

Meeting of the Meridian Planning and Zoning Commission of August 4, 2022, was called to order at 6:00 p.m. by Chairman Andrew Seal.

Members Present: Chairman Andrew Seal, Commissioner Maria Lorcher, Commissioner Nate Wheeler and Commissioner Mandi Stoddard.

Members Absent: Commissioner Steven Yearsley and Commissioner Patrick Grace

Others Present: Chris Johnson, Joy Hall, Bill Parsons, Sonya Allen, Joe Dodson and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Nate Wheeler	<input checked="" type="checkbox"/> Maria Lorcher
<input checked="" type="checkbox"/> Mandi Stoddard	<input type="checkbox"/> (Vacant)
<input type="checkbox"/> Steven Yearsley	<input type="checkbox"/> Patrick Grace
<input checked="" type="checkbox"/> Andrew Seal - Chairman	

Seal: Good evening and welcome to the Planning and Zoning Commission meeting for August 4th, 2022. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff from the city attorney and clerk's offices, as well as the City Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take any questions until the public testimony portion. If you have a process question during the -- the meeting, please, e-mail cityclerk@meridiancity.org and they will reply as quickly as possible. If you simply want to watch the meeting we encourage you to watch the streaming on the city's YouTube channel. You can access that at meridiancity.org/live. With that let's begin with roll call. Madam Clerk.

ADOPTION OF AGENDA

Seal: Okay. The first item on the agenda is the adoption of the agenda. There are no modifications, so can I get a motion to adopt the agenda?

Wheeler: So moved.

Stoddard: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor say aye. No opposed, so motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of July 21,2022 Planning and Zoning Commission Meeting**
- 2. Findings of Fact, Conclusions of Law for Hickory Warehouse (H-2022-0040) by Cushing Terrell, Located at 1135 N. Hickory Ave.**

Seal: Next item on the agenda is the Consent Agenda and we have two items on the Consent Agenda. The first is to approve the minutes of the July 21st, 2022, Planning and Zoning Commission meeting. Second is the Finding of Facts and Conclusion of Law for Hickory Warehouse, H-2022-0040. Can I get a motion to accept the Consent Agenda as presented?

Lorcher: So moved.

Stoddard: Second.

Seal: It's been moved and seconded to adopt the Consent Agenda. All in favor say aye. No opposed, so motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Okay. At this time I would like to briefly explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant is finished we will open the floor to public testimony. Each person will be called on only once during the public testimony. The clerk will call the names individually of those who have signed up on our website to testify. You will, then, be unmuted in Zoom or you can come to the microphones in Chambers. You will need to state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or a presentation to the meeting it will be displayed on the screen and you will -- either you or the clerk will run the presentation. If you have established that you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf, you will have up to ten minutes. After all those who have signed up in advance have spoken we will invite any others who may wish to testify. If you wish to speak on the topic you may come forward in Chambers or if on Zoom, please, press the raise hand button in the Zoom app. If you are only listening on a phone, please press star nine and wait for your name to be called. If you

are listening on multiple devices, such as a computer or a phone, please, be sure to mute the extra devices, so we do not experience feedback and we can hear you clearly. When you are finished if the Commission does not have questions for you, you will return to your seat in Chambers or you will be -- oops. Oh, got you. You will be -- you will return to your seat in Chambers or you will be muted on Zoom and no longer have the ability to speak and, please, remember we will not call on you a second time. After all testimony has been heard the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to questions and concerns we will close the public hearing and the Commissioners will have the opportunity to discuss and hopefully be able to make final decisions or recommendations to City Council as needed.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

- 3. Public Hearing continued from July 21, 2022 for Lavender Place Subdivision (H-2022-0036) by Breckon Land Design, Located at 2160 E. Lake Hazel Rd.**
 - A. Request: Preliminary Plat consisting of four (4) single-family attached building lots and 26 single-family townhome lots on approximately 3.79 acres of land in the R-40 zoning district.
 - B. Request: Conditional Use Permit to construct the requested 26 townhome lots within the R-40 zoning district.

Seal: With all that, at this time I would like to continue the public hearing for Lavender Place Subdivision, H-2022-0036, and we will begin with the staff report.

Dodson: Thank you, Mr. Chair, Members of the Commission. Good evening. First one before us tonight -- I actually want to go ahead and share my screen -- is Lavender Place Subdivision preliminary plat and conditional use permit. Amongst a private street application, as well as three alternative compliance requests. It's simple, but yet complicated, so bear with me. The site consists of approximately 3.8 acres, zoned R-40, located 2160 East Lake Hazel, directly north of Discovery Park here east of -- what is that? East of Locust Grove. The application is for a preliminary plat consisting of four single family attached building lots and 26 single family townhome lots on 3.8 acres. A conditional use permit to construct the townhome lots within the R-40 zoning district and, as I noted, the private street application for access and three alternative compliance requests for common drive standards, private street standards and off-street parking. Lavender Place is -- was annexed into the city in 2020 as part of Lavender Heights. Part of the -- as part of this annexation the subject site was approved with the R-40 zoning district. The applicant is proposing the project to be largely alley loaded, with all but two of the proposed units fronting on green space to comply with the private street applicability standards. Subsequently multiple detached sidewalks are included for added pedestrian connectivity through the site. With the proposed plat of 30 residential units and the

requested land use of alley loaded single family attached and townhome units, the applicant is -- is introducing a new housing type to the overall Lavender Heights Subdivision. In addition, the proposed placement and site design offer great connectivity to the nearby Discovery Park, which is directly to the south across Lake Hazel. It also has great access to the remaining open space and amenities within Lavender Heights to the north. According to the submitted conceptual elevations, which is here, and the applicant also has more in their presentation, the applicant is proposing to construct these homes with similar style and materials as the detached single family in the Lavender Heights Subdivision to the north. These facts make staff more like -- staff supports the project in terms of the Comprehensive Plan, as well as to be compliant with the previous approvals. The project does comply with all UDC requirements, except for those related to alternative compliance requests. The applicant is requesting alternative compliance to the private street standard that prohibits a common drive from taking access from the private street. Also requesting alternative compliance to the off-street parking standards for the parking pad requirement for three and four bedroom homes and alternative compliance to the common drive standards requiring no more than three lots off of one side of the common drive. The staff and director have approved these requests, but have offered an alternative solution to the requested off-street parking alternative request. Per the submitted parking exhibit, the applicant is proposing to alternative comply with the off-street parking standards by providing 18 parking spaces that will be designated for each specific unit as color-coded here. Each of the proposed units is shown with a two car tuck-under garage, providing the required off-street parking for two-bedroom homes and meets the requirement of a two car garage for a three bedroom and four bedroom unit. However, due to the odd shape of the parcel that creates the constrained building area, the applicant has proposed private streets and an alley loaded project that does not readily allow for the required 20 by 20 foot parking pad for each unit that contains three or four bedrooms. The applicant placed the parking spaces directly across the private street from each unit to minimize the distance that future homeowners would have to traverse to access their designated parking spaces. In addition to the 18 parking spaces designated, the applicant shows seven additional guest parking spaces, which might be a little hard to see, but there is three here -- one, two, three -- three here and one here, which would be seven total. Note that parking is prohibited on the private street, as well as along Lake Hazel to the south and South Bloomerang to the west. So, there is no available on-street parking surrounding this development, unless they parked within the local street here, which would be very illogical. Staff does find that the applicant's proposed alternative as shown here is one option of meeting the intent of the off-street parking requirements when accounting for the required density of the development agreement, which has a minimum of 30 units, as well as the site constraints and limited access for the site. However, upon further review staff is recommending a modification to this request. Staff recommends one parking space is allocated for each three or four bedroom unit, instead of the two. So, basically, take the colored dots and cut them in half. This would allow the applicant to increase the number of guest spaces from seven to 16, which makes for more flexibility -- flexibility in their use for future residents and guests of the community. It is difficult to predict the number of cars that each unit will produce, so staff finds that this is a more prudent solution to offer additional spaces for the entire development and not just the units with more bedrooms. There are multiple

ways to do this due to the site constraints. One of them would be for Commission or Council to recommend that no three or four bedroom units are allowed. Basically limit the number of bedrooms with the plat to two-bedroom units only. Commission and Council -- Commission can make that recommendation. Council would have to agree to that. Staff's other recommended site design revision is regard to adding a micro path lot to the -- to the development to further north-south connection through the project. So, staff recommended adding a micro path connection here, which would require this building -- it can shift ten feet or a mix of this building slightly shifting to the west and this one shifting to the east in order to accommodate a five foot micro path lot and two and a half feet of landscaping on each side. This would allow the applicant to add an additional sidewalk segment around -- or sorry. I would include adding an additional sidewalk segment by the plaza as well. So, basically, connect these sidewalks here and here -- and this is for the purpose of increasing the north-south connectivity through the site, because this is great and it's a great connection, but it just stops and, then, there is no real sidewalk or pedestrian connection for residents to get to the arterial sidewalk or the collector sidewalk, which would, then, allow them easier access to Discovery Park. So, that's why staff is recommending this. Staff does also have concerns with the placement and design of the driveways for Lots 32 and 33, which would be these ones here. Due to the design of the private street, both of these driveways are deeper than five feet, which is the minimum garage setback for an alley loaded product, but are not 20 feet deep to accommodate an actual off-street parking space. So, staff is concerned that these substandard driveways will encourage residents to park, but would also inherently inhibit safe vehicular movement around this curve near the entrance of the site. There was no written testimony as of about 4:00 p.m. today. Staff does recommend approval per the conditions in the staff report and I will stand for any questions.

Seal: All right. Thank you very much. Would the applicant like to come forward at this time? Good evening. Just need your name and address for the record and the floor is all yours.

