

Holland: I was going to ask the same question, everyone, since we have been on for a couple hours if anyone needs a five minute power break we can certainly do that.

Seal: That would be good for -- that would be good for me.

Holland: Okay. We will be back at around 8:23 then. Take a five minute quick break.

Cassinelli: Thank you.

(Recess: 8:17 p.m. to 8:24 p.m.)

E. Public Hearing for Poiema Subdivision (H-2020-0035) by Dave Evans Construction, Located at 3727 E. Lake Hazel Rd.

1. Request: Annexation of 14.87 acres of land with an R-15 zoning district; and,
2. Request: A Preliminary Plat consisting of 44 buildable lots and 4 common lots on 14.87 acres of land in the R-15 zoning district.

Holland: All right. We are ready to go then. Hopefully staff's back with us, but I would say at this point we are ready to open the public hearing for Poiema Subdivision, H-2020-0035, by Dave Evans Construction and we can begin with the staff report.

Dodson: Okay. Thank you Commissioner Holland, Commissioners. Hello again. As stated this is Poiema Subdivision in front of you tonight. The site consists of 14.87 acres of land, currently zoned RUT, located at 3727 East Lake Hazel Road. Generally located about a half a mile east of Eagle and on the south side of Lake Hazel Road, south of -- Bicentennial Farm Subdivision. The request before you tonight is for annexation of 14.87 acres of land with an R-15 zoning district and a preliminary plat consisting of 48 building lots and six common lots, of which one is a common drive serving four lots. The proposed annexation area lies at the edge of the city's area of impact on the south side of East Lake Hazel Road, approximately a half mile east of Eagle Road. There is existing city zoning directly across Lake Hazel to the north, but no other existing Meridian zoning is adjacent to the site. There is a golf course directly to the east of this property and within the city of Boise area of impact. Despite minimal existing zoning directly to the west and southwest of this site, the city is currently processing multiple projects in this area as seen on the plan development map. The proposed land use of attached single family and -- or single family residential and townhome units is consistent with the future land use map designation of medium high density residential and both are principally permitted uses in the requested R-15 zoning district. Medium high density residential requires a density of eight to 12 units per acre. The applicant has proposed a project with 7.5 DU per acre with their updated plat and the Comprehensive Plan allows -- and the Comprehensive Plan allows for rounding of densities. Because of the proposed product type being two

different product types and the difficult shape of the property to begin with, staff supports rounding the proposed density of 7.5 DU per acre to the required eight dwelling units per acre per the provisions in the comp plan. In addition to the proposed residential site -- or residential portion of this site, the applicant is reserving a large building lot for a future church site and the church itself will be a conditional use permit within the proposed R-15 zoning district. The residential portion of the site consists of approximately seven and a half acres, including the right of way, and the future church lot is approximately seven acres. The application does not include the conditional use permit application for the church lot. That use will be analyzed with the future conditional use permit application at a future date. The applicant has submitted sample elevations of the attached single family homes for this project, but not the proposed townhome units. The submitted elevations show all single story attached structures with two car garages and similar finishing materials of stucco, masonry, and wood. In addition, the elevations show both shed roof and traditional pitched roof designs. The applicant has not stated there will only be single story attached structures. The submitted elevations also appeared to meet design requirements for single family homes. Because the proposed local street running north-south is straight and relatively long, staff is recommending that future homes are built across varying setbacks to provide variation along the street and help ensure there is not a monotonous wall plain of homes along this street. Attached single family and townhome single family residential require design review approval prior to building permit submittal. This requirement gives staff the opportunity to review the site plan overall and ensure compliance with this recommendation. All proposed lots -- sorry. Shown on submitted plat appear to meet all UDC dimensional standards. This includes property sizes, street frontages, and road widths. Access to this development is proposed via a new local street into this development from East Lake Hazel Road. The applicant is also proposing a stub street to the west for future local street connectivity that is required to have a temporary turnaround constructed at its terminus until it is extended in the future. The proposed street sections, which are 33 feet wide, can accommodate parking on both sides of the street where no driveways exist and they are proposed with five foot attached sidewalks. Because the stub street to the west will likely lead to nowhere at the time of this development, the applicant is required to provide an emergency only access or -- or the development will be limited to no more than 30 homes. On their master plan the applicant is showing a 20 foot wide emergency only access from the western stub street and runs along the western property boundary and connects to East Lake Hazel, as you can see here, if you guys can see my pointer. I have no idea if you guys can see that. But right along their property boundary on their west. North is to the left here. ACHD and Meridian Fire Department have granted their approval of this emergency access. Staff is recommending the emergency access be built prior to the applicant receiving any building permit approval. A 30 foot -- 35 foot wide street buffer is required adjacent to East Lake Hazel Road because -- because it is both an arterial and an entryway corridor. The submitted landscape plan depicts only a 25 foot wide landscape buffer. So, per the UDC standards arterial roadways are required to have detached sidewalks as well. Staff is recommending a condition of approval to construct the detached sidewalk and required improvements with the residential phase of this development. A minimum of ten percent qualified open space meeting the standards listed in UDC 11-3G-3B is required as normal. The proposed future church site will not be required to meet open space

standards. Therefore, the required qualified open space for this development is based upon the only -- based upon only the portion of the property where the residential use is proposed. According to the applicant the residential area is approximately six acres. Based on this size the applicant should supply at least .6 acres of qualified open space or approximately 26,000 square feet. The applicant is proposing 1.088 acres of open space, of which three quarters of an acre is proposed as qualifying open space. The largest common lot of open space is approximately 15,000 square feet and has been centrally located in the plat. It sits between the proposed residences and the future church site. It is the intention of the applicant that this open space lot serve as open space for both residential development -- I lost my place there. And for the children attending the future church site, even though the church site will not be required to meet any certain open space requirements. Staff is concerned that if this open space lot is owned by the church and not the HOA, the church could later decide to subdivide their parcel further, including this open space lot and, then, the residential development would lose much of their open space. Another area of qualified open space is located around the cul-de-sac. This 10,000 square foot area here. And includes a very nice water feature and seating area for future residences. The open space exhibit also shows an open space area between the proposed alley and the local street that is less than 5,000 square feet. This area right here. This open space does not appear to qualify per UDC standards and should be removed from the open space calculations. With this area removed the qualified open space is reduced to 2.64 acres or approximately 10.57 percent. Therefore, the overall open space still meets their minimum required open space. This area runs along the Ten Mile Creek easement, but the creek itself is not on the property. This area, as you can see along here that is labeled as nonqualified open space for some portions, creates a kind of greenway and can offer great green space for the proposed townhomes to front on. However, part of this easement also runs into the southernmost corner of the site and is not visible from a public street. I'm referring to this area here. It offers potential safety and crime issues because of its lack of visibility. Because of this staff is recommending a condition of approval to add this area as part of the buildable lot at a Lot 34, Block 1. Code dictates that this area be included in a common lot, because it is open space and resides in an easement. However, City Council can waive that requirement if they see fit. Staff is recommending that they do so. The applicant responded to the staff report and is requesting a few modifications. So that I do not misspeak for them, I will let them discuss those with you guys. No other written testimony was submitted. With the conditions listed in my staff report staff does recommend approval of the requested annexation and preliminary plat and I will stand for questions. Thank you.

Holland: Thank you, Joe. One other comment. We -- so, a couple of options that they might have for the 15,000 square feet of open space, if they didn't have the HOA maintain that and the church held onto that, potentially they could just put a note on the plat that says it's undevelopable or it's a nonbuildable lot in perpetuity or that it stays within the HOA as a common lot open space, nonbuildable lot. Is there a preference from staff on which way makes more sense, whether it stays the HOA or the -- the church? You might be muted, Joe.

