owner late today that they would like to change the request for annexation and zoning of that westernmost green parcel you see on the map here, that was proposed to be zoned R-2, 40 acres of land, they want to actually continue this portion of the project to a later commission hearing date in order to re-notice the application to include R-4 and R-2 zoning. So, the annexation portion is being broken out of this application tonight and will be on a later agenda. So, the annexation will not be part of your motion tonight, Commissioners. The applications before you are a request for a development agreement modification, a rezone, and two preliminary plats. The rezone area consists of 384.97 acres of land. It's just generally located east of South Meridian Road, State Highway 69, half mile north of East Columbia Road and a quarter mile south of East Amity Road. This property is surrounded primarily by rural residential and agricultural uses, zoned R-4, RUT, C-2 and R-1. This property was annexed as part of the south Meridian annexation initiated by the city in 2015. The purpose of the annexation was to obtain easements and construct infrastructure for extension of city water and sewer service in the southern portion of the city. A placeholder zoning of R-4 was given to these properties and a development agreement was required as a provision of annexation that is required to be modified upon development of these properties. Two hundred and six approximate acres are designated medium density residential on the future land use map. Approximately 21 acres are designated medium high density residential. And approximately 120 acres are designated mixed use commercial. A future school site and city park is designated in the general area northwest of the Locust Grove-Lake Hazel intersection, north of the MUC designated area. Another school site is designated on the east side of North Locust Grove Road north of Lake Hazel Road just north of the subject rezone area. A rezone of 384.97 acres of land from the R-4 to the R-2 zone -- actually, that portion is being stricken, as I mentioned earlier. Two hundred and sixty-four point zero six acres to R-8. Approximately 77 acres to R-15 and 43 acres to C-C zoning districts is proposed, consistent with the associated medium density residential, medium high density residential, and mixed use community future land use designations. Only 123.38 acres of land to be rezoned is proposed to be sub -- subdivided with this application. The remainder will be developed at a later date. A master plan was submitted as shown on

the right that depicts how the property is proposed to develop with single family residential homes, two swimming pools, commercial office uses, a community center, amphitheater, two school sites, a charter and an elementary school, and future development areas with a conceptual street layout. A modification to the existing development agreements is requested to replace the agreements with a new agreement based on the master plan proposed with this application. In the mixed use community designated areas where a concept plan isn't depicted, the development agreement is required to be modified to include a concept plan prior to development of those areas to ensure future development is consistent with the general mixed use guidelines and the mixed use community guidelines in the comp plan. Two separate preliminary plats are proposed due to the right of way for Lake Hazel and Locust Grove Roads separating the sites. The preliminary plat for Apex Northwest -- and that is the area -- if you can see my cursor right here on the northwest corner of Lake Hazel and Locust Grove, consists of 120 single family residential buildable lots for the development of 88 detached and 32 attached dwelling units, all alley loaded, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the R-15 and C-C zoning districts. The minimum lot size proposed is 2,863 square feet, with an average lot size of 3,885 square feet. The gross density proposed is 5.62 units per acre, with a net density of 11.21 units per acre. The subdivision is proposed to develop in three phases as shown on the phasing plan. The preliminary plat for Apex Southeast, located at the southeast corner of Lake Hazel and Locust Grove Roads here where my cursor is at, consists of 237 single family residential buildable lots, front and alley loaded, two commercial buildable lots, 30 common lots and ten other shared driveway lots on 81.63 acres of land in the C-C and R-8 zoning districts. The minimum lot size proposed is 4,840 square feet, with an average lot size of 7,058 square feet. The gross density proposed is 3.75 units per acre, with a net density of 6.17 units per acre. The subdivision is proposed to develop in five phases as shown on the phasing plan on the right. Overall a total of 357 single family residential buildable lots, 13 commercial buildable lots, 44 common lots and ten other lots are proposed between the two subdivisions at a gross overall density of 4.22 units per acre and a net overall density of 7.27 units per acre. There are no existing structures within the boundaries of the proposed plats. The Northwest Williams Gas Pipeline crosses the northeast corners of both subdivisions. Development within this area should comply with the Williams Developers Handbook. No structures should be located within the easement. In Apex Northwest two public street accesses are proposed via East Lake Hazel Road and two public street accesses are proposed via Locust Grove Road, both arterial streets. Collector streets, East Crescendo Street and South Apex Avenue, are proposed in accord with the master street map. In Apex Southeast three public street accesses are proposed via Locust Grove and two public street accesses are proposed via Lake Hazel Road. Collector streets, Tower Street, Vertex Way and Via Roberto Street, are proposed in accord with the master street map. Alleys are proposed for access to homes in Apex Northwest and local streets, alleys, and common driveways are proposed for access in Apex Southeast. Cross-access ingress-egress easements are required to be provided between all commercial lots. The applicant has proposed to enter into a cooperative development agreement with ACHD to improve Lake Hazel and Locust Grove Roads abutting the site with additional travel lanes, curb, gutter, planter strips and sidewalk with the first phase of development. Multi-use pathways are required to be provided with development along the south side of

Lake Hazel Road, connecting Locust Grove Road to the pathway and in Discovery Park within the Williams Pipeline Easement and as otherwise required by the Parks Department in accord with the pathways master plan. A minimum of ten percent qualified open space is required to be provided in each subdivision. Open space exhibits were submitted that appear to meet the minimum standards. However, some areas were included that don't qualify, such as common areas in the C-C zoning district. To ensure the developments comply with the minimum standard staff is recommending the exhibits are revised prior to the Council hearing. If additional open space is needed it should be provided. Based on the area of the Apex Northwest plat a minimum of one qualified site amenity is required. A gazebo is proposed as an amenity. Staff is recommending tables and benches are also provided to qualify as a picnic area amenity. Based on the area the Apex Southeast plat, a minimum of three qualified amenities are required. A swimming pool, children's play equipment, and multi- use pathways are proposed as amenities in accord with UDC standards. Several conceptual building elevations were submitted for their proposed single family homes and commercial structures planned to be constructed in this development. Homes are a mix of one and two story units, attached and detached, with building materials consisting of a variety of siding styles and stucco, with stone and brick veneer accents. Final design is required to comply with the design standards in the architectural standards manual. Single family detached dwellings are exempt from design review standards. Because two story home elevations that face arterial and collector streets are highly visible, staff recommends the rear and/or side of structures on lots that face these streets incorporate articulation through various specific means or other integrated architectural elements to break up monotonous wall plains and roof lines that are visible from these streets. Single story structures are exempt from this requirement. No public comments have been received on this application. Staff is recommending approval with an amendment to the existing development agreements to include a new development agreement for the overall property per the provisions in the staff report. Staff will stand for any questions.