Breckon: Jon Breckon. Breckon Land Design. 6661 North Glenwood Street, Garden City. I have prepared a -- a short presentation that's very similar to Joe's and like to thank Joe. He's always a pleasure to work with and we have worked judiciously on this project to get to where we are today. It is a difficult site due to the shape and -- and some of the site constraints. With that I will -- I will proceed. Next slide, please. So, this is just general overview, kind of reiterating Lavender Heights Subdivision, which you may be familiar with, and Lavender Place, which is on that Lake Hazel frontage. The triangular shaped property -- it's between Lake Hazel and the canal on the north. Next slide. This is a -- this is an overview of Lavender Heights and the subdivision that's in the works on the north side and you can see the canal kind of wraps the property and bisects Lavender Place from the -- the rest of the development. There is also -- there is a -- a ten foot wide regional pathway that parallels that path or the waterway and also cuts through the north side of Lavender Place and that was one of the things we are trying to integrate into this design. Next slide, please. So, here is a bit of a zoomed in view. Our goal is to maximize the density and -- and -- and meet the original intent and goals of the project and what this design shows is that these -- these dwelling units front to the exterior on pathways on

all sides and so you can see -- you know, we have got that regional pathway along the north and the -- the -- the entry -- the pedestrian entry to those units have a shared sidewalk that exits out onto that pathway. It's a similar situation on the west side on the Bloomerang frontage, as well as on the south side, Lake Hazel frontage, we have the same -- same design with the front door facing the green space and so that's made things very efficient for us and allows for minimizing the vehicular access into the site with, essentially, an alley load type of -- of design. Here is -- it kind of reiterates the building design and elevation. All of the units will be two-story and, then, there is a mix of two to three bedroom units, trying -- there again trying to maximize that density. Well, this is, essentially, the same thing I just talked about -- FLUM designation that's -- that is that frontage on the green space where the door -- front door faces the green space and this is a good slide, too. It kind of shows part of our site constraint, you know, is -- is that -- that Farr Lateral, that irrigation ditch on the north, which is an amenity in itself, but it is a -- it takes up a large square footage of the site and that triangular shape was -- was part of our challenge. So, this slide identifies those -- those similar options. We got to the ten foot regional pathway and, then, we are proposing a -- a plaza picnic space as an amended -- added amenity that ties into that pedestrian way and, then, noted that Discovery Park is to the south and trying to allow for that pedestrian connection and use as additional amenity. This is -- shows that -- that parking and I should probably go ahead and say, you know, I have read through the staff report and we -- we are in agreement with Joe's recommendations and are -- would -- are willing to comply with the conditions of approval, be that -- you know, I guess it was -- but the parking modification to allow for more visitor parking was one of those items. You know, right now on this plan what they are showing there is the same thing where we have got two parking stalls for each of the three bedroom units and -- you know, but switching that to allow for more visitor parking, that's fine with us. So, this identifies that all -- that -- that corner there and I think we have a solution. I don't see that as an issue. We are glad to make that modification, as well as extending the pathway in between the units on the south to allow for that pedestrian connectivity and extending the sidewalk on the south as -- as Joe had mentioned. We have worked very closely with -- with Joe, as well as the fire marshal, to come up with this design and make sure we are -- we are meeting all of the needs of the city, allow for adequate emergency vehicle access. I think I just spoke to that. That -- that's the -- this is actually the -- the old multi-family concept that was used when we started the project two years ago. But that -- that's there -- is there if we need to discuss it. Stand for questions.

Seal: Okay. Anybody have any questions for the applicant or staff?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Staff expressed an idea of possibly changing the three bedroom units to all two bedroom units. Is that something that you and staff considered in regard to establishing more parking?

Breckon: We had considered that. We -- we had talked through that option. You know, one of the big goals was to try to maximize density here as -- you know. And originally it was slated to be multi-family and so this is -- is kind of where we landed on that point to try to provide a mix of -- of housing option, as well as maximize that density and provide adequate parking. All the units do have two car garages, but, then, you know, per the code the -- the three bedroom units need to have additional parking available and due to the alley load concept that we have here where, you know, the -- the garage side fronts that private lane, they do not have a traditional 20 foot driveway in front of the garage.

Lorcher: Okay. One other question on Bloomer -- Bloomerang Avenue, is that lighted at Lake Hazel? Is that a -- a street -- a signal or is it just a -- a turn in; do you know?

Breckon: I don't know off the top of my head. Joe, so you know?

Lorcher: Is there a signal?

Dodson: Mr. Chair, it is not lighted. No. It is a -- there is a right-hand turn lane off of Lake Hazel, though, into this -- onto that collector road.

Lorcher: So, for the safety of the community of Lavender Place to be able to access the park across the street, what would be the way to be able to access that park safely?

Breckon: That's a great question. I know that Lake Hazel is slated for road frontage improvements by ACHD. Due to the -- the timing of the project those have not been installed at this time. I do know that that ten foot wide regional pathway that comes through there -- you can see on this overall plan extends to the east and I anticipate that it -- it continues on and that there would be a crosswalk at that location to allow that crossing.

Dodson: Mr. Chair?

Seal: Go ahead.

Dodson: Yeah. This -- this is a great question, Commissioner Lorcher. This came up at the original hearing for Lavender Heights. The other collector road -- so, we kind of have one at the quarter mile and, then, on the south side is going to be one at the half mile, directly east of the fire station lot, which is right here, that is where the anticipated crossing for the multi-use pathway would be located. Not at the Bloomerang one.

Seal: Any follow up? Good. And I will state the question a little more plainly. I guess how disruptive is it going to be if we recommend to make all these two bedrooms? Because in my mind -- I mean a compromise to me isn't -- we are going to let you go without parking by minimizing the amount of parking that you have to provide. The parking's necessary. We have seen that it's necessary. Every time we try and make any concessions like this it turns into problems and, you know, unfortunately -- and, again, I sympathize for this piece -- you know, I will call it in-fill. These -- these lots -- they are

tough. They are really tough. And -- and I -- I like what you have done here. That said, you know, I mean the parking is going to be an issue here and I -- especially the one parking spot that you have in the hammerhead there. That one, it would be nice to see that one go away for sure, to have this limited to two bedrooms. I'm a member of an HOA and kind of rules like this that are self governed, you know, oh, that's my parking spot, not your parking spot, that's just -- neighbors are going to turn against neighbors in that as well. So, personally, I would like to see just the two bedrooms in there, so I -- you know, hopefully it still pencils out for you I guess is the question.

Breckon: Mr. Chair, our preference certainly would be to stick with the three bedrooms. Maybe we could work with staff to -- to look at the -- what that differential is. I understand your sentiment on the parking. However, I would also reiterate that we have worked quite diligently with staff to make sure that we do meet and provide adequate parking for all these -- these units. We could maybe take another look at it if we could at least have some three bedrooms in there. I guess if -- if -- I guess the question would -- would be, you know, we are meeting -- we are meeting the -- the code requirements at this point, what -- what are we going to hold ourselves to if we are going to modify that? Is there a certain number that we need to hit or -- you know, if -- if we are meeting the -- the letter of the code what -- what -- what differential there would -- would be appropriate?

Seal: Okay. Yeah. I understand that. I mean -- and it sounds like you guys have done significant amount of work with staff and -- I mean to be honest with staff recommending just one parking spot as a concession, that's -- I -- I tend to try and support staff in -- in the decisions they make, so they are infinitely more wise than I am in a lot of ways. That said, this one just -- it's a tough one for me personally, so --

Breckon: Maybe also to just note that each one of these units does have a two car garage and a majority of them are two bedroom already.

Seal: Understood: As far as the -- like trash services and things like that, how do you envision that happening? That was another big one that I had here is like how are you going to get a trash truck in there and how does everybody have a trash can out there on trash day?

Breckon: Well, the -- the roll-away trash units would be -- would fit into the garage and, then, that is part of the reasoning to have that five foot apron in front of the garages there. It is a very efficient design.

Seal: Okay. All right. Anybody else have questions?

Wheeler: Mr. Chair?

Seal: Go ahead.

Wheeler: Hello, Jon. Got a question for you concerning the -- that -- I think it's lot number one, which would be up in the very top left corner right when you come in through the

main bend -- yeah, come right down. So, I guess right below that where the lot would be for the dwelling. Okay. Then I'm doing the wrong one. Sorry. Go to your left. I'm sorry. Go to your left and it's that one right there. Yeah. There we go. Thank you. Thank you. Thanks for your help. On -- on that one right there that's the only one -- are those two -- those -- those units there or that building there is the only concern on my side is just seeing people entering and exiting there, because of all of the -- all the traffic that's going to be back towards there maybe wanting to exit. Are you guys fine with like putting up signs that would say like no trailer parkings, no on-street parking? I mean just extra signage, just to ensure that when people go buy toys with the -- the great RV financing that's out there and they start stacking them up in these things, because that's what's going to happen, there -- that's going to be a tight tight squeeze right there, so -- because most of the -- most of these garages will be used for storage and, then, somewhere these people are going to try to park their vehicles. There is also some --

Breckon: Mr. Chairman, Commissioner Wheeler, yes, signage -- signage would be welcome to reiterate the necessity to park appropriately and, you know, I guess that's -- that's -- this sort of housing style is not appropriate for, you know, RV parking or the folks that have extra toys, let's say, and they are very efficient, they are geared towards, you know, maybe a starter home for a young couple, a two-bedroom unit or, you know, someone who has an active lifestyle and travels a lot or maybe an older couple, that sort of thing, that, you know, doesn't want a lot of yard maintenance, doesn't have a lot of stuff and, you know, doesn't require a three or four car garage with -- with RV parking and so all those items should be clear at the -- at the time of purchase.

Wheeler: I would -- I would hope so, but people have a way of just expanding stuff and that's where it's kind of like -- just to make sure that that doesn't happen; right? I mean it just -- it just happens, you know, once they get settled and that's why I'm kind of with -- with the staff's recommendation, too, on just making it two -- two bedrooms through there, because I just know it's going to get throughout the whole area, because I'm just -- it just seems that that's going to just cause more and more congestion, and more stuff, more and more space is being taken up.

Breckon: Mr. Chairman, Commissioner Wheeler, I -- I -- I understand and, you know, there, again, with like -- we have worked with staff diligently to provide parking and to maximize this space. You know, this -- this -- we are seeing more and more of this housing style and these efficient designs throughout the valley, whether it's a multi-family or single unit design such as this, there is -- there is definitely a need for this type of building and it is apparent that the folks that are producing these are -- are on board with that. There is quite a few you see -- we -- actually, we have been seeing a lot more of this design in in-fill projects in Boise and I don't anticipate that it's going to be an issue. We could certainly work with staff to adjust the parking a little bit further and -- and try to meet that percentage that we are -- we are looking to accomplish.

Wheeler: Very good. Thank you.

Dodson: Mr. Chair?

Seal: Go right ahead.

Dodson: Thank you. I just wanted to clarify two things. One, the private street has to be signed no parking fire lane per fire code. So, we will definitely be good on that. That's going to be per our Fire Joe, so it will be good there. I had another point and I just spaced. Oh. The comment about the two bedroom versus -- limiting the two-bedroom. I did not include that as a recommendation as a condition. I included it in the text and the analysis of my staff report. So, if that is something that Commission is going to do, that would be a new condition. Welcome.

Seal: Thanks, Joe. Anybody else? All right. Thank you very much, sir. All right. At this time we will take public testimony. Is there anybody signed up?