Dodson: Sorry. Yes, I was there. I do not mind either way. If the -- the applicant did request to have my condition of it being owned and maintained by the HOA removed. So, if it's amenable to them I am amenable to just -- instead of having that condition, change it to say that it will be deed restricted and it will be a nonbuildable lot, I'm perfectly fine with that. I just want it to satisfy my fear of the church might -- potentially developing it and removing it from the residential area.

Holland: Great. Thanks, Joe. Any other questions for staff before we bring the applicant in? Seeing no one jump, Madam Clerk, do we have the applicant in? It looks like they are joining us now. So, if you want to unmute and state your name and address for the record we are ready to hear from you.

Thompson: All right. Madam Chair, my name is Tamara Thompson, I'm with The Land Group and I will be -- oh. My address is 462 East Shore Drive in Eagle. And I'm representing the applicant on this subdivision. I do have a slideshow for you. If -- I sent it earlier, but it might be easier if I can run it if I can just share my screen.

Weatherly: Tamara, you know what, I would love to give you permission. I seem to be having PowerPoint presentation issues tonight, so you should have free rein to go ahead and get your presentation up.

Thompson: Okay. I'm going to move things around a little bit. Okay. So, since this word was new to me I figured it might be new to you all, too, so I thought we would just go through what the definition is. It is pronounced Poiema and it is a Greek -- of Greek origin and it means peace, calm or work of art and since Calvary Chapel is the owner of the property and this term is -- is mentioned in the Bible, it's something that is -- it's special to them and so that is where the name came from. Here is the vicinity map. The project is 14.87 acres and it is located -- I don't -- can you guys see my pointer at all?

Holland: Yep. We can see it.

Thompson: Okay. Perfect. So, the -- the western corner is a third of a mile from Eagle and the eastern corner is a half mile from Eagle Road. It's on the south side. And, then, just to give a little context, the YMCA is up in this area. This is Hill Century Farm. And, then, Bicentennial Farm. Some other projects that have recently been approved that aren't final platted yet, but the -- I believe the preliminary plat is approved. This is the piece here that wraps around the -- the Latter Day Saints Church at that location and, then, we have a wonderful opportunity here with having the existing Boise Ranch Golf Course as -- as a neighbor to the east. The property currently consists of one parcel. It's vacant. It is zoned RUT in Ada county and the creek runs along the west property line and to the -- the east is Boise Ranch Golf Course and developing a triangle is always a challenge, so keep that in mind for the density and -- and the layout. Even though this Ten Mile Creek is not on the property, the easement for Ten Mile Creek is a hundred feet wide and so there are portions of that easement that encroach onto the property. The property is in the City of Meridian impact area and the path of annexation exists via Bicentennial Farm Subdivision, which is on the north side of Lake Hazel. The property

has a Comprehensive Plan future land use map designation of high -- I'm sorry -- medium high density residential, which is defined as single family attached -- detached town -- residential units, townhouses, condominiums and multi-family offered in that. Attached is our master plan and the application before you tonight is an annexation for the entire plat and a rezone to R-15 and a preliminary plat for -- to make one large lot and, then, single family homes. So, all of these are single family. They -- they are attached and detached units. Actually, all attached units now. We used to have some detached, but we made some modifications. A conditional use permit for the church will be submitted separately and the reason for that is ACHD required a distribution study for Sundays for the church operation and due to the quarantine and the shutdown we haven't been able to -- to get that traffic study, although ACHD just released us to start that and so we are hoping within the next 30 days that you will see the conditional use permit for the church. So, it's following just a little bit behind. The proposed annexation and R-15 zoning designation complies with the city's Comprehensive Plan. The preliminary plat includes 56 total lots, 48 single family residential building lots, one nonresidential lot, which is for the church here. Five open space lots. One common drive and one alley. We do have a stub street that will go to the west and ACHD issued their staff report today and we are in agreement with ACHD's conditions. I believe staff -- Joe had heads up on that and he has included the -- some of those conditions in his -- in this report. Of the residential units there are 33 patio homes, which will back to the existing golf course and, then, there is 15 townhouse units, ten of which will front on Ten Mile Creek. I think there was some confusion with that in the staff report, but it is the plan to front those units on Ten Mile as an amenity. The residential area -- for just the land area, if you take out the right of way, equals four acres. We have approximately 12 percent open space and of that we have a -- a nice plaza with a water feature, a fountain, and there is kind of a representation here of -- of what that would look like. The conceptual elevations -- again, there is 33 patio homes. Those are represented here and they do have articulation. This shading would be for the garages. One would be back and one would be forward. So, each of the units go back and forth. All of these are showing in single story, but there could be two story units or one and a half story. And, then, we did not have the townhouse units, but I am showing them here. This will be the five-plex. And we would still need to go through design review, so don't -- don't look at the colors too much, because those might change. They are just representative of the -- of the elevations. So, we have read the staff report and we agree with staff's analysis with the following modifications. And I have listed all those here. It's the same as what we gave you in an e-mail and I will go through each one of those separately. So, the first one is condition 1.D and that is the residential subdivision meets and exceeds the open space requirements without this frontage and because we are coming back with a conditional use permit for the -- for the church use in the R-15 zone, we are respectfully requesting that this landscaping be improved with the church, not knowing what the conditions of approval come out with that, and -- and the programming for that. So, we still have to go through conditional use and CZC and design review, so we are respectfully requesting that this landscaping that I have circled in red here go with the phase with the -- with the church. And, then, the second one is 1.F and that's Block 2, Lot 2, and that's this area. It is of our common -- common open space for the subdivision. However, it is planned to be shared between the church and -- as long as there is a use and maintenance agreement or a plat note it shouldn't matter who owns

the parcel. So, we would like that -- that condition of approval to be revised to allow either/or. Either a plat note or -- or the use and maintenance agreement. And, then, the last one is 3.B and this one is the open space along the side of Lot 45. So, per city code we have to put this -- this is a portion, so you can see on the side here that Ten Mile Creek is off site, but a portion of that easement is on our property. Per city code that easement needs to be in a common lot and I -- I just put where -- where this Ten Mile Creek is to the north and you can see here where it -- where it meanders through both the Bicentennial Farm and the Hill Century Farm, is that these are -- it is in the common lot with those and it has -- you know, those lots weren't extended into the center of -- of that canal or creek, so we are -- we are just doing the exact same thing here and I will add that there is a pathway that exists on the west side of Ten Mile Creek and that would continue on the west side of Ten Mile Creek with the development of the lot -- of the properties to the west of this one and they are in -- in the process of doing their traffic study right now as well in order to get that submitted to the City of Meridian. So, it will be the same situation as the properties to the north. So, we are requesting that that condition be removed. And I thought I would just bring up, since -- since you didn't have the benefit of seeing the ACHD staff report, these are some of the improvements that are in -- that are referenced in the staff report and so this -- this is ACHD's staff report and Lake Hazel Road along our frontage -- so, from Eagle Road, which is the next mile over to the east, that is to be widened to five lanes by 2024 and there is improvements on Eagle Road from Lake Hazel to Amity in 2023. Some other improvements. So, just wanted you to know this area is slated in ACHD's five year work plan. So, there is going to be considerable road infrastructure improvements. So, the timing is -- is perfect for this. And the annexation and zoning of this property provides for the orderly development of the city and the Meridian Development Code and the comp plan, we comply with both of those with this development and I will stand for questions.

Holland: Thank you, Tamara. Any questions from the Commission?

Cassinelli: Madam Chair, Commissioner Cassinelli.