Fitzgerald: Thanks, Sonya. Are there any questions for staff? Anyone?

Allen: Mr. Chair, the clerk just told me --

Fitzgerald: Go ahead, ma'am.

Allen: Excuse me. The clerk just told me that there was one public comment received late today and it is in the public record.

Fitzgerald: Okay. Thank you for that.

Allen: Thank you.

Fitzgerald: Hearing no questions for staff at this time, Mr. Wardle, would you like to take it from here, sir.

Wardle: Thank you, Mr. Chair. First off can you hear me okay?

Fitzgerald: Yep. You're good.

Wardle: Great. Thank you. I'm going to share my screen here. Good evening, Mr. Chair. My name is Jon Wardle. My address is 2929 West Navigator, Suite 400, in Meridian, Idaho. 83642. With me tonight I have David Turnbull, Lars Hansen and Mike Wardle, all representing the Brighton team and I wanted to take an opportunity to let you know that they are here available for questions at the end should you have any specific to the project. We are really excited about the opportunity to bring this project Pinnacle to you tonight. Pinnacle is a -- is a mixed use community. It's not often that we have an opportunity to develop four corners. It's often one side of the street or the other, but in this case we actually have an opportunity to develop all four corners at the intersection of Lake Hazel and Locust Grove. Even though we are divided by these roads, it will be developed as a single project and in multiple phases over time. We are very excited about the opportunity to develop Pinnacle and create not -- not only an identity for Pinnacle, but also an anchor for south Meridian, provide services and other things that will be a community asset and a value to everybody that lives out in the area that is also on a broader range. Pinnacle was designed as a mixed use planned community. When we began looking at this we wanted to identify some key components, living, education services and outdoor opportunities and so as we go through our presentation tonight I will give you a little bit more detail on all of those. As mentioned just a minute ago, there was an annexation request for 40 acres on the west side adjacent to Meridian Road. At the request of the co-applicant of that, they have asked that that be continued. So, that tonight has been pulled off the table, but it doesn't have any impact on the rest of the project that will be in front of you. We are asking for rezone to match up with the overall master plan that's in front of you. We do have -- now, it is one project, but we do have two plats, because we are split by public roads, Apex Northwest and Apex Southeast, and there is also a request to modify the development agreement, which Council will hear in the future. As I mentioned just a couple of minutes ago, when we started looking at Pinnacle we were looking at the -- the items and elements that really make up a planned community. As I put up here on the screen here they really are living options, education, services that are at appropriate scale and also recreation. In addition, because we are on this intersection of Lake Hazel and Locust Grove, we have a great opportunity to provide additional services to the broader community, not just the residents that will live in Pinnacle. Starting off the first element are living options. We have identified in the first two plats a couple of different living options. In Pinnacle Northwest we have alley and also row homes. In Pinnacle Southeast we have conventional homes that you -- that we see everywhere. But in combination these are a mix of residential uses which complement each other and provide an opportunity for different type of lifestyle, attached or detached, but also a maintenance or no maintenance, meaning a homeowner would take care of his own or it would be taken care of for them. One key element that we know is important to our community is education. We have been working for some time with West -- West Ada School District. We have identified a future site for an elementary school and we will continue to work with them on that -- on those plans. But one of the items that we are real excited about that is shown here before you is a future charter school. We have been working with Gem Prep Academy. They are looking for additional opportunities to provide education in Meridian and we have identified this site in Pinnacle

Southeast. It's about a seven acre site. It would be a K through eight school. Public charter school. But we are really excited about that. They would come in with a future application through the conditional use process. Like their timeline and our timeline -- their intent would be to open fall of 2022. One of the things that's also important is to have services which residents and other community members can use. It's important to have services that are of an appropriate scale. Lake Hazel long term will have more traffic to it, as will Locust Grove. We really designed this first section in Pinnacle Northwest to be a small scale, a neighborhood scaled retail area. A couple of things that we are doing here that are unique is retail needs people and so in order to drive that we are going to put our community center here at the core of this and I will get into a little bit more about some of the services that will be there, but we think that having a very active community center surrounded by a similar scale to retail will provide an opportunity for success for those future retail users here. The retail we see will be a combination of small scale office, medical services, small retail services and those will be defined over time based on what neighbors and community needs here at this location. Of note as well this -- this area here identified in the corner, it's about ten acres, and seven acres of that is -- is combined for the community center and these office retail uses at this location. We are really excited about the opportunities that we have to provide -- to help people be outdoors, be social, but also have space. We know that having space is an important thing and so we feel like we are starting to provide some opportunities that will be both beneficial to the Pinnacle community, but also provide some valued connections to the greater south Meridian area. Some of the things that we are proposing with Pinnacle is an amphitheater and community center kind of at the center at Lake Hazel and Locust Grove, trails and pathways, and pools and parks. Really what this becomes -- it is a neighborhood town center for south Meridian. Not intense like you would find it at The Village, but of an appropriate scale and services that would be beneficial to this area. I'm going to zoom in here on a couple things. First talk about the amphitheater and community center here in the core on this ten acre corner piece. We have thought long and hard about the opportunities here and how to create a place where people will come and gather. As we started looking at this we really felt like there was value in not turning our back on a park, but making the park a center, a keystone of Pinnacle, not just for the residents, but it is surrounded by public streets. We really want to see people come here and gather here with this amphitheater. It could be for small concerts. It could be for farmers markets. We also see the opportunity on the streets that we could park food trucks so they can come there. It really becomes an activity center for the greater community. This is looking -- this is looking from the northwest to southeast towards the corner of Lake Hazel and Locust Grove. This perspective -- if you were standing in the community center you would be looking back into the commons and the amphitheater. Here is that same view, but elevated up above, so you kind of get the size and scope of this. The park element itself, we were calculating that earlier today, get to it right here really quick. Yeah. So, the park element and the community center is 3.25 acres. In context, City Hall here sits on 2.75 acres. City Hall and the parking lot. So, we are adding about a half acre more of a great park element, a community center, and associated retail uses and commercial uses around the site. This community center right here that I have shown here -- this will face both the park and also into the parking area, which we will see here in a second on how that works. The community center really is designed to provide ample outdoor spaces,