Hall: Is it on now? Okay. Mr. Chair, there is nobody signed up online or in person.

Seal: All right. Nobody raising their hand out there. I don't see anybody raising their hand online. Anybody in Chambers? Oh. Go ahead and come on up. Give us your name and address for the record.

Merrill: My name is Taylor Merrill. I'm with the Westpark Company. We are the developer of Lavender Heights.

Seal: Your address, please.

Merrill: My address is P.O. Box 344, Meridian, Idaho. 83680.

Seal: Thank you, sir. Go ahead.

Merrill: We appreciate the opportunity to have this presentation and -- and, again, working with Joe and staff, it's been kind of a -- I think it was one of your first projects, Joe, when we -- when we broke ground on this thing and it went from 90 lots to 191 lots over to -- to satisfy some density. This particular lot was 48 units. We had eight -- eight -- what is that, eight six-plexes, something like that initially, and have -- and -- and we have gone through the formal conditional use process. I think we had to modify the development agreement in order to get to this point to shave it down and to make that parking work. We think it's really important to have a mixed-use. In working through the design group on this, we have five products in Lavender Heights and kind of some large perimeter lots. We have got some single family traditional stuff. We have got an alley load product in there and we also have a courtyard product in there to achieve or to fit the many lifestyles, if you will, or the demands of homes, so to speak. When we refer to two and three bedrooms, it's important to us to have that mix and we worked hard on that mix. We worked really hard on that mix to accommodate and to shift and wiggle that parking in. It was important to us, you know, to have the presentation or the functionality of this development, particularly in this component, and -- and to come from kind of maybe a multi-family or into this -- we are excited about this project and I -- I would just like to stress that, you know -- I mean these aren't three car facilities, so to speak. You know,

this is going to be a couple. This is going to be maybe a younger group. And we really need to preserve that third bedroom -- it's an office application, guys, is really what it is. It's that third amenity, so to speak. And our mix of it -- I don't know exactly what that number is, whether it's two to one or half and half. I -- I don't recall that off the top of my head. But I thought we worked well on the mix and we would really appeal to -- to -- to -- to maintain the -- the -- the report -- or the recommendations that the staff has to keep that mix in there. We don't think it will be a burden. We looked at the -- you know, again, working with -- with Joe and the fire department and all that to make this work. Jon brought up that one shot, but what did we have on this, eight, nine reiterations of it to get to this and we are excited about this little plat. It works well. The -- the flow in it and the private streets. So, again, I appreciate your -- your interest in this and what you guys are doing up there. It's really exciting in the -- in the whole of what we see going on in south Meridian right now. But I would ask that we support staff's recommendation and keep that mix in there for us, so we can have that application, and I think we have thought through that parking concern, that would -- that would later -- or -- or, you know, with that -- that flow.

Seal: Okay.

Merrill: Thank you.

Seal: Thank you very much, sir. Appreciate it. All right. Anybody else in Chambers would like to come up? No? All right. I was going to say -- would the applicant like to come back up and say anything else? If not, you can signify no. Signify no. Okay. Thank you very much, sir. I appreciate that. So, at this time can I get a motion to go ahead and close the public hearing for Item No. H-2022-0036?

Lorcher: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2022-0036, Lavender Place Subdivision. All in favor say aye. No opposed, so the motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Okay. Who wants to go first?

Lorcher: Mr. Chair, I will.

Seal: Go ahead, Commissioner Lorcher.

Lorcher: Well, I agree with Joe. This is simple, but complicated.

Seal: Oh, you are out of time.

Lorcher: Like you said, in-fill is really challenging and it's gone through several different versions until the applicant came up to this one and clearly the other versions did not suit this site. So, the townhomes I think are a great idea. I love the idea of the houses facing the -- the waterway and the multi-use. The third or fourth bedroom that's actually proposed in here could invite families to come in here. I'm concerned about safety going across the street to Discovery Park and some of the other amenities and I think developers and -- when we put together these applications we have good intentions that everybody's going to follow the rules and -- but this really doesn't invite any guests to their homes. There is nowhere to park. They can't park in the street. If they are going to park in the subdivision they have to go -- it looks like a quarter mile to the -- maybe north and you can't park on any of the streets and -- and if all those are assigned parking, I think it's going to end up being a little bit of a cluster. So, if you were advertising a two bedroom plus a den that would be different than advertising three or four bedrooms, because you are inviting people to have people in capacity in those rooms and we know that most two car families -- or families have 2.5 cars, some have one, some have three, some have four, some have less and to Commissioner Wheeler's point, people accumulate stuff and there is no requirement that they have to park their cars in their garage. So, this could be a perfect storm for some challenges for a very small space for this community. So, I do support the two-bedroom units going down -- or the three bedroom units going down to the three parking spaces, but I'm not sure if that's going to be enough to make this work the way it is. That's my thought.

Seal: Okay. Yeah. I'm similar. I mean I -- I really like the product. I know -- I mean I know a young man that would love to live in one of these things, so -- because housing prices are just out of reach for most people at this point and that -- in that he would likely not be able to live in it alone, he would have to carry some kind of roommate in order to make the payment. So, I mean right there just having two or three bedrooms opens up to that scenario for sure. So, I mean if every one of them has a car, then, you have a three or four bedroom, that's three or four cars. So, depending on how tight they want to live in there, so that's one of the scenarios. The other scenario is, you know, the Super Bowl Sunday type of thing where a couple people in here decide they are going to throw a party, there is just nowhere to park, other than the designated spots. So, you know, I mean if -- if we want to keep a three bedroom scenario in there, instead of a four bedroom, that would to me make it more palatable. Cap it at, you know, no more -- not to say that you can't have them all three bedroom, but keep the two bedrooms two bedroom and, then, make a cap on three bedrooms and, then, as Joe recommended go down to the one space. That to me is palatable I guess is the word for it. Then you have the designated spaces. I am concerned about those first two units, just the safety of getting in and out of them, you know, because it is a private drive and all that. So, maybe even the one at the end of that, limit that to two bedrooms just to keep the minimum amount of people that you can on that shared driveway. I'm not a big fan of shared driveways anywhere to begin with and, then, possibly eliminate the parking spot that's in the hammerhead. You know, depending on what's parked in there, somebody does a -- you know, a wild job of parking in there and the next thing you know the fire truck can't get turned around, so they get to play bumper cars to get themselves in where they need to be, but that's my thoughts on it. I -- I really do like the product. I think it's something that's

needed, you know, and it is -- it does have a starter home type of feel to it. It is something that I think is needed in the Meridian area for sure. It just -- that's a lot of stuff to put on a little tiny lot. So, we are -- we need to make sure that, you know, we are not allowing something in. That's going to come back and -- and have people beat up on us, because, you know, people are more than happy to come in here and beat up on everybody when things don't work out and when parking isn't enough or when the streets aren't wide enough or when people can't put their trash cans out, so those are things that we have heard over and over and over when people come in and testify. So, we -- you know, we can substantiate the -- you know, the way that we talk about these things for sure, so -- sorry, I have rambled on for a while, so if -- if the other Commissioners would like to jump in, please, feel free. Commissioner Wheeler, go ahead.

Wheeler: I like in-fill projects a lot, because it takes use of the -- the land that's there that everybody jumps over. Plus it also stretches the creativity of developers and the city and able to use something like this. So, to me I'm -- I'm a big fan of -- of this product type right here and especially next to a park. That's going to be fantastic once they figure out how to get across it and everything like that in a safe -- in a safe way. But to be able to have that right across the street for what you are seeing is different families or whatever their mixes might be, but, man, to be able to have that to go run to during these summer nights is great. I'm just with what the other Commissioners have said and the Chairman have said about the -- just the -- the -- the traffic flow in here. I'm not a big fan of three bedroom units in here, because that just is going to be an extra car. I like the idea of two spaces per those units that we see -- the way that they are colored out. I just have -- I just know that the garages are going to get filled up and the cars are going to go somewhere and, then, that's when it's going to get just a little bit tougher and more difficult for traffic in there, more for safety purposes than it is just for commuter traffic, and I also understand that the developer has got to get an ROI and a -- and a return that's commensurate with risk. So, trying to balance all of that and also to make this something that's going to be good and long term for the city, I just -- I -- it's -- it's just really hard for me to think about adding in three bedrooms in here.

Seal: Thank you. Commissioner Stoddard, do you have anything?

Stoddard: No. I agree, actually, with all three of your comments. I think the parking is definitely an issue and -- and I agree about people filling their garages and that's the biggest problem I see with it. It's just the access and the parking.

Seal: Okay. With that we are --

Lorcher: Mr. Chairman?

Seal: Yep.

Lorcher: Chairman, do we want to ask the applicant if they want to work with staff a little bit more for a continuance or would they want to just take it to City Council?

Parsons: Mr. Chair, Members of the Commission, that's -- that's what I was going to suggest. Keep in mind you guys are a recommending body here. So, again, if you like staff's conditions of approval you can make that recommendation forward -- take that forward with City Council and the applicant will have a chance to have the same discussion with them and convince them to do something different. So, don't feel like you have to try to solve the problem tonight. Again, staff -- it sounds like you want to support staff, you want to make the project right and we commend you for doing that, because we know Council doesn't want to have issues either, but if you feel like you just can't get there certainly you can make a recommendation going forward and they can take it up with City Council.

Seal: Okay. Well, I'm -- I'm -- I mean what I'm hearing is two bedrooms. That's -- I mean I'm probably the only one on tonight -- and I don't get -- I don't get to make a motion. The one good thing about sitting here to do this. So, I think if it's going to -- I mean if you want to go back and work with staff, it's -- if we are going to allow a continuance, then, there has to be an appetite for more than just two bedrooms. If not, I would say make your recommendations, let it go forward to City Council and they will chew on it. That's -- that's where I'm at. I don't -- I don't want to have them have a continuance for something that -- you know, if they are going to work with staff, staff's already said that they are willing to concede the -- the parking spots. We have kind of -- the feedback that I have heard so far is that that's -- that's too much, you know, and I'm on that same page. I think that's conceding too much in order to make this fit. So, if it goes back to staff to work on it, I think we have to have a stomach for more than two bedroom. If that's okay with everybody, then, we can go through the motions.

Lorcher: Mr. Chair, do we want to ask the applicant if they have a preference?

Seal: We need to reopen the public hearing, so -- if you would like to do that I will -- I will take a -- take a motion on that.

Lorcher: I motion to open the public hearing, so the applicant may speak.

Seal: For -- oh, do I have a second?

Lorcher: For -- oh, my gosh. For Lavender Place Subdivision, Item No. H-2022-0036.