Holland: Commissioner Cassinelli.

Cassinelli: Tamara, were there three conditions that you were addressing or just two?

Thompson: Madam Chair, Commissioner Cassinelli, there were three. I just had two of them on one slide, so I tricked you.

Cassinelli: Okay. So, one -- there was 1-D, 1-F and what was the other one then?

Thompson: Let me go to that slide for you.

Holland: It was 3-B.

Thompson: It was 1-D --

Cassinelli: 3-B?

Thompson: -- 1-F and 3-B as in boy.

Cassinelli: Okay. Thank you.

Holland: Tamara, one question. So, staff had recommended putting that condition 3-B with the open space on the side of Lot 34, Block 1, as part of a building lot, instead of a common lot for the easement. Is there -- is there a reason you would rather have that not be part of the building lot? I mean I know you just kind of explained some of it, but could you get into that in a little more detail.

Thompson: Madam Chair, the -- yeah. It -- well, I mean it's against city code currently. I guess City Council has an option to -- to modify that, but that's not something that we -- you know, we could not submit it that way and it -- and it just makes more sense. It's been that way for -- it's consistent with the other -- the development that's already happened in the area, that this area -- and it wouldn't be exactly -- you know, it's not necessarily where you could walk back in there, it's -- it's in the -- in the creek easement. But I mean we could do either one, but we would prefer to keep it consistent, because it is open space along this side. So, this is a building lot. It would need to have the lower visibility fence in that area, so -- so, it wouldn't just be blocked off from that home's view.

Holland: One more follow-up question for you, too. So, if you follow that easement strip down -- and you mentioned that those townhomes will face Ten Mile Creek. Is there any sort of pathway in front of those homes that they will be opened up into from their front doors or is it just basically the grassy area and the creek? On that side.

Thompson: Madam Chair, there would -- there would be a pathway that walks through here. What you are seeing is the -- the parcel lines, but there would be a pathway for -- to get to the front doors.

Holland: Thank you for clarifying that. Any other questions for Tamara before we open up for public testimony?

Cassinelli: Madam Mayor?

Holland: Go ahead, Commissioner Cassinelli.

Cassinelli: Tamara, just -- with regards to that -- Condition 3-B, you -- you said that that is not accessible. I'm assuming if that's -- if you -- if it is held in a common lot it will be accessible for maintenance from the HOA, mowing and that sort of thing; is that correct?

Thompson: Madam Chair, Commissioner Cassinelli, correct. It would be -- there is not going to be a path or anything like that, someone would be invited to go back into that area, but it -- it is accessible for maintenance.

Cassinelli: Thank you.

Pitzer: Madam Chair?

Holland: Commissioner Pitzer.

Pitzer: Thank you. So, my question is -- of course, Lisa asked one of them, which was the pathways to the front of the home. So, these are garage loaded in the alleyway. Are there like a common area for -- for garbage or -- I mean will they have -- be enough for five-plexes? How -- how is the trash handled with that alleyway?

Thompson: Yeah. Madam Chair, Commissioner Pitzer, on these alleys -- and for single family homes typically the trash is in your garage. So, these are the garages, so this is an alley that runs through here and each of the units would have their standard minimum of 20 foot pad out in front of their garage and, then, the -- the garage would be here in the building and, typically, for single family -- so, this isn't multi-family per se, that typically you have those -- the trash, you would have your receptacles that you would pull out into the alley and Republic would pick those up in the center -- in the alleyway. So, we don't have a trash enclosure. Is that what you are asking?

Pitzer: Well, yeah, I was just curious. I mean if you have trash cans lining both sides of the street if -- if Republic is -- is having enough room. I'm concerned about parking with so many trash receptacles coming out down that alley. Same thing with the end where you have four homes at the end of the core -- this reflects --

Thompson: Yeah. So -- Madam Chair, Commissioner Pitzer, this is a very typical application with a common drive and with this alley and, in fact, these five-plexes are -- are constructed in Eagle -- in the Eagle River area and -- and there is a -- there is quite a bit of room. You can see how big this -- this area is in there. There really is quite a bit of room that there isn't -- there isn't any trouble picking up trash.

Pitzer: Okay. Okay. Thank you.

Seal: Madam Chair? I think you called on me, but you are -- you are muted.

Holland: I did. Sorry. I turned it on mute. Go ahead, Commissioner Seal.

Seal: That's okay. I -- I also am -- I have some concerns over the layout of this. One from the -- the townhouse -- townhome, the five plexes here. When people come over to visit folks in there where -- where are they going to park? Because they can't park in the alley. You know, I mean is it all supposed to go in the cul-de-sac or to the street? I'm not quite sure where people would park to come visit there. And, then, I have got to say this is the first time that I have seen a full cul-de-sac that incorporates a common drive. So, I'm really scratching my head on that one as to why a difference -- I understand it's a triangle and it's difficult, but that's -- that's -- that's a pretty crazy one there for me. Trying to wrap my head around that one. And, then, the -- the common area there -- I mean is

there any reason that this -- you know, it looks like this common area is going to be developed in the first part of it. Is there any reason that that wouldn't come down all the way to the -- to the street and -- I mean is there a reason that that's only going to be that big? Because -- because to me that kind of looks like it's -- we are just trying to hit a minimum here and -- and that -- this right here was carved out to hit the minimum.

Thompson: Madam Chair, Commissioner Seal, I'm not sure I understand the last part of your question, but let me answer the first ones first. As far as parking their -- basically each unit has -- has area for four -- four cars to park. So, they have their garage, plus they have their garage apron. There is parking along the streets on both sides of the streets. This one will be a little difficult -- difficult because you will have the garages there and they are in their own driveways, but on both sides of the streets there are parking. And, then, those -- there is also going to be overflow parking at the church, where they have their -- on Sundays and -- and some during the days for funerals and those types of things. But, otherwise, the churches sent their overflow parking is -- is fine for -- for residents to use, so -- and -- and then -- okay. So -- and, then, let me -- help me explain what you were asking and maybe if I go to the --

Holland: Tamara, I think if you went to the -- if you went to the master plan that you have got I think that would help, too.

Thompson: Oh. Okay. Perfect. There we go.

Seal: Yeah, I'm just -- the -- the common area there, yeah, Lot 2, Block 2, where it's just notched out, is there any reason that wouldn't come all the way out to the -- to, essentially, you know, down to where the road is going to come in there or -- I mean to me it just looks like it's a slice that was put in there in order to meet the minimums, so why not develop that more to -- you know, as a more usable common area instead of just a big piece of grass that meets the minimum requirements.

Thompson: Madam Chair -- I see -- okay. I -- I do understand now. This -- and this is the -- the first phase of build out for Calvary Chapel and with a CUP we will have an expansion plan as well, so with that expansion plan this -- the building expands into this area. Parking expands into this and so we needed that. If you saw the full expansion plan it would make more sense and, I apologize, I should have attached that one, but this -- this area does have some parking in it and this -- this park is -- is planned for some programming. You know, there will be some -- some amenities in here that will be shared.

Holland: Can you give anymore description of what type of amenities, Tamara, they are looking at?

Thompson: No, we haven't -- we haven't decided. We needed one amenity for the -- for the -- for the residential portion and they really wanted to do this nice walk feature as a focal point and so we spent the time on this -- on this area and we will be working with the church on what that amenity will look like, but they definitely want to leave some open

for, you know, soccer games and -- and soccer practices, that kind of thing. So, they do want it to be an open field and not just filled with -- with a tot lot or something like that.