but also indoor spaces. We see that we will be doing -- all of our mail delivery will be at the community center. There will be places for package drop offs. We will also have a cafe in there. You talked about having a small library, either -- either a community library or something bigger than that. There will be a business center. It becomes the activity hub for both the residents and also the community at large at Pinnacle. Again, looking here back towards the northeast, this shot kind of gives you the perspective where the community center and amphitheater commons would be and how those two would relate. We really have an opportunity here to activate this area over time. When I say activate, bring people together. People are looking for that third place. They have work or school and they have home. They want that place where they can go, meet other people, but still have, you know, the ability to have some distance and we really feel like this provides a great cornerstone for south Meridian. And, finally, this picture right here, this is looking at the intersection, the roundabout, looking towards the northwest to kind of get a perspective of Locust Grove and Lake Hazel, how those buildings would relate to both of those arterial roadways. And, finally, just one last picture here looking towards the south and you see the back side of the community center, but it's not really backside, it's a four sided architectural building. We will have plaza spaces there as well. People can come in, pick up their mail, get some services and also participate in other activities that we will have programmed with an on-site community director. One of the things that we have heard a lot about south -- south Meridian -- what we hear in all of our communities is the importance of connections. We view connections as pathways and sidewalks. This graphic right here that's in front of you, these red lines represent new pathway systems, which would be ten feet in size or provide other connections to other neighborhoods like this. We are going to have ten foot detached sidewalks on both sides of Lake Hazel, along a mobility corridor that ultimately will connect into Discovery Park. You will also have a ten foot sidewalk heading north on Locust Grove and, then, as you see it goes on the diagonal, that's the Williams Pipeline. It creates both some challenges, but also an opportunity. We are going to activate that corridor, green it up. We can't build any structures -- buildings over the top of it, but we can bring pathways through there. We can create some common areas, and this ten foot pathway will connect the northwest part of our project and beyond down to Discovery Park for new pathways which are safe corridors to travel on. And, finally, one of the key elements, obviously, are parks and other -- other services. In the southeast area we are showing in our first phase a pool and playground area that we will be building. We have some micro path connections which will be built over to Discovery Park in the Pinnacle Northwest area. We will be building that community center and commons and amphitheater with our second phase. It will be the first phase up there, but with our second phase, so those elements are there right from the very beginning as well. We do have a variety of open spaces, gazebos, we have a future pool and other pathway connections planned to the northwest. That gives you an idea of what we are doing from the very beginning with these two plants, which are before you tonight. As Sonya mentioned, the applications before you -- really that first one, the annexation, has been continued. We are rezoning Pinnacle to match with the type of land uses which are now before you in this master plan. It is one project, but there are two preliminary plats, Apex Northwest and Apex southeast, and we will be modifying the development agreement. Just wanted to kind of give you an illustration of how the zoning here overlays the boundaries of the -- of the project in relationship to the

broader community. We have a variety of land uses here with R-8, R-15. We are maintaining R-4 over adjacent to the existing homes, which are shown there with that project area. We also have C-C designated areas, which allow for community scale and neighborhood scale retail, but also other type of residential uses in the future, depending on the demand and interest in the market. And, again, this is just a side by side of our land use map and the zoning which is proposed. And, finally, just in summary, like I said, we are presenting to you an overall concept plan for Pinnacle. It is divided into two subdivisions or plats before you, Apex Northwest, which was 120 residential lots with 11 commercial lots on 41 acres and Apex Southeast, 237 residential lots, two commercial lots with that future charter school there as well on 81.63 acres. Finally, we do agree with the conditions of approval, subject to some clarifications that we have been working with staff on some design elements, which -- which are not major, but we will address those prior to City Council. We do not have any modifications to the conditions that we are requesting this evening and we do request that the Planning and Zoning Commission recommend that these applications move forward to the Council, not for annexation, but for zoning and the preliminary plat as proposed by staff as we have given to you this evening in our public testimony. That's the end of my discussion or the end of my comments. I am willing to take any questions you have or for our team here as well.

Fitzgerald: Mr. Wardle, we appreciate you being here. I have a quick question. I know in -- in a -- you know, this is a big significant chunk of land. You all are doing a significant offsite in widening roads and adding signals; is that correct? Just so we have that on the record.