Seal: Do I have a second? Okay. Then --

Wheeler: Mr. Chairman?

Seal: Yep. Go ahead.

Wheeler: I think -- Commissioner Lorcher, I think we can kind of discuss that through and, then, let them just go ahead and approach that to City Council and talk about it and be able to work out maybe some of our recommendation before they speak with City Council, as sort of a thought on that one, because that's what I'm hearing from -- from

staff on that, that we are just recommending and, then, they can work out those details with staff and then -- or with Council and, then, they can make those modifications on that if need be.

Lorcher: Okay.

Wheeler: So -- what was the modification that needed to be done for the parking?

Seal: The parking -- the -- well, that's --

Wheeler: The visitor parking? Was that the one that had the -- the guest parking, those three -- two spots that was there at the hammerhead?

Seal: That was -- I would recommend they do away with the -- any of the parking in the hammerhead, so -- I mean it's already hard enough to get in and out of there, so that's -- me personally I would like to see something like that, but, again, I don't make a motion. The -- I mean, really, what needs -- really, what it comes down to to me is the -- the three and four bedroom units and the parking that's associated with that. Like Joe said, he didn't recommend that they make it only two bedroom or three bedroom, only that that was something they could -- could be done if we decided to go that route. So, really, that needs to be in the motion, whatever it needs. You know, I would recommend that that's in the motion that is made.

Wheeler: I'm ready to make a motion, if you -- if you guys are good, unless you wanted to, Commissioner Lorcher, or -- okay. All right.

Seal: Go right ahead.

Wheeler: Okay. After considering all staff, applicant, and public testimony, I move that we recommend approval for the City Council of File No. H-2022-0036, as presented in the staff report for the hearing date of August 4th, 2022, with the following modifications: That there is no parking in what is known as the hammerhead and that no units greater than two bedrooms be allowed.

Seal: Is there a second?

Stoddard: Second.

Seal: Okay. It's been moved and seconded to approve Item No. H-2022-0036 with the aforementioned modifications. All those in favor say aye. Any opposed? Okay. No opposed, motion carries. Thank you very much. Appreciate it. Always interesting to work through those.

Starman: Mr. Chairman? I'm sorry, can I just seek clarification? Commissioner Lorcher, were you a yea or nay?

Lorcher: Oh. I will say yea.

Starman: Yea. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

4. Public Hearing for Torino Locust Grove Subdivision (H-2022-0038) by Jeremy Rausch, Located at 870 S. Locust Grove Rd.

- A. Request: Annexation and Zoning of 1.03 acres of land from R-1 in Ada County to the R-8 zoning district.

Seal: Okay. And with that I would like to open public hearing for Item No. H-2022-0038, Torino Locust Grove Subdivision -- Subdivision and we will begin with the staff report.

Parsons: Yeah. Thank you, Mr. Chair. Before I start my presentation tonight I would just like to inform the Commission that Alan Tiefenbach has tendered his resignation with the city and as -- as of tomorrow he will no longer be employed by us. So, he's -- he's accepted a new position in Whitefish, Montana. So, we wish him the very best. But I thought you would like to know. He's very excited for his new opportunity. So, if you see him out and about here in the next week or so tell him hi and -- and wish him the best.

Seal: Absolutely. Thank you.

Wheeler: Lucky guy.

Parsons: Yeah. He feels pretty lucky. He's beaming from ear to ear. All he -- all he wants is to get his house sold. Okay. Back to city business here.

Seal: Thanks, Bill.

Parsons: So, I'm -- I'm filling in tonight, obviously, for him. I told him, yeah, since it is your last week with the city I will go ahead and take one for the team tonight and go ahead and present this project for you. So, tonight I'm here to present to you the Torino Locust Grove Subdivision. It is an annexation and a short plat request for you this evening. The property consists of approximately 1.03 acres of land, currently zoned R-1 in Ada county and the applicant is here to request annexation to the R-8 zone and develop it with four residential single family lots. I wanted to go on the record early. Looking at the record there is five or six letters of testimony in opposition of this project and there seems to be some misinformation that the residents think that this is possibly a potential for multi-family and it's not. Basically, the developer is here to talk about constructing four single family detached homes on the subject property. So, I just wanted to clear that up before I get into too much details of the project. So, this is a lot and block in the county subdivision. The physical address of this property is actually 870 South Locust Grove Road. Here in the aerial you can see that it's actually vacant. There are some mature trees that need to be addressed as part of the supplemental application -- the revised

landscape plan moving forward. But, again, on the upper right-hand -- or left-hand corner here you can see the proposed short plat. This property does not have access to a local road like we typically see in a -- in a subdivision. It is an in-fill. So, the only access point with this particular project is from Locust Grove and so the applicant this evening is proposing a common driveway, your favorite, to serve as access for the -- the proposed four lot subdivision. Typically we would like to see a public street extended or even a potential private street, but under the city's ordinance private streets are not allowed to connect to arterial roadways. So, in this particular case the code does not prohibit common driveways from connecting to arterial roadways. So, in this particular case that's what the applicant's doing. The -- the common driveway itself is actually 20 feet wide, but the easement to serve the common driveway is actually 30, because they are extending sewer and water mains into it, so that they could provide services to the back lot. You can see that staff is recommending a change to the conditions of approval. In the staff report I have -- I have placed that condition in the hearing outline that I prepared for you. I have -- I have wordsmithed that. There was an error -- I hope the applicant is here tonight or at least online. I wanted to inform him that the code requires that a common driveway be in a common lot, not an easement as it's currently depicted. So, I have had to correct the -- I know the applicant was working with Alan to correct the -- the condition of approval to try to satisfy our requirement, but it's not going to work and so, essentially, what I'm proposing tonight is this common driveway needs to be in a common lot and we are also recommending that it be extended to the east boundary and that does a couple things -- is, obviously, we have one acre county subs to the east and eventually we anticipate that redeveloping at some point in the future and so the hope is by extending that common driveway to the eastern boundary at some point when those properties to the east redevelop we will be able to get access to that local street like the code wants and, then, have the access to Locust Grove closed or at least minimized to emergency access only. So, that's why we are -- we are pushing for that common driveway to be extended. I have -- I was able to look at the -- the plat and they won't -- it will affect the buildable lots, but they still meet the R-8 standard. So, by creating a common lot and having that extended does not impact the buildability -- impact the building area on these lots. So, they will still meet the minimum R-8 standards. Now, the one hiccup to that is the code does not allow common driveways to exceed 150 feet, unless otherwise approved by the fire marshal. So, I have added that as a provision as well in Alan's condition that the applicant obtain fire marshal approval to exceed the 150 foot requirement. I'm -- I'm hoping that the fire marshal will see staff's point and lean -- and allow the applicant to go deeper into the site without a hammerhead or a turnaround. That way it makes the -- the project more viable, but also allows us to get future connectivity. So, I'm hoping between tonight's hearing and transitioning to City Council with this project that we will be able to get the fire marshal on board to do that. If not, then, more than likely staff will just probably recommend that the common drive not exceed 150 feet and not get that connection. But I at least wanted to keep you looped in that there is a little bit of work to be had and the applicant should be aware of that as well moving forward. The only required landscaping for this property is the buffer along Locust Grove. You can see that here. Because it is under five acres the code does not require any amenities or any common open space either as far as passive or active open space for this project. So, it's a pretty straightforward application. As I noted in the hearing outline there is quite

a bit of testimony having to do with density, traffic, and, then, of course, compatibility with the adjacent land uses. County residents are concerned that this is quite a bit more dense than what's currently in the area, which I wouldn't disagree. It is. There is four lots versus one -- on unit per unit -- or one lot -- one building per unit. So, staff is recommending approval and with that I will stand for any questions you may have.

Seal: Okay. Thank you, Bill. Appreciate it. Would the applicant like to come forward? Are they online? Oh. It looks like Jeremy -- Jeremy Rausch is online.

Hall: What was the last name?

Seal: Rausch.

Rausch: Hello. Can everyone hear me?

Seal: Yes, we can, Jeremy. Go ahead and give us your name and address for the record and the floor is yours.

Rausch: My name is Jeremy Rausch. I live at 1684 East Borzoi Court, Meridian, Idaho. 83642. And it's asking me if I should join as a panelist or stay as an attendee.

Hall: Panelist is --

Rausch: There we go. Okay. Thank you. Yes. So, this is -- my proposal is to have four single family homes constructed on four individual lots, with a private driveway. Now, I am -- Alan tried to explain this to me with the common lot. This is a new -- can you explain this to me in a way that -- that I can understand what -- what is the staff recommend -- recommending for this?

Seal: Bill, if you want to jump in.

Parsons: Absolutely. Jeremy, nice -- nice to meet you.

Rausch: Nice to meet you.

Parsons: Sorry you are getting this information --

Rausch: No. I understand. Yes.

Parsons: So, essentially, Alan had conditioned your project to provide the common driveway in an easement and our code requires that it be in a common lot. So, essentially, you will just -- when you -- when you are coming in and ready to record the subdivision your common driveway will just -- you will just add a common lot to the face of the plat, rather than --

Rausch: Okay.

Parsons: -- an easement. That's -- that's really the difference here.

Rausch: Will the driveway need to be extended all the way to the far east or that will just -- it will end at 150 feet?

Parsons: The -- the expectation currently is that you extend it to the east boundary as originally conditioned to facilitate --

Rausch: Okay.

Parsons: -- future access to that local street. So, I know you and Alan agreed to just extend an easement, but we can't just extend the easement. The issue with that -- and just for the Commission, too, not to have a sidebar conversation with the -- the concern with just building a portion of the driveway and not having it extended is who pays for that and how do we get that in the future without having the developer put up the money in perpetuity and we don't want to manage that and the goal is -- really is if we want connectivity, we want that to be something in the future, it needs to be constructed now with development and that's -- and that's why we talked about that with the chair this afternoon and we felt that was the most prudent thing to do, is not just require it a common lot, but to also require the -- the driveway to be built.

Rausch: Okay. I can understand -- I can understand that recommendation for sure and I can comply to that also. I have -- my plan is to construct three to four bedroom homes, one to two stories on -- on these lots accessed by the -- the common driveway. I -- I really don't have anything else to bring forth.