Holland: Okay. Hey, I have got one other question. So, being located next to Boise Ranch Golf Club, if you golf like I do it can be a challenge when you are next to a residential strip and especially since all of these homes are all in a row. Is there any plans for -- I don't know if there is netting or -- or something to kind of protect the back windows of some of these homes from getting hit with golf balls? I don't know if you have got any thoughts there.

Thompson: Madam Chair, that's -- that's a good question. I don't have an answer for you right now. I think the way this -- I think the way the hole is the -- the green is up on the road and it would need to be something right along in this area where those trees already -- already exist. We will have to look closer into that for sure.

Holland: Yeah. I know I lived near a golf course and there is -- there is a lot of times where there is -- there is big nets that help protect the homes and I think they are very appreciative of those nets, especially when someone like me goes golfing.

Thompson: Yes. I am a member of Plantation and I do not tee off on the first hole, because I hit a house every time, but --

Holland: All right. Any other questions for Tamara?

Grove: Madam Chair?

Holland: Commissioner Grove, go ahead.

Grove: Good call on the netting I believe, because my hook would definitely hit at least one of those. I got a question for Tamara. With lot or -- yeah, Lot 34 having such a weird configuration in there, what -- what is that? Is that planned to be a unit that's similar to all the others or is it going to be different in its build out? Because it is such a bigger lot in comparison to the other lots.

Thompson: Madam Chair, Commissioner Grove, the -- the building -- the home in that could -- could be a little larger, because of the -- of the area and I want -- I wish I -- I could have given you probably 20 different layouts that we did. We tried to pull this cul-de-sac down into here and cul-de-sacs, frankly, take up a ton of room and they are very very difficult, but we -- so, we have looked at it and we have looked at flipping this thing around, we looked at all kinds of different ways and this is the most efficient for the lots. We needed to keep the lot for the -- for the comp plan and -- but this lot will probably be unique. It won't look exactly like these others, because it is a larger lot.

Grove: So, follow-up question for you. Was that considered as open space? I'm just looking at it as -- in terms of you haven't -- that easement that's down there already and

now you have a large lot that's coming off of a cul-de-sac and a shared drive, it just seems like a -- an opportunity to use as an open lot. So, was that considered?

Thompson: Madam Chair, Commissioner Grove, it most definitely was. In fact, that was one of our first layouts that we had a pre-app with and the Fire -- or the Police Department did not like that, because it gets back there where they can't see it very well and so we had -- we rearranged some things and had to reconfigure open space to be more visible.

Holland: Tamara, did you consider losing either one of the 31, 32, or 33 and just making a couple of bigger parcels there, instead of doing four lots there?

Thompson: Madam Chair, we -- you know, we have had -- you know, we have been going round and round. We had a different layout that we initially submitted and we weren't meeting the minimum or -- of the -- for the Comprehensive Plan and so these -- these center lots were more of these patio homes and we had to change those in order to get more density. So, we really -- we really can't lose lots and be consistent with -- with Meridian's Comprehensive Plan.

Holland: Thanks, Tamara. Any other questions for Tamara right now? I know we will come back to her. Let's take a break here and see if there is anyone signed up for public testimony. Madam Clerk, is there anyone signed in for public testimony?

Weatherly: Madam Chair, there is not.

Holland: Okay. We will pause a second. If anybody would like to speak tonight raise your hand on the Zoom app or hit star nine and we will buzz you in.

Weatherly: Madam Chair, it looks like there is one person that has raised their hand thus far. It is Daryl Zachman and I am getting Daryl over for permission to speak. Daryl, you are on mute, but you should be able to unmute yourself and the floor is yours, sir.

Zachman: Okay. I am the pastor of the church.

Holland: Hey, Daryl, I'm sorry to cut you off. If you wouldn't mind saying your name and address for the record that would be great. We would appreciate it.

Zachman: I'm sorry, Madam Chair. Daryl Zachman. My address is 12596 West Macumbo Street in Boise, Idaho, which is very close to this and I'm the pastor of the church and just to speak to the concern about why that area where the -- the turnabout is -- is temporarily put on that Street B, you know, as it will stub up to the creek, eventually as we build this out. We would like to look at that being a driveway into the church. There is another access point so that the traffic -- especially with the subdivisions that are going to be west of the -- of the property, you know, it would give them access to the church as well and that's one of the reasons why, you know, we want to keep that space not a common area and not a grassy area. What we had talked about is doing probably a playground or something in that whole common area, as well as a grassy field. So, that's

-- you know, that's why that's the case. And also, you know, ACHD -- I mean the staff said that ACHD wants us to maintain an emergency access on the west side of the property for emergency vehicles and so, you know, I just -- I guess that's not so much the issue, but that was mainly the issue with -- with the -- the turnabout and that turnabout that they are requiring, that would go away when the subdivision to the west is, you know, completed. So, that's all I wanted to share.

Holland: Thank you. We appreciate you joining us.

Zachman: Thank you. Appreciate the opportunity. Thanks.

Holland: All right. And I think if there is no one else signed up to testify we are -- we are back to Tamara. If you have a few more closing thoughts you would like to make or we can certainly just keep hammering more questions at you if you would like.

Thompson: Thank you, Madam Chair. I will just wrap up real quick. We appreciate your time tonight and your consideration. We respectfully request your approval tonight and, again, with the three modifications to the staff report that I will put here on the screen, 1.D, 1.F and 3.B with the modifications that I described before. Again, the project complies with the city's Comprehensive Plan and the R-15 zone and we respectfully request your approval tonight. Thank you.

Holland: Thanks, Tamara. Any other final questions for Tamara before we move to deliberate?

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Just for clarification does the church own the entire parcel or is the church -- or is the church a tenant?

Thompson: Is it okay if I answer that, Madam Chair?

Holland: Yeah. Go ahead.

Seal: Yes. Yes, it was --

Thompson: Okay. Okay. I wasn't sure if it was -- Madam Chair, Commissioner, I didn't see who asked that.

Holland: It was Commissioner Seal.

Seal: Uh-huh.

Thompson: The -- the Calvary Chapel of Treasure Valley owns the entire property and they are partnering with a developer to develop the residential portion and, then, they will -- and those -- those will be for sale product and, then, they will retain their -- their parcel for their church.

Seal: Okay. Thank you.

Holland: Any last questions? With that I would be happy to take a motion to close the public hearing for deliberation, if anyone would like to make that motion.

Dodson: Madam Chair?

Holland: Commissioner Cassinelli.

Dodson: Sorry. This is Joe.

Holland: Oh. Sorry, Joe. You sounded like Commissioner Cassinelli.

Dodson: No worries. I just wanted to clarify a couple things before we close the public hearing regarding code and a couple of the requests by the applicant. For the provision 1.D, the -- this project is not phased and code dictates that when a project is annexed that the frontage improvements are required and because of that that is why I put in the condition to require the frontage, regardless of the church site having -- you know, coming in in a month or two months. Because this isn't a phased project overall for the parcel being annexed it -- it is going to be required by code, so it's not something that I could request differently. Secondly, open space in our code also is required to be in a common lot maintained by the HOA and 11-3G-3 -- I can't remember the specific portion, but it's towards the bottom of it, I know that. So, that is also for this 1-F. That's why I put that in there as well and to ensure that it stays with the HOA and not the church site. Just wanted to clarify those things before we close the public hearing.

Holland: Thanks, Joe. Okay. Commissioners, I will wait for a --

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: This time it's Commissioner Cassinelli. Joe, as long as you were addressing those, can you address your -- your thoughts on that 3-B-2 I guess while we are still in open?