Wardle: Commission Fitzgerald, thank you. Yes. To let you know what we are doing currently, on this exhibit right now in the northwest corner where you see kind of some gravel pits up there close to Amity Road, that's where the city brought in its sewer line. We have actually picked up the sewer line and built about three quarters of a mile of it, but we are extending that trunk sewer line all the way down to the city park, so the future phase of the city park can -- next phase can bring -- be brought online as well. One of the other key elements that we are involved in as well is the ultimate construction of Lake Hazel and Locust Grove to match the long range plans that ACHD has for the area. We are going to enter into a cooperative development agreement with them. So, at the very beginning of the project or concurrent with these first phases we will be building a dual lane roundabout, we will be building Lake Hazel at least a quarter mile each way with these first phases as a five lane roadway system with a median that would allow for turn lanes and we will be rebuilding Locust Grove as well as a three lane roadway in cooperation with ACHD. So, we have made that commitment. We are going to do that the very beginning. We are invested already without any approvals on extending the long range planned sewer trunk line for this area. So, yes, those things we are involved in and are committing to with this project.

Fitzgerald: Thanks, sir. I appreciate the information, for sharing that. Is there questions for the applicant?

Seal: Mr. Chair?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer, go right ahead, ma'am.

Pitzer: Thank you. Yes. Just for clarification, where the amphitheater is, if you could bring that back up. You have a little -- you have the square right there that says future. What do you see for that future?

Wardle: Let me see here. Was it this one?

Pitzer: This one here. Yes.

Wardle: Yes.

Pitzer: North of the amphitheater.

Wardle: I don't think you can see my cursor, but, Commissioner Pitzer, you were -- you were mentioning that future square, it's about a ten acre site. We are zoning it as R-15. We don't have plans for it at this moment, but we do view it as residential in the future. One of the things if we were to draw a line through -- you see the red pathway to the northwest, that is the Williams Pipeline. The Williams Pipeline bisects that parcel, so we are just pausing at this moment in time as we are continuing to work with them on how design in and around that would be. It is a 70 foot easement that they have through there. Actually have a couple of pipelines that are in that easement. So, we do need to take care as we are going through there. But at this point in time we are not presenting any plans to the Commission and would come back at a future date with a new plat or plans for that future area.

Pitzer: Okay. Thank you. And follow up?

Fitzgerald: Go right ahead, ma'am.

Pitzer: Thank you. What -- are there any grocery stores, gas stations, anything like that within this area?

Wardle: Mr. Chair, Commissioner Pitzer, at this time we do not have anything planned at this intersection. We do have an opportunity in future. We have some other C-C zoning in there, but we want to make sure that the retail uses are of a scale which is appropriate. There are other locations which we think will end up being probably a little higher traffic, perhaps closer over to Meridian Road and State Highway 69. At this time the retail that we are proposing would be of small scale, probably in the ballpark of four to ten thousand square foot structures that would be services related to the community.

Pitzer: Okay. Thank you very much.

Wardle: Thank you.

Seal: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Seal: Was that for me?

Fitzgerald: Yes.

Seal: Just a quick question on the school sites. Are the school sites something that you were working to donate fully, partially donate, or is that something where the school is going to buy the land and go from there?

Wardle: Mr. Chair, Commissioner Seal, Brighton has a long standing history of working with the schools. We have done this at other locations in most every one of our communities in Meridian. I don't want to get into the details on what that really means, other than we are committed to education and we -- we are working hard to make sure that education happens early here, just like we have in other communities. So, I don't really want to get into details on what those -- how the land would transfer, other than to say that we have a long term commitment to education in Pinnacle.

Seal: Okay. Thank you.

Fitzgerald: Follow up, Mr. Seal?

Seal: No. That's all. Thank you.

Fitzgerald: Okay. Commissioner Grove, were you unmuted?

Grove: Yes.

Fitzgerald: Sir, go right ahead. Thanks.

Grove: All right. Thank you, Mr. Chair. Mr. Wardle, a couple of -- I had two separate questions. First one is related to the improvements right there and -- for the street. This is something unique to our streetscape. Is this proposal something that would -- like was actually going to go through in terms of the median that is set up on -- which one is that? Lake Hazel. And I guess Locust Grove as well.

Wardle: Mr. Chair, give me a second here. Let me scroll back to a different graphic that pulls it down a little bit closer, just so you can kind of see here. There is a dark line here, so that -- that is over the top of a continuous median both east and west from Lake Hazel. As we know, Lake Hazel is a -- you know, is going to be a mobility corridor in the future. It's not carrying that currently, but we want to make sure that it's designed appropriately. But given the nature of the roundabout as well, we don't want to have too many conflicts coming in and out of the parcels and so when you get back to -- back to the amphitheater area, this is a continuous median that would come across Lake Hazel -- there would be

a turn lane -- a dedicated turn lane more to the west, so you would have the same treatment to the east, but, yes, we are -- we are committed to building those medians in those areas, both from an enhancement, but also to control access to the parcels north and south of that Lake Hazel area, given that we have a roundabout there.

Grove: Thank you. I like that. It gives some character to an otherwise flat piece of land, so that's kind of cool. The second question that I had was related to open space and how that is possibly impacting your decision on the northwest parcel. In regards to the -- if the civics aspect is not able to be calculated, does that impact your open space needs during this first phase and if it does are you able to accelerate the addition of the space surrounding the future pool?

Wardle: Mr. Chair, Commissioner Grove, let me just make sure I understand the question. You can just nod if I do. You are asking if we feel like we have sufficient open space in the northwest area if we can't count the amphitheater as -- within our common area. Okay. All right. We do believe that we do. There -- there is an area which is directly adjacent to the amphitheater to the west, which has a lot of common area. We have other buffers as well down here on Lake Hazel. We do believe that we -- the calculations are there for it. I would note, however, it is interesting -- the only reason we are not able to count it is because it's in a C-C zone. We very easily could have redrawn the zoning down the middle of the private drive between the amphitheater and the community center and bring it in and it would be more than -- more than -- way more than is needed, but because it is in the C-C zone as relates to commercial it, quote, isn't counted. I do think, however, if you look in the context of this community, the open space that's there, the amphitheater and the opportunity to bring in a lot of other residents and community members, we think it's a great asset. But your original question, we do think that we have sufficient open space in the other R-15 area, which is shown within the plat.