Seal: All right. Thank you very much. Does anybody have any questions or concerns for the applicant or staff? Real quick, Bill, I know that the continuation of the private driveway and common lot to the end is -- one of the requirements on that is to get approval from the fire department. What if Chief Bongiorno comes back and says, no, not -- not going to happen. Need something else. Is that --

Parsons: Yeah. Mr. Chair, Members of the Commission, that -- that's what I was saying. The potential could be either -- he may come back and say build it and put bollards at 150 feet, so it does kind of meet the intent of the code, or we may just have to go forward to City Council and just say they won't approve anything more than 150 feet and it doesn't get extended or one of the lots is restricted until such time as it's extended and you put a hammerhead on one of the lots and restrict it. But I know -- I don't think the developer wants that -- that particular option.

Seal: Okay. Just wanted to make sure we have the options laid out there. Any questions? Any concerns? All right. We will go ahead and open this up for public testimony. Do we have anybody that would like to speak?

Hall: Mr. Chair, there is no one online, nor in person signed up.

Seal: Okay. If anybody in Chambers would like to speak, please, raise your hand. Anybody online if you would like to speak, please, hit the raise your hand button. Going once. Going twice. Seeing nobody that would like to testify, Jeremy, do you have anything further to add?

Rausch: No. No, I don't. I just -- just -- if this continues to go further, how -- how do I know what the fire marshal is going to say?

Seal: I'm sure Bill will probably communicate that. So, with Alan leaving somebody from the city planning staff -- and, Bill, jump in if I'm completely off base here -- but somebody from the city planning staff will definitely be in touch on that.

Rausch: Okay.

Parsons: Yeah. Jeremy, I'm going to take you to the finish line on this one, so you are in good hands.

Rausch: Okay. Okay. Great. Yeah. Sorry, this is just kind of new to me just in the last -- well, right now.

Seal: Okay. Thank you very much. Appreciate that. And at this time can I get a motion to close the public hearing on H-2022-0038, Torino Locust Grove Subdivision?

Lorcher: So moved.

Stoddard: Second.

Seal: It's been moved and seconded to close the public hearing for application number H-2022-0038. All those in favor, please, say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: All right. If anybody would like to comment or make a motion, I am all ears.

Wheeler: This seems pretty straight up and down; right? Okay.

Seal: Well, Commissioner Wheeler, go ahead.

Wheeler: All right. I was going to say -- see if Commissioner Stoddard wanted to make a stab at it here.

Stoddard: Okay.

Wheeler: Now, you got this section over here, too, that you have to read, too, this 20 foot -- with the condition of -- and, then, we had this part there, it says, yeah, the 20 foot wide

common drive that -- he wordsmithed it all for you. So, you got -- you got one page turned, but you can. Under staff recommendation on the back page.

Stoddard: Mr. Chair?

Seal: Commissioner Stoddard, go ahead.

Stoddard: I make a motion to approve -- after considering all staff, application, public testimony -- oh, I already -- I move to recommend approval of City Council -- to the City Council of file number -- number H-2022-0038 as presented in the staff report for the hearing date of August 4th, 2022, with the revision to Condition 1-B, that only the common driveway be extended to the eastern property line and with the staff recommendation of the 20 foot wide common driveway shown on the short plat shall be extended to the eastern property line in a common lot and receive fire marshal approval to exceed 150 feet in accordance with UDC 11-6C-3D when the property to the east annexes into the city and develops. Access to the subject property shall occur from South Torino Avenue and the existing South Locust Grove access shall be closed or used for emergency access purposes only.

Seal: Do I have a second?

Lorcher: Second.

Seal: Okay. It has been moved and seconded to approve Item No. H-2022-0038 with the aforementioned modifications. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

5. Public Hearing for Overland & Wells II (H-2022-0030) by Morgan Stonehill Partners, Located at 2600 E. Overland Rd.

- A. Request: Development Agreement Modification to change the existing development plan (Inst. #2016-060157) on the northern portion of the site from a retail grocery store to multi-family residential.
- B. A Conditional Use Permit for a multi-family development consisting of 351 apartment units on 11.65 acres of land in the C-G zoning district at a gross density of 30.21 units per acre.

Seal: All right. At this time I would like to open public hearing for -- oh. Sorry. I would like to open up File No. H-2022-0030, Overland & Wells II, and we will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for a conditional use permit. There is also a concurrent development agreement modification application that it's going along with that. It does not require a formal recommendation from the Planning and Zoning Commission tonight. Council is the decision making body on that. This site consists of 11.65 acres of land, 18.75 for the overall site. It's zoned C-G and is located at 2600 East Overland Road. This property was annexed in 1994 and a development agreement was approved in 2016, which was later amended in 2020. A preliminary plat was approved later in 2021, which included the adjacent property to the east. A final plat has not yet been approved for this property. The Comprehensive Plan future land use map designation is mixed-use regional. The applicant has submitted an application, as I mentioned, for a modification to the existing development agreement to change the development plan on the northern portion of the site from a retail grocery store to multi-family residential. This application does not require action by the Commission. As I mentioned, City Council is the decision making body on this, as well as the concurrent conditional use permit application. A conditional use is requested for a multi-family residential development, consisting of 351 apartment units, with a mix of studio one and two bedroom units at a gross density of 30.13 units per acre. A clubhouse, swimming pool, and other site amenities are also proposed on 11.65 acres of land in the C-G zoning district. The conceptually approved Winco grocery store on this site would have provided a regional draw to this area as desired and what was the multi-family development to the east was largely based on that approval, whereas, residential uses do not, but they do provide housing for workers in the mixed-use regional designated area and the general vicinity. A multi-family residential development consisting of 360 units by the same developer was recently approved to develop on the adjacent property to the east. This is proposed to be the second phase of development. Although the residential uses are not integrated within the -- excuse me -- with the adjacent commercial uses as desired in the mixed-use regional designated areas, pathways are proposed for pedestrian connectivity between these uses. Staff is not recommending a mix of -- and integration of uses with this development, as the property has already been entitled with zoning. However, an amendment to the DA is required in order to develop this site as proposed. Access is proposed from the south via South Wells Avenue, to be extended from Overland Road, a mobility corridor with the first phase of the subdivision, and from the west via East Cinema Drive, a local street, with the second phase of the subdivision. This site is approximately one half mile west of the Overland Eagle-Eagle Road intersection on the south side of the I-84 off ramp. Transit services are available to serve this site via Route 42. Overland Road is listed in the Capital Improvement Plan to be widened to seven lanes from Locust Grove to Eagle Road between 2036 and 2040. The intersection of Eagle and Overland Roads is listed in the CIP to be widened to seven lanes on the north leg, eight lanes on the south, eight lanes on the east and eight lanes on the west leg and signalized between 2031 and 2035. The ACHD report states the p.m. peak hour level of service is E, which is acceptable level of service. Although overall the level of service may be acceptable, certain roadway segments and/or intersections, turning movements, are currently failing and will be worse with the adjacent multi-family residential development to the east and the proposed development. This should be considered when approving this application prior to the aforementioned improvements planned with the CIP being completed. Off-street parking is proposed in excess of UDC

standards. A total of 629 spaces are required, 653 are proposed. Bicycle parking is proposed in accord of the minimum standards. A minimum of 3.18 acres of common open space that meets the standards for such is required or alternative compliance may be requested. The common open space exhibit that was submitted as shown here shows 2.55 acres is proposed consisting of linear open space along the north and west boundaries of the site. A park with grass consisting of 9,803 square feet in area. A large amenity area, rooftop terraces on the clubhouse and leasing office and street buffer and additional common area along East Cinema Drive. There is a 20 foot wide sewer easement located along the west boundary of the site, with a 14 foot wide access road that will prohibit landscaping in that area. Therefore, much of that area will not be able to be counted toward the minimum open space standards. Staff recommends revisions to the plans to comply with the minimum standards and an updated common open space exhibit is submitted prior to the Council hearing. Amenities are proposed for the development exceeding the minimum standards. Conceptual building elevations and perspectives were submitted as shown for the proposed structures. The two northern buildings will be four stories in height. The two southern buildings will be three stories and the clubhouse will be two stories. A modernist vernacular theme of design is proposed with a monochromatic color palette of off whites and shades of gray with lap siding accents and decorative balcony railings for color and texture. Final design is required to comply with the design standards in the Architectural Standards Manual. Written testimony was received from Greg Goins, Winco Foods. They are in support of the proposed development and they are the property owner. Elizabeth -- I'm going to slay your last name. I'm sorry. Koeckeritz. Givens Pursley. Is the applicant's representative. They did submit a response to the staff report. She is asking for condition number A-3, which requires a final plat to be submitted, approved, and a plat recorded for the second phase of the subdivision in order to create a developable parcel prior to submittal of a certificate of zoning compliance and design review application for this proposed development. The applicant is requesting approval to submit those applications, the CZC and DR after the final plat for this phase has been approved by Council, but before it's recorded. The findings for the first development agreement amendment and preliminary plat require the property to be subdivided and that -- what that means is the final plat has to be recorded in -- in order for the subdivision to -- property to be subdivided and that is required prior to submittal of any CZC and DR applications for this site. Therefore, this request cannot be granted. Condition number B-29 requires street signs to be in place. Sanitary sewer and water system to be approved and activated. Road base approved by ACHD and the final plat recorded prior to applying for building permits. The applicant is requesting this condition is amended, so that they can apply for building permits after the final plat is approved, but not yet recorded. Same deal as I just explained. The final plat is required to be recorded first in order to create a parcel that's eligible for development. This request cannot be granted either. Condition A-2 requires a revised common open space exhibit to be submitted prior to the Council hearing that complies with the minimum standards. The applicant is proposing to request alternative compliance from these standards and from what I understand isn't planning to submit any revised plans prior to Council. But I will let them speak to that. I have not received a formal application for an alternative compliance on that. Staff is recommending approval with the conditions in the staff report. Staff will stand for any questions.

Seal: Thank you, Sonya. At this point would the applicant like to come forward? State your name and address and the floor is yours.