Dodson: Commissioner Cassinelli, sure. Yeah. The -- again, my thoughts on that were just kind of like what Tamara alluded to. Having that whole lot as an open space lot couldn't be any less safe than having the little piece which is going to be fenced off somewhat. So, even if it is semi-privacy fence, it's still going to be tucked away and I -- I'm just worried that it's going to make some CPTED issues and in our open space -- even

if it's not qualified, our open space code, you know, talks about it needs to be seen, it needs to be visible and maintained. I just figured it would be better to have that as part of that building lot, rather than tucked away in the corner. Yes, it will be eventually visible from the far side of the creek if that development to the west gets developed and there will be a multi-use pathway. But, again, it's -- it's -- it's all the way on the other side of the creek, so it's still not going to be something that's going to be easily visible for quite some time.

Holland: Thanks, Joe.

Cassinelli: Thank you.

Holland: Okay. Any other final questions? I will still wait for -- if someone would like to make a motion to close the public hearing for deliberation.

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: I move we closed the public hearing for file number H-2020-0035, Poiema Subdivision.

McCarvel: Second.

Holland: I have a motion and a second. All those in favor. Any opposed?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Holland: All right. Thanks, Tamara. We appreciate you being here. So, to kick us off, I -- you know, I think the development itself is a nice development. It's a difficult piece to design when you have got a triangle, but overall I like that the church is there, because I think it makes it -- if it was just all medium to high density residential and full of townhomes in there I think it would look a lot different and feel a lot more crowded. But I think having a church helps a little bit for me with the parking situation, because churches typically use a lot of parking on Sundays, but not as much throughout the rest of the week, so that makes me feel a little bit better about that. I think the -- the open spread -- I think Joe kind of touched on why we need to have condition 1.D and 1.F in there, because code requires it. I'm not really too concerned if -- if the church is coming closely behind the rest of the development on when they do the frontage landscaping, but if that's what code requires I think we have got to kind of stick with that. Same with the open space piece. I think we can make a motion that, you know, the HOA can work with the church on a shared use agreement and maintenance agreement, but that that needs to be allocated as a common lot that's an unbuildable open space in perpetuity. That's what I would say on that one. I would like to make a condition that they consider some sort of netting for the back of those townhomes, because I really do think that golf balls could become a challenge there. I know that's a minor thing, but something for them to consider. And I'm

going to stop there and see what else you guys have to say first. Commissioner McCarvel.

McCarvel: Madam Chair? You were quick on that one. Yeah. I -- I think that open space is probably going to be better maintained with it being the property of the church and so whatever agreement, you know, they can come to that, I think it's actually probably going to be better maintained that way, but, yeah, I just worry about, you know, who is pastor 20 years from now and says I, you know, don't want these people on our property, you know, there has got to be some sort of agreement in there and this common driveway I guess doesn't bother me quite as much, just because there is not houses all the way around that cul-de-sac, which would -- will give a little bit more elbow room down around there and, yeah, that open space tucked back there in the corner, I think they are asking for trouble. You know, not that they are asking for trouble, but it is just harder to control what goes on back there if that's just a little sliver open to anybody. I think that's probably better suited as part of a buildable lot.

Pitzer: Madam Chair?

Holland: Commissioner Pitzer.

Pitzer: I'm in favor of this subdivision. However, I think that sliver --

Cassinelli: I can't hear.

Holland: Yeah. You're cutting in and out, Commissioner Pitzer. You're in favor of the subdivision, but --

Pitzer: But the sliver of land down there at 34 I think needs to go with the lot. I think that's -- it being an open space is going to create more problems as an open space with -- with having public access. But I do like the -- the -- the duet homes being there, being staggered, whatever, and -- and the elevations are nice. So, I think with those few changes I would be in favor.

Holland: Well, the stagger is already in the staff report and all of the conditions that they have requested changes are in the staff report, too. So, if we don't include a motion they would be required to have that common -- that little strip to be a part of a building lot. That's what's in the staff report.

Grove: Madam Chair?

Holland: Commissioner Grove.

Grove: I think anytime -- just so I'm somewhat consistent with this general area, I have some major concerns when we are starting to add more properties out here when there is not a very good solution for schools in this area with the schools being pretty overloaded. I see that, you know, they are saying what the Mary McPherson is going to

have a much higher capacity, but it still worries me. This is a relatively small project, so it's not as worrisome as some of the larger ones that have come through for this area, but it definitely gives me pause and the -- the difficulties with the open space on this project are -- it just seems very disjointed from a usability standpoint for people who move into this to be their open space as part of the church property. Basically it just feels like it's not going to function as planned for some reason and I can't really put my finger on why, but I have some -- some questions on how that's going to work down the road. So, even with agreements I -- I just have some concerns.

Holland: And I don't disagree. I wish that the CUP for the church came through as the same applications to make it a lot easier to consider as a whole project, instead of just the piece that we know is coming.

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Just to kind of add on what -- what Commissioner Grove and you were just commenting on this, to me it seems like they have -- they have made room for a church that we can't see yet and kind of built stuff around it and that -- that to me is -- is worrisome. So, I -- I think if they would have went about it the opposite way, then, the housing piece of this would fit better. We probably wouldn't have some of the concerns or issues that we are running into right now. I mean the first thing I can think of is slide the whole thing over to -- to the east, the church piece of this, and, then, but the residential on the west portion of it would be a big help to the whole thing. So, as far as the sliver that's -- you know, of open space that's considered there is to be part of a Lot 34 or not, the only thing I can see about that is the Ten Mile Creek crossing, there is an actual crossing right there where you can get across that, you know, ditch, canal, and whatever it's termed there. So, when the subdivision develops to the west of this that might be an actual nice place to put in, you know, a crossing, a pathway, something that would allow for, you know, people to get from one subdivision to another. So, I mean I -- I don't like that it's back there and it's on its own, but it is open on the other side, it's not like there is buildings back there. It is -- you know, it's something that can be seen from a distance. So, it's something just to take in consideration of that. But overall the layout of it is just -- like I said, to me it seems like they decided where to put a church and they put everything else around it and tried to make the best of it, where I think the approach should be different, meaning that let's figure out how to put residences in there and, then, we can figure out where the church is best suited to go and I understand they got to sell the houses in order to build the church, which is another concern that, you know, it's going to take time to raise the money to do all that properly, so the church may not come in at the speed that they want it to come in at, so those -- those are my concerns. To me it just -- it just doesn't quite fit.

Holland: One more comment back to Commissioner Grove. You made some comments about education. I think it is always a challenge, but one -- one thing to keep in mind is my experience with townhome products or -- or duplexes, they don't tend to have as many kids in them either. So, I don't think you have as much of a pressure on the school age

system there. I mean they certainly will have some kids, but they don't tend to have as many kids as a single family neighborhood would. Other Commissioner's thoughts? So, they are a little bit divided. Commissioner McCarvel.

McCarvel: Madam Chair?

Cassinelli: Madam Chair? Madam Chair, Commissioner Cassinelli. Can you hear me?

Holland: Everybody at once. We will start with Commissioner McCarvel.

McCarvel: Would -- would it be easier to look at this as all in one project after the traffic study is done and we can tie it all together?

Holland: That's certainly an option if that's the way the Commission would like to go. I mean we could also request that we wait to approve this project until the conditional use permit comes in for the church, so we can holistically look at it.

McCarvel: Yeah. I'm just wondering if -- since it is so tied with the open space, I mean to me it's like having those homes with a park across the street, but, obviously, it's not public, so you are kind of tied into, you know, the future generations at church still agreeing that it's okay for public to use it -- or the immediate surrounding public.