Fitzgerald: Mr. Grove, any -- additional questions for the applicant?

Grove: Not at this time.

Wardle: Can I just see if there is anything else that needs to be clarified? Okay. We are good on our end. Thank you.

Fitzgerald: Thanks, Mr. Wardle. We appreciate it. We will let you close if there is additional public testimony. I will give you an opportunity to close either way, but if there is -- we will come back to you in a moment. Madam Clerk, is there anyone signed up to testify on this application?

Weatherly: Mr. Chair, we had several people sign up, one who wished to testify in house and that is Stacia Morgan.

Fitzgerald: Okay.

Morgan: Okay. Hi, I'm Stacia Morgan. I live at 1130 East Tanya Lane here in Meridian and I guess I'm mostly here to say -- I mean it looks like that Pinnacle is an exciting addition to our community and I know that Brighton does a good job of bringing good things to our community. If it's approved I guess I'm mostly looking to -- not to approve a future R-15 designation for that one area. Plus I'm here for also a general plea to the Planning and Zoning Committee to continue to look out for our students. I know -- I was unaware of this charter school possibility, but it looks like as of now Victory Middle School is only -- is only 31 kids below capacity and I'm sure just this one Brighton development will bring more than 31 middle school children for that school, which will have it at capacity. Besides all the other communities that have been approved and are currently under construction. I know it's a duty of the Planning and Zoning Committee to do analysis -- analysis of public school capacity and transportation considerations and one question I have is do they do those and does the public have access to those analysis as they consider all these big communities that are coming in. According to the National Education Association a 15 kid class is ideal. That's totally and completely a dream. But 18 to 24 is more appropriate. Hillsdale in 20 -- 2018-2019 school year had fifth grade classes with 38 and 39 kids and another one of 39 and in the 2019-2020 all the -- all the third grade classes had -- had 31 kids in every first grade class. So, this is a huge concern. I mean I grew up here in Boise and Meridian and catch up has always been the game that we have played, but our growth is so much faster and we just can't keep playing the catch up game. The five kids that have -- are in the West Ada School District -- personal experiences I have had one teacher tell me I just don't know what to do with your daughter. She gets done with her work and I just have too many kids, so she can just read and maybe you can do things with her at home. She suggested I do some at home research project with her, because she just has too many kids to deal with and my kids at the high school have been really frustrated with -- every year we get the e-mail you cannot change classes. Whatever you get assigned to that is what you do, because we have too many kids to deal with all these schedule changes. So, unless it's some kind of emergency you just take what you get and that's really frustrating and, you know, not -- not good. I think we really have to plan for the education of these kids and part of the joy of Meridian community -- and they -- Pinnacle mentioned connection and that's -- that's the joy and beauty of living here is the connection with our neighbors and if these kids, which is currently happening, are bused to different schools and not going to school with their neighbors, they lose on that connection and that -- that's the beauty of the city. Kids should not have to be bused to far away schools because of the lack of planning on the city's part for educational purposes and also if we can kind of limit the number of step-ups or rezoning, we can limit the number of people in these communities. So, that's my plea, I guess, is just to, please, keep -- think about our kids and think about our future. I think that Pinnacle looks great, but we really have to be smart about how we are planning our community and planning for schools. It looks like there is some good selections with the elementary school level, but we still suffer in the middle school and, then, even the high school. So, thank you.

Fitzgerald: Thank you, ma'am. Appreciate you being here with us tonight. Madam Clerk, is there anyone else that would like to testify that hasn't signed up?

Weatherly: Mr. Chair, I'm getting one --

Fitzgerald: I have someone raising their hand.

Weatherly: I'm getting one hand raised online, so one moment. Annette, I'm going to move you over so you can speak. One moment, please.

Fitzgerald: Annette, if you would unmute yourself, you have joined us from the other side, so if you would, please, state your name and your address for the record and the floor is yours, ma'am.

Alonso: Okay. I'm Annette Alonso. I live at 2204 East Hyper Drive in Meridian and I live in Black Rock Subdivision, which will eventually back onto this development on -- off the canal to the northeast side and I have met with -- with Mr. Wardle and truly I think this is a beautiful development. It's really well planned. Spoken with Jon and we talked about this before. I'm representing the Southern Rim Coalition. And the only thing I have to say is we would like to make sure there is pathways connected through our development. We have a place where we can connect through -- over the canal. We have a walkway. Just so we have that thoroughfare going through and like the previous person who spoke just said, our education thing is quite a disaster at this point and I have tried many times through City Council -- Wendy Webb, who is my co-chair testified to City Council on a Linder Cedarbrook the other night and that was turned down by City Council because of the fact that we have no place to put our children and I love the fact that Brighton is including the school thing. I think the charter school is great. The problem is is that we are going to have houses before we have schools and we already have a thousand houses planned out here with no place for the children to go, because we are at capacity -- over capacity, so -- so, that's kind of just where we are is that we love this development, but schools have to come first before we can do anything else, because, you know, we wouldn't approve houses if we didn't have water. We wouldn't approve houses if we didn't have sewer. It's basic need and education is basic need. So, that's where we stand. Like I said, we love this development, we love what Brighton does, we love what they did with Century Farm. We love their contribution to community and the way they really help grow the community. We just have to have a school before we have more houses or we are going to be in real trouble. That's all I have.

Weatherly: Mr. Chair, at this time I don't see anybody else raising their hand in house or online.

Seal: You are muted, Mr. Chair.

Fitzgerald: Thank you very much. Thanks, Mr. Seal, for bringing that up. Ms. Alonso, thank you for being here with us tonight. We appreciate your perspective. And I have one more person that just raised their hand. Can we move Mr. Edwards -- or Mrs. Edwards -- the Edwards over and have him or her join us as a panelist.

Weatherly: Absolutely. I think it's Julie. Julie, if that's you you can unmute yourself.