Koeckeritz: Good evening, Commissioners. My name is Elizabeth Koeckeritz. I am at -- with Givens Pursley. 601 Bannock, Boise, Idaho. 83702. I am here on behalf of the applicant Morgan -- Morgan Holdings and Stonehill. Also with me today are representatives of the applicant, including Ryan Stonehill and Jonathan Fragoso and they are also here and available to answer any questions you may have. First I want to thank Sonya for her hard work on this. There was a lot to get through. She had been on vacation. We were on vacation. It was a lot to sort of pull together and so she has put in a lot of work on this in the last week or so and we really appreciate that and we are in full agreement with her conditions of approval and based on our back and forth earlier today with our requests we are withdrawing those. We will still be seeking alternative compliance and will be filing some sort of amended amenity open space plan in the future. But as far as the timing of the submittals for the different various applications we have no problem with that based on the prior approvals. Do I have -- okay. The applicant is proposing to develop phase two of The Seasons At Meridian Apartments on approximately 11.65 acres at 2600 East Overland Road. As Sonya mentioned, the site was annexed and zoned C-G in 1994 and in 2016 the city approved a development agreement governing the site to the east where the applicant is developing phase one of The Seasons At Meridian, the parcel before you here today and the site to the south, which is still slated for commercial development. The 2016 development DA allows development of the site at -- at Overland consistent with the concept plan. The concept plan that was approved shows an 85,000 square foot retail building north of Cinema -- Cinema Drive and with vacant land to the south. However, since, then, Winco has decided to not develop a new store at this location, but also does not want to sell the property to another commercial or retail developer. So, they have entered into an agreement to sell the property to the applicant Morgan Stonehill, who proposes the mixed -- the multi-family residential use on this property. To develop the western parcel where Winco originally intended to develop, the DA -- requires a DA modification to include the new concept plan consistent with the multi-use regional mix -- with the mixed-use region -- regional designation in your FLUM. Okay. The proposed multi-family use and development plan is consistent with the designation in the FLUM, because it contributes to the mix of uses that are desired in a mixed-use regional area by adding needed density -- higher density residential in this area that's really developed with a lot of retail, hospitality and office development and very little multi-family or even single family homes. And you can see here that this mixed-use region is really large. It's 650 acres. The mixed-use regional designation calls for a mix of employment, retail and residential, with residential densities between six and 40 units per acre. The mixed-use in this area currently -- let's see. As explained by Sonya in her staff report, the proposed plan provides housing for nearby employment uses and contributes to the mix of uses desired in this designation. The adjacent commercial development to the west provides retail, restaurant, and entertainment uses, which will be utilized by the residents and within easy walking distance. The proposed apartments continue a nice transition between -- there is single family residential to the east and the large commercial center to the west that includes the movie theater. In addition to the DA modification and consistent with the C-

G zoning, we are also requesting approval of a conditional use permit for multi-family use. The Seasons At Meridian phase two proposes 351 apartments with a density of 30.13 units per acre. The site, as we will show, includes four horseshoe-shaped buildings that allow for really dramatic streetscape perspectives, while concealing much of the parking in the internal areas and garages and it provides for open space area to create neighborhoods centered around parks, that allow for active and passive recreation and gathering. As you can see from this aerial map showing the arrangement, it really highlights how well this arrangement creates that urban like block pattern that's called for in the Comprehensive Plan for the mixed-use regional zoning. It frames the open spaces. It really sets them aside. It's interlaced with landscape pathways throughout this development, connecting to developments -- both the apartments to the east, to the cinema to the west and to the proposed commercial to the south and it all really connects and integrates throughout this whole region. Okay. The architectural theme, as Sonya mentioned, it's a more modern vernacular, drawing inspiration from the aesthetics of the international style. It's really bringing something sort of new and different. There is a lot of sort of more traditional farmhouse -- modern farmhouse styles in Meridian and this is bringing something really new and exciting to this region. To this area. The Seasons At Meridian phase two apartments will include a mix, as mentioned, of studio one and two-bedroom units and plus -- one thing really feeding into this mixed-use designation is the applicant is proposing three live-work units on the far western edge, where people can actually live and work, operate their business right there where they are working. The units will range from 569 square feet to 1,159 square feet and each unit has been designed with expansive private patios and balconies, with a minimum area of the 80 square feet that really creates this great indoor-outdoor space. The interior of the units are designed with really large kitchen-dining areas, great big dual vanities in the primary bathrooms. Large showers. Lots of storage. They are really designed for a really nice upscale sort of living. Lots of light. Lots of windows coming in here. So, in speaking just a little bit more to just the overall look, as you can see on these couple of pages with the evaluate -- elevations, this approach is -- there is a lot of clean lines. There is shadow box frames. The color palette is really sort of muted with off whites and grays and some browns, decorative balconies, railings. But it really creates a really nice looking -- actually to me it creates a really exciting looking building in an area where there are a lot of buildings that just look like the same three story apartment walk up that you see all over the place and this is really trying to offer something different here. So, we have been working on the open space exhibit and so based on what we had been going back and forth with Sonya over the last couple days is the -- much of the western border that we were including in the open space calculations is ineligible to be included in that open space calculation. So, right now as it stands the development has 15.9 percent qualified open space, which includes a wide perimeter walking path on the north. It includes part of the walking -- the qualified open space includes part of the walking path on the west, but whether it's included or not it still is there, it's still going to be landscaped, it's going to still be a very nice amenity. Both those pathways connect down to the south, to the east, to the west. There is also -- what's really cool about this and what I think will really speak to a lot of sort of the young professionals and the professional couples that will be moving in here is above the clubhouse part of the open space is there is a large rooftop patio, both above the clubhouse and, then, there is a second rooftop patio, sort of wine -- wine

bar space above on the building on the north -- northeast corner that you will be able to look out down into the pool area or out across over to the mountains from. There is also a large grassy area and, then, the area along the -- the cinema plaza area, which is the one that abuts the cinema -- Cinema Lane is also going to be really -- sort of a really exciting area that really integrates and moves into that commercial zone. There is going to be some new things there, like from hammock parks where there is areas where there is already hammocks set-up, where there is going to be lots of tables, places for sitting, places just for families to meet and gather and really integrate while they are both living and residing in the development, but also integrating into the proposed commercial that will be coming in the future and so to that end we will be requesting alternative compliance and be looking at submitting some additional proposed open space with this prior to the City Council meeting. There are significant buffers. This does about Interstate 84. It's actually more on the off ramp, so the cars -- there won't be quite as much traffic. The cars will be getting off and decelerating as they go past this development and the development adjacent to it. So, on the north the buildings are set back over a hundred feet from the property line there, but on the north there is a 35 foot wide buffer with a walking path along that. As I mentioned on the west there is also a walking path. That buffer is 22 feet. And on the south it's much larger, but up -- just directly up against the street there is a ten foot wide buffer. There is a significant amount of open space and these are really nice, so I'm going to show you some pictures. These are really nice amenities. This is a really highly amenitized sort of project that's really going to lend itself well towards younger working professionals, individuals, couples, that sort of people. The Cinema Drive plaza is really going to be at the seamless transition from this area into the multi-family into the commercial to the south. Oh, too far. There are 15 qualified amenities and depending how you count them -- it's always a little bit tricky. If there is 15 or 14 or 20, but there is a clubhouse that includes a game room, a coffee bar. There are parcel lockers that will be accessible 24/7. Business center. Classroom stations. Event space. Wi-Fi. HD TVs. There is a 3,500 square foot fitness center that will include yoga and spin studios. As I mentioned there are two rooftop gathering and community spaces that are just a really nice sort of amenity to be able to look out over towards the mountains. There is a pocket library, which is something that was new to me, where there is a little area where you can -- where there will be some chairs and some books, so you can have a -- sort of a quiet place to borrow -- borrow a book, return a book. Grills and fire pits. And, then, they are looking at some public art throughout the space. Finding some local artists to design some public art. There is a large grassy area between two of the buildings and it's well in excess of the 5,000 square foot minimum. Courtyards. The hammock lawns, with six separate picnic areas, and, then, as I mentioned, the rooftop terraces. There is a pool and the multi-perimeter path that connect and also in this day and age there are charging stations for electric vehicles. We anticipate that there would be certainly people with the electric vehicles residing here. This slide just shows -- shows some imagery and some concepts for the quality of the design of these outdoor gathering spaces. You can see some examples of like hammock lawns, of a pocket library, of really nicely landscaped pathways. Here is what I find looks really cool is this is a rendering of the actual pool that they would like to put in here and you can see in the back of the pool where that rooftop bar is looking down into this pool, it just looks like a really cool, fun place to get to hang out. Here is some examples of concepts for the interior of the

clubhouse. As you can see it's going to be modern, light, bright, open. Just a really fun place to live and work here in Meridian. The entrance into the property -- The Seasons At Meridian is really planning on having a wide boulevard with trees, so when you come into it you really come into this off of Cinema Drive and look forward and you see this clubhouse, you see the leasing office, you come through on this main wide tree-lined street, which really integrates it into the rest of the community. Seasons One also has a lot of trees, wide boulevards. It's in a different sort of style, but this is going to integrate really well into the other communities and developments right around here. As Sonya mentioned, there is -- it is -- there is plenty of parking or there is -- it is overparked for what the City of Meridian standards are. There are over -- it's 653 parking spaces in total, which includes 353 garaged or covered parking spaces. Some of the units have garages and, then, there are quite a few carports across here to protect the cars. Traffic. ACHD reviewed and approved the traffic analysis for the development. Importantly -- and this is where we will just sort of end on this, because I know there is a lot of questions about it. There is traffic in this area, but this development actually has significantly less traffic than the Winco would have. In fact, there is 51 fewer a.m. peak hours, 547 fewer p.m. peak trip hours and 659 fewer Saturday peak trip hours. Services can all be met. The applicant is in full agreement of all of the terms and conditions of approval and we look -- we just ask for your recommendation of approval of the DA modification and a recommendation of approval of the CUP. I will stand for questions.

Seal: All right. Thank you very much. Does anybody have questions, concerns for applicant or staff?

Wheeler: Mr. Chair?

Seal: Go right ahead.

Wheeler: Yeah. Thank you, Elizabeth. Had a question concerning -- I think it's Cinema Drive. That's going to be lighted; correct? Or what is the -- is there -- is there going to be a lighted intersection there off of Overland into Cinema Drive headed northbound?

Koeckeritz: Off of Over -- so, Cinema Drive is the -- on the south boundary and, then, below that is the vacant space. The access will be from Wells Street.

Wheeler: Wells? Okay.

Koeckeritz: And Wells is being required both as a condition of approval from ACHD for this and for the other development to be turned into a full access intersection. It will have a stop light at it and dedicated turn lanes.

Wheeler: Okay. Okay. Yeah. Sorry about the --

Koeckeritz: Yeah.

Wheeler: -- wrong name of the street there, but, yes, thank you for taking me to the right place on that one. When it comes down to the amenity that -- that you were saying -- you know, that has -- that overlooked the pool, kind of like a nice little wine bar area and stuff like this, is this going to be a room that's going to -- people are going to rent out or is it just going to be like a gathering place that can happen or is -- what is the developer's kind of thoughts on that?

Koeckeritz: I believe the developer's thoughts are -- at this time it would be primarily just for the use of the residents. However, I believe -- I would anticipate that if a resident wanted to rent the space for some sort of special event for a resident that they would be able to do that.

Wheeler: Okay. And, then, one more time. Can you run through the numbers again about how big the first phase is going to be and, then, the total amount on the -- on the units?