Holland: And I'm struggling, because I -- I like this development itself. I mean I think it's -- they have put a lot of work into it and a lot of thought into it and there are some nice features to it. I like that the church is integrated in there. So, I always hate pushing it off, because I see why they are doing it the way that they are doing it, but we are still missing a few details to the story. But I see where everybody is coming from. Commissioner Cassinelli, you had comments? You are on mute, sir.

Weatherly: Madam Chair?

Holland: Yes. Go ahead, Adrienne.

Weatherly: Sorry. I just wanted to let you know that Tamara Thompson has raised her hand. I know that you have closed the public hearing, but I just wanted to bring that to your attention.

Holland: If we decide to keep going on the conversation towards continuance we would have to reopen the public hearing, so if we do that we will make sure we can talk to Tamara first.

Parsons: Madam -- Madam Chair?

Cassinelli: Madam Chair?

Holland: Go ahead, Bill.

Parsons: Which one?

Holland: Oh. Sorry. Go ahead staff Bill.

Parsons: All right. Thank you, Madam Chair, Members of the Commission. Certainly if you want all the pieces Tamara alluded to that she had a better master concept plan for the church property, I would probably recommend if you want to see that in its entirety that the applicant continue this out, have them provide that detail for you. This is an annexation and typically with annexations we want a conceptual plan for the portion of the property that's not been part -- not being developed at this time. She showed you a portion of the church with -- in her testimony this evening she said she had the overall build out of that church site. So, I would really put it back on the applicant and open up this public hearing and see if they are willing to provide us those additional details, bring this back a week, two weeks from now, or three weeks on the 9th, just open it up to see the revised concept plan so you can see how it's integrated with the church and, then, maybe put this one to bed in three weeks. But I will go ahead and let -- let you guys deliberate that -- my comments and, then, consider whether or not you want to continue this and get some feedback from the applicant.

Holland: Thanks, Bill. Commissioner Cassinelli, go ahead. I think he's frozen. Commissioner Seal, I think you also had comments. We will go with you first.

Seal: So, I --

Holland: Bill, your reception is failing you. Bill, maybe one suggestion. Try turning off your camera so your WiFi bandwidth is a little bit better and, then, maybe we can hear you better. I don't know if you -- if he left us or if he is still here, but -- Commissioner Seal, did you have something you wanted to say?

Seal: Not really. I'm kind of in agreement with where -- where Bill Parsons was kind of taken us there for a continuance. I mean there is -- hopefully, there is more to this, so I would like to see more. I mean I'm in agreement with that, so I -- I mean if nobody has an issue with that, I would move that we open the public hearing back up.

Holland: Is that a motion?

Seal: Madam Chair, I move that we open public hearing for H-2020-0035, speak to a continuance.

Pitzer: Second.

Holland: Okay. We just had a motion and a second. Commissioner Seal, do you want to clarify that we are only reopening that the application -- just to speak with the applicant, not for public testimony.

Seal: That's correct.

Holland: Just clarifying. All those in favor. Any opposed?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Holland: Madam Clerk, can you, please, bring Tamara back on to speak with us.

Weatherly: Madam Chair, I'm going to go ahead and let her in. One moment, please.

Holland: Hi, Tamara. Welcome back. Thanks for -- for joining us and making a few more seconds to chat with us a little bit. I think you have heard our deliberation and the biggest challenge is just kind of making sure we have got a holistic picture of what's going to happen with the church and if you would be open to us continuing it, so that we can continue that conversation and see more of a -- the master plan you talked about with the full build out. Or it looks like he might have something already.

Thompson: Madam Chair, Members of the Commission, so as I mentioned before, we -- we have looked at this site 20 different ways and for multiple reasons access from ACHD, where that needs to take place, and deciding that the -- the patio homes being adjacent to the golf course is something that the real estate brokers have told us is very desirable, that the out -- that -- the layout that we have proposed doesn't change with -- with the full CUP and -- and, frankly, what we were going to submit for the CUP is just the phase one with some areas for expansion, because those -- those really haven't been programmed at this point. But we do have a concept plan and -- am I sharing my screen?

Holland: Yeah. We can see it.

Thompson: Okay. So -- so, you can see that -- and, unfortunately, these are -- maybe I can -- let me see if I can rotate this so we are looking at them in the same.

Holland: I think we can get the idea of where it's at.

Thompson: Okay. Yeah. Sometimes it's difficult when your brain is trying to flip back and forth. So, just -- you, know there is -- there is an expansion of the building that goes a little bit to the west here. This little -- little area -- open area stays and, then, this area gets filled in with some -- with some parking. And, then, I want to clarify that this is -- this open space here is a lot in the subdivision. It's -- it's a lot and block and if it makes you more comfortable that the homeowners association owns that, they can definitely do that. It was just something that we were hoping that it could be an either/or. If there is a perpetual use and maintenance agreement or the HOA owns it, just having that flexibility, but if that makes you more comfortable they can definitely do that. But it is a lot and block. It's not part of -- just because it's contiguous to the church lot it's not part of the church parcel. That is completely separate. We were just going to make it that it was something that could be utilized by both, because there may be some children or like a soccer team or something like that that -- that may want to -- want to utilize that. So, I hope that helps clarify some things. And we would very much appreciate your -- your recommendation for approval tonight and to send us on to City Council.

Holland: Any other thoughts for Tamara that anyone would like to throw out there?

Pitzer: Yes, Madam Chair.

Holland: Commissioner Pitzer.

Pitzer: So, the biggest difference that I see between these two is next to the -- that common lot or the lot for the open area -- open space on -- on the one to the right it has more -- more open space, yet the one on the left shows that's all parking on this. So, I --

Thompson: So, Madam Chair, Commissioner Pitzer, the -- this is the -- the initial build out, so it will have this as that open space, but they have plans that they could expand and who knows what that time frame is. Ten years down the road, 20 years down the road, and for that expansion this -- that's how it would lay out, so -- but this open space here is not part of the subdivision open space calculations. You know, we didn't count the -- the frontage improvements for this lot within the calculations for the open space, nor any of these open space, just this one common lot and it is in a common lot and not -- and not part -- I felt like maybe you guys were confused that it was part of the church parcel and it is not, it is -- it is in its own lot as a common lot.

Holland: Tamara, would -- I think my biggest concern is looking at the full build out is -- and, obviously, there is -- there is plenty of parking which you need for a church, especially like Calvary Chapel Center that they bring a lot of people. One thing that might make me feel a little bit better -- and I know Commissioner Seal has suggested this, but is there -- would there be consideration or willingness to carry that common load down to -- towards Ten Mile Creek and eliminate that future parking area and just have a bigger shared common space between the two? Because I think that would give a little bit more of a -- a bigger amenity space where maybe you could have a tot lot and a soccer field or you could have a little bit more of kind of that connectivity for the green space, where ever that -- it looks like a baseball or a diamond of some sort that they have got there, but it might integrate better. Just a thought.

Thompson: Madam Chair, this -- this is actually a little amphitheater -- an outdoor amphitheater, not a -- not a baseball diamond.

Holland: Okay.

Thompson: So, this is a -- this is a concept plan. The future plan -- you know, just to show how the church could expand in the future and that they are planning for an expansion, but the initial build out will be -- will be this area. I don't know that I can -- that I can say that -- that there won't be parking right here in the -- in the future right now, because that hasn't been programmed and I don't know the number of seats and how many parking we would have, but in the -- in the near foreseeable future that's -- this is how the -- the site will lay out.

Holland: Okay. Commissioners, you are all quiet on me, but I know you have got thoughts.

Cassinelli: Madam Chair?

Holland: Go ahead, Commission Cassinelli.