Fitzgerald: And, Julie, if you hit the button down -- there you go. Julie, please, state your name and your address for the record. I think we got your testimony late today, but we appreciate your written testimony, too. So, hopefully, you can give us your take and go from there. So, the floor is yours, ma'am. Julie, we are not hearing you if you are speaking. Still having challenges. But I do know we have got Julie's testimony on the -- in written form, which is good. Madam Clerk or Chris, I'm not sure if we can help her.

Weatherly: Julie, if -- if you can check your -- you are unmuted on Zoom, but if you look on your computer and see if your volume is on and you are not muted on your computer. It sounds like you might be joining us, but you are really far away.

Allen: Mr. Chair, this is Sonya. If Mrs. Edwards is not able to communicate with us so we can hear, I am happy to hit the highlights of her written testimony if you would like.

Fitzgerald: Let's do that and she can --

Allen: Okay.

Fitzgerald: Yeah. That would be great. Sonya, if you will hit the highlights of her testimony and we can -- just to make sure everybody has that and, then, Mr. Wardle might be able to answer any questions that come up in that. That would be great.

Allen: Okay. Mrs. Edwards is opposed to the proposed rezone from R-4 to R-15 for the land along Lake Hazel Road between Meridian Road and Locust Grove Road. She is not against higher density around the commercial areas, though. She would like to see the zoning of the future development areas remain R-4, rather than be rezoned to R-8. She believes that farmland and open space should be preserved as much as possible. She is concerned the current school system does not have the capacity to accommodate all of the students from this development. She would like a moratorium placed on development that has not already been approved to allow time for the school district and roads to catch up and to have time to reevaluate how we want to use our dwindling remaining open spaces and farmland. Hopefully I captured all that, Julie. If not, the Commissioners do have her entire letter in the public record for review.

Fitzgerald: Thanks, Sonya. Appreciate that. Is there anyone in the audience or remaining online that would like to testify on this application? So, please, raise your hand.

Seal: I'm seeing nobody in the audience, Mr. Chair.

Fitzgerald: Thanks, Commissioner Seal. Hearing none, Mr. Wardle, would you like to close, sir.

Wardle: Sure. Thank you very much for the opportunity to make a few comments here at the very end of this. We -- we are aware this is a large project and we -- we also are aware that a couple of the items are outside of the city's control, being the roads and schools, but we feel like we are stepping up to address those and be very proactive. The

school question came up about, you know, needing more capacity. We went out and we found a very creative way to create capacity almost at the very beginning of our project. This K through eight charter school, Gem Prep, they will have 550 new seats that weren't even anticipated in West Ada's plan. We also committed to West Ada for them to provide an elementary school here on site as well. We are frustrated as well with the schooling issue. We are very intimately aware of what's going on in Hillsdale where we have residents that are living in -- in Century Farm, a community we developed and worked with West Ada to build that school, but their kids are being bused out, while other kids several miles away are being bused in. We are frustrated by that, too, and we would like to see West Ada be a little bit more proactive on doing changes. Now, that's not -- that's not popular, because people want -- they want the kids to remain in a place long term. But one way to deal with the capacity issues in West Ada is to change boundaries more frequently and address those as growth is coming. We do feel that Pinnacle with the West Ada future school site for an elementary school, as well as his charter school, we are really bringing some resources sooner -- in particular with a charter school -- than West Ada would be able to provide in their normal course of business. There was a question regarding pathways and I just want to see if I have control here still. It says I do, but let's try this one more time. It is not moving forward here. The question was raised about pathways. One of the unique things that we have in -- in Meridian are a bunch of laterals, drains, irrigation areas. The area between us and Black Rock -- and I did meet with Annette. She came in. We met in probably February before we completely shut down here. There we go. Thank you, Chris. This plan right here on our eastern boundary, that pathway system is really designed to follow the Farr Lateral. There is a connection existing in Black Rock, which they talked to us about, about making a pedestrian connection out. We think that's great. The more pedestrian connections we have for opportunities for neighbors to cross back and forth without having to get in the car is better and we are committed to these as well. So, I think we can very easily provide new opportunities throughout all this area and get people safely to Discovery Park. Finally, there is a question about density and rezoning. I just want to go to the city's future land use map. It was on a smaller scale. It's right here. So, this is the current Comprehensive Plan that the city has adopted. We have been involved and active in this conversation. It went through a long review period with a lot of public outreach. As you will see, Lake Hazel is considered as a location for more -- more density. We are going to take a look at that long term, but we also are wanting to make sure that we can meet the residential needs and demands over time and our zoning is married up with the future land use map. Just in summary, let me go back here. We are -- we are really excited about Pinnacle. Not -- not just from a, hey, we are -- we have an opportunity to build some homes and put some -- some roads in the ground. That's beyond what we are considering here. We are excited because we have an opportunity at the intersections of Lake Hazel and Locust Grove to create a south Meridian town center. A destination. Provide connections to the new city park. Provide safe ways for people to move back and forth along these arterials. Provide additional pathways to and through Pinnacle. Provide services for not only the residents of Pinnacle, but all of south Meridian and, most importantly, provide educational opportunities which we all know are super important with a future charter school and a future elementary school. Like I said, our team here at Brighton, we are very excited to be before you to do a master planned community, which

is considering, you know, living, recreation, services and educational opportunities in a planned manner and we stand for any questions you might have tonight.

Fitzgerald: Mr. Wardle, we appreciate it. Are there questions for the applicant? See shaking heads. Hearing none at this time. Going once. Going twice. Can I get a motion to close public hearing?

Holland: So moved.

Grove: Second.

Fitzgerald: I have a motion and a second to close the public hearing on several different file numbers. All those in favor say aye. Opposed same?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Okay. Crew, the applications are properly before you. Who wants to lead off?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I will jump in real quick.

Johnson: Mr. Chair, sorry. Can I interrupt him? I apologize. A member of the public raised their hand, but you have closed the public hearing. What would you like to us to do here?