Koeckeritz: There is 351 units -- 351 total.

Wheeler: Okay.

Koeckeritz: I have the breakdown here. And the other development -- the adjacent development was also right at 350. 360.

Wheeler: Okay. Okay. Because, I -- I saw a slide up there that said 694 units, not including Seasons At Meridian.

Koeckeritz: Yes. So, in looking at the multi-family in this area -- in the overall mixed-use regional zone --

Wheeler: Okay.

Koeckeritz: -- future land use map, there is very little multi-family in this area.

Wheeler: Very good. Okay. That's why I wanted to make sure.

Koeckeritz: Yeah. There is only that many units previously approved than the ones that are currently being developed and, then, these to come.

Wheeler: Very good. All right. Thank you, Elizabeth.

Seal: Anyone else? All right. At this time we will go ahead and open up public testimony. Madam Clerk, do we have anybody?

Hall: My speaker -- oh, there it goes. There is no one signed up online, but I do have two gentlemen, a Ryan Morgan and Jonathan Fragozo signed up to speak.

Seal: Do either one of you want to come on up? Just give us your name and address for the record and the floor is yours.

Fragoso: Jonathan Fragoso. 2700 East Overland Road with Morgan Stonehill, the developer. Thank you for giving us the opportunity to present in front of you guys. To give a little background on this site, we -- Morgan Stonehill is a partnership between two families. Steinberg family and the Morgan family. The Morgan family has been building apartments across the country for three generations. It was started by Ryan Morgan's grandfather and Ryan would be happy to provide more information on that. We were fortunate enough to present in front of you -- Council and the Planning Commission for phase one, which was approved. But when we came out we set out to bring best in class design techniques to the Meridian market and I believe it was well received by staff and the Planning Commission. We are currently working through the process of starting that project, but we intend to break ground -- break ground in the next 30 days and assuming we are able to record our plat in the next coming weeks. But we are very excited about the opportunity and about six to eight months ago when we were approached by Winco, who formally made the decision to not proceed with their store at that location, they decided to focus more on the south Meridian area, given their other second location north on Meridian Road. They approached us. They saw how well received our project was and they liked what we are bringing to the area and approached us first before taking this out to the market. We jumped at the opportunity to provide much needed housing. We recognize that -- you know, we also mourn the loss of the Winco Foods. That was a great amenity. One of the reasons we loved our site so much. So, we set out with the intent to really diversify the product offerings. So, what you are seeing here is a little bit of contrast to what phase one is, which has larger units, focused more on the traditional garden style apartment. We went out and set out for urban design, with smaller units, with one -- one and two-bedroom units. No three bedroom units. Create more of an urban product and focus really on bringing in and tying all the mixed-use elements together and actually went in and added three live-work units that are about 1,300 square feet. They are situated along the main drive. If you look at our design there is really two kind of main drivers here. What we did is there is a main boulevard that goes straight down the site and feeds into Cinema Drive. Our intent is to work with ACHD to enhance -- create some kind of enhanced crosswalk and bring safety. If you go -- can I control this here? Okay. Apologize. Oh, yeah. If you don't mind. Please. Thank you, Sonya. I think we are completely frozen now. Perfect. So, if you look at -- it's kind of -- our buildings are clustered around this main -- main boulevard that's feeding down. There is going to be cross -- we intend to do enhanced landscaping down both sides of the street. We really want to encourage, you know, folks from the future retail to come down this road, walk into -- and, you know, view it -- view the amenities and continue to kind of enjoy what's there. The live-work units will be situated at the northwestern building. If you look at it there is direct access parking and the idea is, you know, folks -- the residents can -- can run their business on the ground and live upstairs and actually park directly and access that workspace downstairs. The second thing we did here and it's really meant -- driven to meet the mixed-use design intent, was enhance this area to the south. This is kind of what we call our Cinema Drive Plaza. What you are going to see here is -- essentially we wanted to set out and create an area that was a really attractive sitting

area. So, we plan to create sitting areas, places where people can gather and, you know, enjoy an ice cream down south or have dinner down there and, then, also enjoy the walk. Tie into the trail system, walk across our site, and one thing I want to stress is that our trail system will actually tie over to phase one and will -- it be interconnected, so there will be an actual loop through the entire property. Again, we wanted to meet kind of this -- you know, create great places for people to gather, deliver best in class amenities and, you know, offer a product that's differentiated from phase one and best in class. With that I will turn it over to Ryan Morgan.

Seal: Okay. Thank you very much. All right, sir. Just name and address and --

Morgan: Good evening, everyone. Ryan Morgan. 2700 East Overland Road. It is a pleasure to be speaking in front of you again. Jonathan really covered a great amount of what I wanted to speak about. I guess a little bit about us. We have been developing, as he mentioned, for three generations. My grandfather started building in 1959. We have built coast to coast and we have built Class A multi-family. That's all we build and we really focus on providing incredible amenities and offering communities to our residents. We really focus on that community aspect and bringing people together. The rooftop deck, the -- the pool deck, the different lawns, the dog amenities, the connectivity within this community and, then, the connectivity within like the community as -- I guess this whole mixed-use facility, the commercial to the west and, then, our facility to the east is really important to us. Actually, our neighborhood meeting -- the only people that came out were business owners to the west who were actually really excited about us bringing new households and people that can work their businesses. One of the business owners actually was complaining that he doesn't have enough workers to run his business and he can't actually open up a second floor to -- to the public, because he had no one to work there. So, he was really excited about us being able to offer -- offer that to this community. Yeah. We are really excited to be here. I'm happy to answer any questions you have. Again, this is going to be a beautiful project and we are excited to build it. Thank you.

Seal: Thank you very much. Sir, would you like to testify? No? You are the only one here, so I had to point you out. It looks like we have a couple of people online, if either one of them want to testify, please, hit the raise your hand button. If not -- and if nobody else has any further questions, we will let the applicant come back up, if there is anything else you would like to add.

Fragoso: One thing I would like to stress is, you know, knowing how traffic is one of the main concerns, our traffic engineer in the traffic study actually -- the traffic counts are decreased compared to what was previously approved at the Winco. The apartments are less intensive use and I think would be a benefit -- or it would help alleviate some of the traffic concerns in the area.

Seal: Okay. Thanks very much. All right. And with that --

Wheeler: Mr. Chair?

Seal: Go ahead.

Wheeler: I have a question for the applicant, if that's all right.

Seal: Absolutely.

Wheeler: So, either Elizabeth or Jonathan. If you don't mind. I think it was you, Jonathan, that said something about an enhanced crosswalk on that side. Go ahead and -- if you don't mind just kind of explain a little bit more like that. Were you thinking like a causeway? Are you thinking of -- what was your thoughts?

Fragoso: So, our thought process was kind of to tie together that Cinema Drive Plaza area. What we are planning is kind of doing a protected area with enhanced pavers. We -- I know we would have to work with ACHD, because Cinema Drive is a public road, but really create kind of this designated area with, you know, speed bumps that would help with safety, but create a safe point and a natural transition point over to the retail to the south.

Wheeler: Okay. Okay. Are you thinking of anything -- be it Wells is going to be a lighted intersection that's going to be additional. Are you thinking of doing anything of working with the city or ACHD about any pedestrian traffic from the south side -- or, excuse me, the north side of Overland Road to the south side of Overland Road?

Fragoso: When we went forward on phase one we tried to do that. Unfortunately, it's just so far down the road on ACHD's plan for the improvements that we really were kind of -- met with a dead end. I would love to do that and drive over that connectivity, but, unfortunately, working with ACHD -- there is no certainty of the path forward and the only thing we know is that it will be widened 20, 30 years down the road.

Wheeler: Right. But on the pedestrian side of things to be able to get pedestrians to go from that side to the shops on that side, still just a lot of resistance from ACHD, then, is what you are saying?

Fragoso: They have no plan to address those concerns. Yeah.

Wheeler: Okay. Okay. Thank you, Jonathan.

Morgan: Just one thing. I believe there is a crosswalk on Millennium.

Wheeler: There is -- there is there, but not there at Wells and that's where the -- some of the traffic's going to be coming into your place and just -- that's going to be a natural flow out, so that's all.

Seal: All right. If nothing further, then, can I get a motion to close the public hearing for file number H-2022-0030, Overland & Wells II?

Stoddard: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2022-0030. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Who would like to comment first?

Lorcher: Mr. Chair, I will.

Seal: Yep. Go ahead.

Lorcher: I think if we are going to have multi-family housing this is a good place to have it. So, it seems consistent with the -- the area. I'm not concerned about the traffic, considering the -- their point of Winco probably having more in and out during the day. It seems pretty consistent with what's going on in Meridian along the freeway. Their amenities seem fine. The high school is across the street. There is doctor's offices. There is a cinema. There is restaurants. That all kind of connects together. And I just want to verify. Our objective tonight is not about commenting on the design plan, but the CUP.

Seal: Correct.

Lorcher: Which is specifically just to approve multi-family residential from C-G.

Seal: That is correct.

Lorcher: So, that's all we are doing. I have no problem with it personally.

Wheeler: Mr. Chair? Can we go -- staff, can we go back to the picture that showed the -- the net losses for the traffic counts, if that's okay. Or that slide, please. The applicant's slide?

Starman: I think that was the applicant's slide.

Wheeler: Was that on the applicant's slide? I apologize then. Okay. So, that was neat to know, then, that when it came down to the -- the net losses, that was something that was kind of surprising to me. I thought it would actually be more of a gain on putting in multi-family in here. It seems to fit with the area. I mean we just approved something similar to this off of Fairview near Eagle Road, something that would look at be kind of similar to this and traffic's always just going to be an issue when these things pop in. I know that -- and I like the design and I like the way it's going to look unique and I like some of the more upscale kind of amenities that the developer is thinking about putting

in here. It's going to give it a really nice show and I can see it definitely wanting to be a hangout spot for the residents themselves. Run across, grab some food and, then, come on back or make it themselves on that. So, that was something that was very nice. Okay. Thank you. Thank you, staff. Interesting. Okay. So -- because I -- I live -- just for disclosure, I live a mile away from this place and so I'm very familiar with the traffic patterns that are here and it's just -- it's going to be tough on -- on the traffic side of things, but I -- whatever you are going to put in there, as long as -- I mean Winco is going to make it even more congested it looks like than even this apartment complex and we definitely need some more apartments in that area. I guess what I'm -- I guess what I'm saying is that it looks like it's -- I like the way it's going to look and I like the project itself and I like the creativity and the design. It's not just a simple straight face with some relief on it. They are actually putting in some really upscale type of work. Just, once again, just the traffic thing. But we are going to get that no matter what and I think it's too much to ask for anything to do like a widening or a turn out lane or anything like that. But I could say to suggest to put in a pickleball court, because those look like that could happen and I saw a little space for that on the north end. So, you might want to just consider that.. Okay. There we go. All right. We will put that in the -- in the approval. Make sure that the pickleball court gets made. Just kidding. That's all.