Cassinelli: I think I'm back online here. Is there a -- maybe more of a question to staff, but is there a -- some sort of a development agreement or an agreement in place between the church and the residents to -- for the residents to be able to park and -- and share what green space is available at the church? Because there was a concern about that, that, you know, 15, 20 years from now with -- with, you know, change of staff at the church that that might change.

Dodson: Commissioner Cassinelli, thank you for your question there. No, there is not anything in the DA, though I appreciate that comment. I think that is a good addition of something to -- you know, shared parking agreement, as well as some type of use agreement between them to ensure that this space and potentially the amphitheater and those types of things are shared, you know, for a long time between the two.

Cassinelli: And is -- and is that amenable to the applicant?

Thompson: Madam Chair, Commissioner Cassinelli, what I would like to remind you of is that there is on-street parking on both sides around all of this and I guess staff said that this area right here doesn't count as an open space. So, we could add some -- some parking in that area as well. I do know that they have -- between the residential developer and the church they do have an agreement and I'm not sure right now if that covers both and I'm not where they are right now to -- to be able to ask them that question. We are all in our respective homes. So, I don't know the answer to that. But I do know that there is -- there is a lot of parking here, like you said, on -- on both sides of the street we have parking and everyone has garages -- two car garages with the -- with the pads in front of their -- of their garages as well.

Holland: Tamara, I think the main question was would they be willing to have a -- just a note in the development agreement that says there could be a shared access agreement for parking -- overflow parking if needed with the church. I don't know if that's something you can speak to or if you need to get back to us on it, but I know several of the Commissioners seemed like they were leaning towards wanting to continue this to the future. I don't know where we -- where we all stand now, but, Commissioners, if you want to give a thumbs up or thumbs down to hear that, if you want to continue it or if you want to go back to close deliberation.

Pitzer: Madam Chair?

Holland: Commissioner Pitzer.

Pitzer: I will say I'm -- I'm less thrilled with this now than I was before.

Holland: Commissioner Grove, thoughts?

Grove: I would be in favor of continuing, but I don't really know what I would be continuing, so I don't have a clear thought yet.

Seal: Yeah. Madam Chair?

Holland: Commissioner Seal.

Seal: I gave my thoughts on what I was hoping a continuance might lead to. I mean in seeing this it seems like -- you know, again, I shared my remarks on it and it seems like they, you know, made room for a church and, then, they put houses around it. So, I don't mean to say that as an insult, it's just that's what it looks like to me looking -- looking at it from the outside in and not being somebody that has to do this for a living. So, unfortunately, I don't know that we can give them enough detail or -- you know, or actionable comments to have them come back with anything different. You know, it sounds like ACHD is mandating where the ingress is going to happen into the subdivision and that's for the most part going to push them into this kind of design that they have right here. Understand wanting to put all the -- you know, everything, you know, essentially facing -- or the backyards facing out into the golf course and that would be something that would be, you know, highly desirable, but just the way that it's forced into this, you know, end of the cul-de-sac, into the -- the bottom of the triangle there just doesn't mesh up very well. So, again, it -- it just doesn't flow well, it doesn't look like it's very conducive to, you know, what we are trying to do with, you know, making things a little bit more open and accessible.

Holland: Well -- and I know staff had asked them to actually increase the density from the original products, that they were going to do more townhomes throughout the whole project. So, I think they were trying to meet the density of what that medium high density should be, which -- which causes some challenges. My biggest concern is where the open space is and having it be shared between the church and the resident uses, it could be a very popular space to play. I do like that it's next to the golf course, because I think that does give a nice amenity and can see why the homes are backed up to the golf course. I think it's -- it's -- it's pretty. I don't know. It's -- it's a tough project, because I think that Commissioner Grove hit on it, they have -- they have given us kind of the view of what we would have asked for of what the master plan would look like, so if we were to continue it we would have to have some specific requests of why we would want to continue it. Is there things we could ask for that would make anyone feel better about moving this forward with a recommendation of approval? Are there is some conditions that we would like to throw out there for consideration or are you leaning towards --

Dodson: Madam Chair?

Holland: Yes. Go ahead.

Dodson: This is -- this is staff. Joe. Just to clarify on the access since this has come up a couple of times now. ACHD normally wouldn't allow access to this because of where it's located. However, the -- they wanted -- or if it was a perfect world they would have the access further to the west and match up with the quarter mile access that is on the north side of Lake Hazel. However, this parcel does not abut that in an appropriate manner, so they couldn't do it. So, in order to meet -- well, it doesn't -- even now this doesn't meet ACHD policy for curb cuts, so they let them go as far east as they possibly could and amended their -- their policies in order to allow this to happen. So, I will commend the applicant for that, for working with what they were given on that. ACHD did allow the emergency only access and I discussed that in my staff report as well that maybe at a future date it could be used as a right-in, right-out only for the church, so, you know, to help us on the traffic. But other than that the applicants did work with what ACHD gave them on the access.

Holland: Thanks, Joe. Commissioner Cassinelli, did you have a thought?

Cassinelli: Yeah. I -- you know, we look at -- at these in-fills and -- which essentially this is what this is and they are always tough. Throwing the triangular shape of it and for what they have done is it -- is it perfect? You know, from the comments I'm hearing no. As a -- if I was going to buy a home down there I would much rather back up to the golf course than back up to another -- another house or back up to the backside of the church. So, I think from that standpoint that's -- that's the best -- you know, that -- that makes that one of the better layouts. I also think that -- you know, that lot -- Lot 2, Block 2, although it seems -- you know, it's weird, it kind of puts it centrally located with all the -- all the residential properties, it's -- it's in the middle. So many times we see things come before us where, you know, all the -- all the open space is on one end and that's great for somebody that lives, you know, a block away, but when you are -- when you are clear across the subdivision from the open space it's -- it's not so great. So, at least that's in the middle. So, I like that. And, then, you know, I mean they had another design that we are not getting the opportunity to see, but they -- they had to scrap it because it was -- the density was actually too low. We don't -- you know, we don't usually get that. So, all in all trying to work with this -- to me I -- I mean I don't know -- if you go back to the drawing board, redraw this thing to try and meet the density and get the homes in there, then, you might pull them away from the golf course, which is a -- which is a bonus and that's where I'd want to -- you know, that's where I would want to be. The other comment I want to make is, you know, this is a fairly low impact footprint, if I'm saying that right. I mean there is -- you know, there is -- there is not a ton of homes there. One of the comments that -- that you made, Madam Chair, was that in these type of properties we are probably not looking -- we are looking at maybe older families, retired, empty nesters just in these -- you know, in kind of the patio homes and townhomes. So, probably fewer kids, so we are not going to have -- we may not have as much impact. There will be some kids no doubt, but it may not have as much impact on the school system and, then, traffic, this isn't going to be a -- this isn't going to be a huge impact on the local traffic, unlike, you know, some other subdivisions. So, given what they have to work with with the shape, it's -- and the fact that they are -- you know, that that ACHD has told them what they can and can't do, what -- what the city's told them what they can and can't do, I don't know if

we can get something that is going to make everybody super happy. I think it -- it works and I don't -- so, those are my comments. I would like to move forward and -- and vote on it, instead of continuing it.

Holland: I think I'm in the same boat for the same comments you just made, Commissioner Cassinelli. I think they have done a pretty thorough job and, you know, it -- it's nice to be able to plan for contingencies in parking. It's not likely that they would remove all of that green space all at the same time, it would be over kind of a growth period and, hopefully, they would be able to maintain more of that green space than just eliminating it. That's -- that's the basis. But at the same time there are regional parks close by. There is a YMCA not too far away. There is the green space in the backyards of most of these homes. I think I could be -- I think I could be ready to move it forward to Council for their deliberation. It's a tough piece and I think they have -- they have tried to make a good effort here. Commissioner McCarvel I know you started to say something. Do you want to go next?