Fitzgerald: I think we have moved on. That's kind of our policy, Chris, so -- appreciate that. We let Mr. Wardle close, so I think we are going to move forward. Go ahead, Commissioner Grove.

Grove: Just initial thoughts kind of on this. I like the -- the -- the thought process behind this project, especially trying to create a sense of community in this part of town, rather than just a -- you know, adding a subdivision to add a subdivision. Adding, you know, the elements that are in the comp plan in terms of creating that sense of community with more than homes, you know, having commercial and civic aspects to this with a variety of housing options. I like the overall concept that's been provided and, you know, the education piece is definitely hard. I would love to be able to make some -- you know, if we had a magic wand and change how we can get schools built in our state that would be awesome. I do appreciate how they have addressed education as part of their plan versus saying that, you know, it will come in somewhere close to them. They are actively doing that. I am really a fan of this amphitheater commons area in particular and first impressions on it are I like this project and I really like the treatment that they did on the street in the proposal as well.

Fitzgerald: Thank you, Commissioner Grove. Commissioner Holland.

Holland: Mr. Chair, I want to say I really like mixed use concepts where they think comprehensively about how all the elements integrate with each other, instead of just doing a series of tot lots and a series of pocket parks. They have got more of a centralized space that's really thinking about the future vision. So, I applaud their efforts in trying to think creatively and creating an amphitheater where gathering space in Meridian has been limited and a number of conversations on where do we have more concerts, where do we have more of these kind of closet events. So, I think they have done a tremendous job in trying to integrate some of those elements instead of just doing a series of pocket parks, which they certainly could have done. Overall I think they are following what the comp plan has. I don't see any big burning concerns on my side. I certainly understand the public's -- you know, it's -- it's tough with schools and it's hard, because the Commission doesn't really have the authority over the school district. Our job is to make sure that these projects fit the Comprehensive Plan and the -- the future use map and as far as development is going at least a step above, they have got two school sites within this master planned community and I think that that speaks volumes for their efforts in wanting to work with the school district to help solve some of the challenges in this area. So, in my mind I don't see any big glaring concerns.

Fitzgerald: Thank you, ma'am. Commissioner McCarvel, do you --

Seal: Mr. Chair?

Fitzgerald: Oh. Commissioner Seal, go ahead.

Seal: I echo Commissioner Holland's comments and -- and, you know, I -- when I read the ACHD report on this -- just commenting on the roads -- it was almost comical to me. It was -- I read it as them being kicked back on their heels like they want to do what, you know. These guys are going to -- they are going to build our roads and -- hold on a minute, you know. That's kind of the way that I -- and it's -- it's a really really long report and that's where I got kind of that -- that -- that picture in my head of them reading through it going, oh, my gosh, how do we handle this. So, I -- you know, I applaud their efforts in doing this and taking the responsibility and listening to, you know, the times and opportunities we have had to kind of beat up on them, you know, as well as other developers to bring something else to the community besides a bunch of houses, so -- I mean this is a really big development. It's a lot of houses. They just shot down -- you know, City Council just shot down a large development like this on the south side of the freeway and understandably, because, you know, the infrastructure isn't there and the schools aren't there. But seeing a developer coming in and being responsible about that and just taking -- basically taking the reins. I know we are short on schools. I know the roads and infrastructures, you know, isn't enough to handle what we are trying to do. So, we are going to -- we are going to do this. You know, I mean -- as basically kind of saying this -- you know, for other developers to -- to heed -- to heed to. I mean generally speaking I'm the commissioner that I looked at the ACHD -- or, sorry, the West Ada School District report first and if they are overcrowded you really really got to do something to make me,

you know, jump over that to where I -- I think maybe it might be a good idea to pack more kids into the schools that are around there. I'm very passionate about that. That said, the responsibility that's taken in this -- this development is above and beyond in my -- my view. The way that it's laid out, the concept plans, the ten foot paths to me -- my family and I -- we try and bike everywhere. We are a biking family and we constantly run into the fact that a five or six foot sidewalk isn't enough for you to responsibly get around people. I mean you come up against somebody with a baby stroller or something, you feel bad. You got to work your way through that. So, ten foot paths all the way around, that's -- that's remarkable. So, I mean there is -- you know, I have the same hesitations. I just went to pick my son up this morning at the -- at the south Y and I drove through this area and part of me is a little bit sad, because it's -- it's wide open spaces. It's farmland. It's all -- you know, it's the things that we kind of like to see here. That said, the responsibility is taken in my mind with developing this piece of property and the lengths they are going to in order to show that responsibility is -- is great. I hope we see a lot more of this from developers, big and small, because this -- this proves that they want to be a part of the community to me and the -- I mean I'm not even going to get into the amphitheater part of it. I love that. So, I -- I like everything about this and I really do applaud their -- their responsibility that they are taking and trying to help our community into bettering itself, both with infrastructure and with schools.

Fitzgerald: I -- I will hop in just real quick before -- because I -- I totally agree with everything you just said. It is showcasing by setting an example, taking a step forward and investing in those things. Taking what could be additional homes and, you know, providing that school and, then, building the roads. So, you are -- that you are taking that step forward I think is -- is exceptional and it should be an example for other developers. So, I wholeheartedly agree with what you just said and I can't really improve on what you said, so I -- I think you took the words right out of my mouth, because I had the same feeling, so -- Commissioner McCarvel.

McCarvel: I'm really glad you all used all those words to describe this, because as long as I have been on the Commission I have got to say I'm about speechless. This is beautiful. The traffic calming on -- coming up to the intersection on the roads, the open space and just the overall framed together, the R-2, R-4, R-8, all of it blended -- it looks like it's going together really well and I think that's what you want to see in these -- in these communities being able -- to ask for a mix of housing types and I think this is going to be a good blend and, like they said, it's not often they get a chance to do all four corners. So, I'm glad they got the opportunity, because this is -- like I said, if we could do more of this it would be a great thing to the City of Meridian.