McCarvel: Oh. Yeah. I was just -- I mean I don't think I have ever had an issue with the layout. I think having those homes lined up against a golf course and, then, you have got virtually all that open space in front of them and, like I said, as some -- yeah, as a common drive goes this one gives me probably the least heartburn just because, you know, they just come out of there and there is not a whole bunch of homes lined up, you know, going to the west there. I -- you know, my only thought was to see it all together just so we get those agreements in place, but I think Tamara kind of helped that along, but, you know, reiterating that that is a separate lot and block, that whole area might stay a nice soccer field or, you know, whatever. Just open space. And even if it does -- you know, the tip of it becomes parking lot years later if they expand, you know, at least that part stays, because it is a separate lot and block.

Holland: Well, hearing at least three of us that are wanting to make a motion of some sort, I -- it would take a motion to reclose the public hearing if we want to deliberate and make some sort of motion.

Seal: Madam Chair, I got a quick question. We have touched on it a couple times for the applicant.

Holland: Sure. Go ahead, Commissioner Seal.

Seal: We -- we have talked about putting up netting on the backside of the houses that run along the golf course. Is that something you are amenable to?

Holland: Tamara, you are on mute.

Thompson: Luckily it comes up and tells you that, too. Madam Chair, Commissioner Seal, I think those -- I don't think that whole entire run needs to be a big net. I think they could be strategically placed and I think -- I think that needs to be worked out, but -- so I don't know how you -- how you craft that language, but I think definitely having -- you

know, where most of the landing is -- could be something. The good news is is most people go to the right when they hit and this is off to the left.

Holland: You haven't golfed with me, Tamara.

Thompson: Oh, yeah. Are you a letter?

Holland: I go where ever the --

Thompson: Yeah, I -- yeah, I don't know how you got that one, but -- but definitely there would need to be some strategically placed panels, but I would hate to see a whole -- the whole thing just netted off. You know, there goes your view.

Holland: Yeah. I think it would be fine to just put a condition that you would work to mitigate some of the golf ball concerns for houses in the backyard and you can work on whatever that plan was. I don't think we have to net the entire backyard. Any other last questions for Tamara or does someone have a motion to close the public hearing again?

Pitzer: Madam Chair?

Holland: Commissioner Pitzer.

Pitzer: I move that we close the public hearing for H-2020-0035.

Cassinelli: Second.

Holland: I have got a motion and a second. All those in favor? Any opposed? All right. We are closed.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Holland: So, I think we are at the point -- and thank you, Tamara, again, for jumping back on with us. We appreciate you showing us that context. I think we are at the point where, you know, the -- the conditions that were requested I think we can't really do much with 1-B. That was the frontage landscaping to be constructed with the church. That we have got to follow what code requires for us there. I think we could make the modification to 1-F that says the church and the HOA will work out a maintenance and operation use agreement, but that it will be a common lot that's an unbuildable open space in perpetuity. Something like that. And I think that we need to leave condition 3-B related to that sliver common lot to be a buildable lot. So, I would say the only modification I see from their request would be 1-F and, then, also the addition of looking at some golf ball mitigation for the backyards of homes or there is certainly the conversation of whether somebody would like to make a motion to expand the open space down towards the roadway. That's something we could ask them to consider, but I'm going to leave it open if somebody would like to make a motion or would like to keep deliberating.

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: Yeah. Back when I was losing my internet previously I wanted to make a comment. I didn't get a chance. On that -- the 3-B, I would actually -- I -- I would be okay with making that a common lot for the reason of -- if the HOA maintains it and mows it and that sort of thing, whether or not it's part of the building lot or common lot, it's still a piece of land down there that -- that is -- would be somewhat visible -- or minimal visibility and I get that if it's -- if it's part of Lot 34 it's private property, people aren't going to be walking down there, but I don't think a whole lot of people are going to be walking down that far anyway. They might be if there is a crossing down there, but I don't see it as -- as a safety concern or anything and -- and on the flip side if you maintain that whole strip there along that easement where the HOA comes in there, maintains it, mows it and that sort of thing, I think it's actually -- I think it's better as a common lot and, then, when we get to all issues with the open space, I look back here and it's -- they still meet the minimums. I know I personally like to see, you know, going above the minimums, but even if you take out some of the -- the unqualified and unusable they are still at that. But, keep in mind, there will be open spaces that -- and green space in there that -- that isn't designated as usable. So, that does bump that number up even though we are -- I mean right when you see that one, you see all the green space with the church, and eventual will come to a parking lot, but that's -- that's its own separate thing and what it says in here is that the church doesn't require the open space. I think there is -- you know, they meeting the minimums on that, so that's my two cents on that. But I would be -- I would be okay with giving them that 3-B and doing it -- doing that common lot, just because it could be maintained on a regular basis by the HOA and it's not going to change that land down there and whether or not you can see it or can't see it. So, that's it.

Holland: Yeah. I'm on the fence about it, but it doesn't bother me one way or another. I was just going off of what Joe's comments were.

Cassinelli: But the others -- the other two I think are the -- you know, I agree with the way -- you know, phrasing it the way -- a couple ways you said, but I mean we definitely need to stick to those, because those are code.

Holland: So, Commissioner Cassinelli, does that mean you would like to make the motion here or --

Cassinelli: How do you want to -- how did you want to phrase that lot -- Block 2, Lot 2, on 1-F to -- separate maintenance agreement between the two?

Holland: Yeah. I think I -- I just said that we would allow a shared maintenance agreement between the church and the HOA. A maintenance and use agreement. But that it would be a common lot in the subdivision. Let's say an unbuildable open space lot for perpetuity.

Cassinelli: Okay. All right. Well, in that case since you put me on the spot, after considering all staff, applicant, and public testimony I move to recommend approval to City Council of file number H-2020-0035 as presented in the staff report for the hearing date of June 18th, 2020, with the following modifications: That we change condition 1-F -- modify condition 1-F on that common lot to -- to -- that the applicant will develop a -- an agreement between the HOA and the church for maintenance. That that common lot will be unbuildable in perpetuity. I'm going to go ahead and say strike condition 3-B, that we require that sliver of land to be part of the -- part of that building lot number 34, and also require the applicant to look at some sort of netting to prevent broken windows.

Pitzer: Second.

Holland: I have a motion and a second. I don't know if we need to take roll, but I will ask all in favor? Any opposed? All right. Motion passes unanimously.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Holland: We are at the point of the evening -- at one of our last Commission meetings we had made the note that we would not go past 10:00 o'clock for a meeting. So, we still have two applications left on the agenda and I know that Penelope I'm sure has been sitting patiently for her subdivision to come forward, but I'm going to ask the Commission what you would all like to do. If you want to keep going or if you would like to hear these last two items or request a continuance for them. I know staff's Item G I think there is a fairly quick item. They -- they would like to just make some changes to their checklist because of the digital process that they are in, because they are not having as many people come in in person to submit applications, they just need to simplify some things. So, I will leave that open if we want to open both of those items, if you want to ask for us to consider continuing or what we would like to do here.

Cassinelli: I would be in favor of just keep rolling here.

Seal: I would agree.

Cassinelli: Because it's not going to make the future date any better.

Grove: I'm on board with that.

Pitzer: Another long night.

F. Public Hearing for Lupine Cove (H-2019-0133) by Penelope Constantikes, Riley Planning Services, Located at 4000 N. McDermott Rd.

1. Request: Annexation of 7.09 acres of land with an R-8 zoning district; and,