Fitzgerald: Additional comment?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer.

Pitzer: Yeah. I -- I'm going to echo those comments, but also I just wanted to mention, you know, I -- I came from a very rural area that changed and transitioned and I went through all the hardships of the -- you know, the cows and the dairies and -- and all of that and -- and I did read the letter and I do listen to the public comments and I appreciate all of them, but I -- I think this is transitioning well. I know that the R-15 right now is -- seems high, but it's around the commercial area and I think if we look at the other zoning that they want to do, especially keeping R-2 and R-4 to the other areas, I think it's going to transition well and the fact that they have so much invested in the community as a whole and -- and I think that, you know, the grocery stores and the other commercial are going to follow. It's going to come. But, you know, they are not going to come out if there is no houses, so I think this is very well thought out. I think it's another great Brighton community and I do applaud the thoughtfulness that -- that has gone into this and -- and -- yeah. I think the transition is there.

Holland: Mr. Chair? I don't know if you are talking back, but I'm going to make a motion.

Fitzgerald: Sorry.

Holland: After hearing all the applicant and public testimony --

Seal: Commissioner Holland?

Holland: Yes.

Seal: Can I interject something here real quick? And there was a question as to the open space and whether or not that it would be able to accommodate by -- when they removed this area here. I would -- I mean I was going to try and do the motion, but you are way too quick at this, so -- but I -- honestly, I wouldn't mind having something stated in there that as long as they are close I -- whatever -- I mean if we have to do alternative compliance, whatever that is in order to let them know that, yes, even if the surrounding area doesn't quite make it, I'm okay with that and in this area specifically, in the -- in the -- in the northwest corner specifically. I don't know if that's something that we want to note in there, but I'm -- I think they have gone above and beyond with this concept to the point where I think it may be worth noting in a motion.

Holland: Commissioner Seal, I'm happy to have you make that motion. Go right ahead, sir.

Seal: Great. Now -- so, now I have to think of how to say that. Okay. After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file numbers H-2020-0056, H-2020-0057, and H-2020-0066 as presented in the staff report for the hearing date of July 9th, 2020, with the following modifications: That if open space -- after the removal of the amphitheater does not meet the criteria, that they are given credit for the amphitheater space in an alternative compliance.

McCarvel: Commissioner Seal --

Seal: Go ahead.

Fitzgerald: Yeah. Just for clarification, do we have to pull out the annexation?

McCarvel: Yeah.

Pogue: That's correct.

McCarvel: H-2020-0066.

Seal: We pulled out H-2020-0066?

Fitzgerald: Just the annexation.

McCarvel: Yeah.

Seal: But that is the number for it, 0066?

Fitzgerald: Yes.

Allen: Mr. Chair, if I may -- this is Sonya. That is the number, but that also represents the rezone and the development agreement modification applications as well. So, please, specify just the annexation associated with that file number. Thank you.

Seal: So, let me --

Fitzgerald: So, in addition to your motion --

Seal: Let me read this again. How is that? So, we -- we haven't had a second. After considering all staff, applicant, and public testimony I move to recommend approval to the City Council of file numbers H-2020-0056, H-2020-0057, and H-2020-0066, with the exception of the --

Pogue: Annexation.

Seal: -- annexation. Presented in the staff report of the hearing date of July 9th, 2020, with the following modifications: That if the northwest parcel, after pulling out the amphitheater portion on -- of open space does not meet the criteria, that they are still granted approval through alternative compliance.

Holland: I will second.

Fitzgerald: I have a motion and a second to recommend approval of file H-2020-0056, 57 and 66 with modifications. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thanks, Mr. Wardle.

Wardle: Thank you very much.

Fitzgerald: Good luck. We appreciate it. This thing looks awesome. We look forward to seeing it.

Wardle: As are we. Thank you very much.

F. Public Hearing for Tara's Landing (H-2020-0048) by Mike Homan, Located at 5025 W. Larry Ln.

1. Request: Annexation of 6.34 acres of land with an R-8 zoning district; and,
2. Request: A Preliminary Plat consisting of 29 buildable lots and 2 common lots on 6.14 acres of land in the R-8 zoning district.

Fitzgerald: Have a good night. Okay, team. Plowing forward. Next item on our agenda is the public hearing for Tara's Landing, file H-2020-0048, and we will start with the staff report. Alan, are you with us, sir?

Tiefenbach: I am, Mr. Chair. We are keying up the PowerPoint.

Fitzgerald: Got you. Thank you.

Tiefenbach: All right. Good evening, Mr. Chair, Members of the Commission. This is a request for an annexation, a preliminary plat -- a preliminary plat and a zoning. It's -- the property is about six acres of land. It's zoned RUT within unincorporated Ada county and it's located at the end of West Larry Lane, which is near the southwest quadrant of Black Cat Road and West Chinden Boulevard. You can see the maps here. The future land use map recommends this property for a medium density residential. As I said, it's currently not within the city and you can see the development that's -- that has been approved around the area. Again, this is a proposal to -- for approximately six acres of land to be annexed and rezoned to R-8 and to plat out 29 buildable lots and two common lots. There is presently a single family residence on this property and the land to the -- to the south of the property was annexed, zoned, and planted for 30 lots recently. That's the Westward Subdivision and that is presently building out. To the north of the property is vacant and rural land and that's recommended by the future land use map as medium density residential and mixed use regional. This property, about 28 acres, was -- recently underwent a pre-app for commercial uses and about 250 single family and multi-family units. To the west of the property is 126 acres presently in the early development stages as the Prescott Ridge Subdivision and subdivision would allow about 380 single family attached and detached, as well as possible multi-family, a medical campus and an educational facility. Access is proposed via Larry Lane, which you can see with my cursor here. Also North Willowside Avenue -- when the Westridge Subdivision was built, this is