Seal: Okay. I -- I will just go through the good, the bad and the ugly here. So, the good is I -- I really like this product. I can see what you are trying to do with it and I think that it has a place in Meridian. Yeah. Again, I like everything about it and I think the place for it is next door to the east where it already is. I was part of the panel that approved that based on the fact that there would be a commercial entity here. The overwhelming feedback that I get from residents of south Meridian is, please, put in more stores. Please put in more stores. The ugly of this is that Winco went to somebody that wasn't a store, somebody that couldn't provide commercial to do it. Not your fault at all. But I think they have done the community in general a disservice by doing that personally. If one of our other Commissioners were here -- and I can't put words in anybody's mouth -- the words bait and switch would come up. So, I personally can't support it. I don't think that it has a place here, simply because of what it was, what it was based on and what was approved based on it being here. But that's my opinion. So, again, great product, just a really bad position to be in. I think Winco has just really done a disservice by taking it in this direction personally.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: When was the traffic count done for this project when Winco got its approval? Do we have a date on that or know any sort of time frame or anything like that?

Seal: Sonya, do you know anything --

Allen: Not offhand, no.

Seal: I mean it would have been a couple of years ago at least, so -- and -- and I mean as far as the traffic, I -- I know there is always -- and I have been through enough of these that I understand that the traffic's going to be lessened by multi-family. The problem is 7:00 to -- you know, 7:00 to 9:00 in the morning and 4:00 to 6:00 at night. It's not. It's unbearable through there already. And this would actually add to that. The rest of the day, yeah, there is going to be a lot more traffic. That's the nature of retail. That's when everybody is going to be in there, because everybody's going from home to the retail place of business, so I don't see that this is going to help those times when it's most drastic out there on the roads personally, so -- I understand it's going to be less overall, but that's just my opinion on it and what we have seen, so that's my opinion. Anybody else want to jump in? Okay. Anybody want to take a stab at a motion?

Lorcher: Mr. Chair, I will. After considering all staff, applicant, and public testimony I move to recommend approval of the conditional use permit for File No. H-2022-0030 with no modifications.

Seal: Is there a second? Okay. Somebody needs to come up with something different then. So, if you are not going to go with the second, then, you need to start letting us know why. And start with Ms. Stoddard here.

Stoddard: Mr. Chair?

Seal: Yep. Go ahead.

Stoddard: I agree with the comments on -- the fact that we do need more retail in Meridian. Sorry. I agree with you that we need more retail in Meridian. For myself, you know, it's an issue I think putting more people in without the accommodations for people to shop and have the regional space is just a little bit concerning for myself as well.

Seal: Commissioner Wheeler, you didn't give a second. So, what --

Wheeler: Yeah. I'm -- for me it really is just the traffic issue on this during these peak times right next to a high school and, then, the way that the narrow roads and the accesses are, it's -- that's -- that's a really big concern is the traffic side of it for me and I would like to see some sort of an updated study and maybe ways to -- to help out with that mitigation on some of the traffic on it. That would be my thing is I would like to see an updated traffic study before any sort of approval on it. It has nothing to do with the product type, it has nothing to do with what it is, it's everything to do with that congestion at the next half mile mark right next to an on ramp and it just seems -- that can get really backed up most times during the day.

Seal: I mean I can't speak for staff, but I mean we have to go on the information that we are given and what we were given from ACHD is it's all good. I -- I personally don't agree with that, but, unfortunately, when -- they own the roads. So, on that -- you know, what they were saying about it, you know, the inability to put in crosswalks and things like that, that's ACHD. I mean if they won't do it they won't do it, so -- and -- I mean unless they

are willing to buy the road, which most folks won't or can't in order to provide for that, so -- I mean it -- you know, if we want to do a continuance until we can get a traffic study -- I -- I mean we can't force them to do a traffic study, since ACHD has already approved it.

Lorcher: Mr. Chair?

Seal: Go ahead.

Lorcher: Our task tonight is to do a conditional use permit.

Seal: Correct.

Lorcher: So, it's either for multi-family housing or not multi-family housing; is that right? The design aspects of it. What -- that is correct and --

Lorcher: So, to deny the multi-family housing, then, they have to start all over; right?

Seal: Unfortunately, this is one of those where at some point in time Council decided that they wanted to hear both of these at the same time. So, they put the conditional use permit before us, knowing that the DA modification hasn't gone through, so they can hear both of them. Unfortunately, I think this is -- I mean this is the -- you know, the cart before the horse personally. I would rather this go to City Council, so that they can weigh in on the DA modification and, then, it would come to us to approve the conditional use permit for -- for multi-family. Because, personally, I think if this gets to City Council it's -- it ain't going nowhere.

Lorcher: So, you are suggesting we deny the conditional use permit, they go to City Council, get the DA modification and, then, it comes back? Is that how it -- is that how that would work?

Starman: Mr. Chairman, can I help clarify a bit?

Seal: Absolutely.

Starman: Ask our planners to help as well. So, this is -- it was unusual, as the chairman just alluded to. We have two different items that -- as part of the request to the city overall. So, we have a request to modify an existing development agreement. That is not before the Commission this evening, so that -- the -- the recommendation comes from the -- our Community Development Director and the decision making body is the City Council. So, you don't have a formal role with respect to the request to modify the -- the development agreement. Now, the reality is it's hard to talk about the CUP without talking about that as well, so they do sort of go hand in glove, but under our code the recommendation comes from the director and, then, the decision is made by the Council. Usually -- typically you would be -- you are the decision making body on a conditional use permit. This is one of the exceptions, however, in that the CUP is going forward with the development agreement and so in this instance you are a recommending body with

respect to the CUP to the City Council. So, you are not making a yes or no decision, you are making a recommendation to the City Council relative to the CUP and, then, the Council will look at both items, the development agreement modification and the CUP at its meeting, you know, henceforth. Does that makes sense?

Lorcher: So, if we deny the conditional use permit it still goes to City Council.

Starman: Mr. Chairman, Commissioner Lorcher, you wouldn't be denying the CUP, you would be -- a different way to say that is you would bring forward -- you would have a negative recommendation -- or you would recommend against the CUP. So, you wouldn't be denying it, but you would be -- have a recommendation to not approve the CUP, but the Council would make the decision to approve or deny.

Seal: So, it would be a recommend -- recommend denial in that case.

Lorcher: So, what are the words?

Seal: And at this point where we are -- generally speaking we are the approving body on a CUP, but this is going to be treated like anything else that would come through where we recommend approval or denial.

Lorcher: Okay.

Seal: Give -- give the reasons.

Starman: And then -- Mr. Chairman, if I can just elaborate on that. So, that last comment or advice from the chairman I would like to reiterate that as well. So, to the extent you can -- you are not making a decision today, so it's not quite as critical, but I would highly recommend and encourage that individual Council Member -- or Commissioners have given their thoughts here, but to -- to explain and to describe your reasons for your motion. So, in terms of -- if the -- if the motion is, for example, to recommend denial, an explanation as to why that's the case. What's the rationale for that? The Council will make that final decision. They will have to have their own rationale at that time, whether it's yea or nay, but it would be helpful for our record and, then, also helpful for the Council in its decision making process, to understand the impetus or the rationale behind your motion this evening. Whatever the motion might be.

Seal: Okay. Thank you. Anybody have comments? We are kind of at two ends of this thing here, so we got to -- we got to meet in the middle somewhere.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Commissioner Lorcher, did you want to go for another motion or anything like that or what were your thoughts? It sounds like you were kind of --

Lorcher: Well, I already had mine.

Wheeler: Okay.

Lorcher: I would be -- I would do the same one again.

Wheeler: Okay. Roger. Okay. Mr. Chair, I would like to make a motion.

Seal: Feel free.

Wheeler: After considering all staff, applicant, and public testimony, I move for recommending denial to the City Council of File No. H-2022-0030 as presented before -- or, excuse me, as presented during the hearing date of August 4th, 2022, for the following reasons: Due to traffic concerns and that the original approval was retail space.

Seal: Got a second?

Stoddard: Second.

Seal: It's been moved and seconded to recommend denial of File No. H-2022-0030 with the affirmation -- aforementioned reasons. All those in favor say aye. Those opposed?

Lorcher: Nay.

Seal: Okay. For the record that's Commissioner Lorcher. Okay. And with that the recommendation for denial is approved or -- yeah. Okay. So -- all right. Thank you very much.

MOTION CARRIED: THREE AYES. ONE NAY. TWO ABSENT.

6. Election of Planning & Zoning Commission Vice-Chair

Seal: The last item of business tonight is going to be the Planning and Zoning Commission vice-chair election. So, I have only had one person come back to me saying they would want the position and that's Commissioner Lorcher. So, just giving that information out to everybody. That said, if you are not here to defend yourself you are fair game. That said --

Lorcher: Is this something we vote on or just discuss?

Seal: If -- if anybody would like to have any discussion go ahead. When I was thrown in here it was just everybody said, yeah, do that and they voted and there I was. So, you know, it's -- that's kind of the -- the feeding frenzy version of it. So, if anybody has any comments feel free. There still has to be nominations and we do have to vote.

Wheeler: Okay. So, yeah, Mr. Chair, I would be -- I would be highly supportive of Commissioner Lorcher being the vice-chair.

Stoddard: I agree.

Wheeler: All right. So, on that, then, I would like to make a motion that Commissioner Lorcher be -- that she be placed in as vice-chair for the Planning Zoning Commission.

Stoddard: Second.

Seal: Okay. We have a -- I don't know. Do we motion and -- okay. Have a motion and a second to approve Commissioner Lorcher as the vice-chair for Planning and Zoning Commission. All those in favor say aye. Any opposed?

Stoddard: Do I vote for myself?

Seal: Any opposed? All right. Motion carries. Welcome to the party.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Wheeler: I was hoping that -- I'm glad you didn't say no to that one or nay on that one.

Seal: Right. Very good. Congratulations. And you will -- we will let you know everything that comes with that, too, so -- now that you have been wrangled in. With that I'm looking for one more motion.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I motion we adjourn.

Stoddard: Second.

Seal: It's been moved and seconded that we adjourn. All in favor say aye. Any opposed? Motion carries. We are adjourned. Thanks, everyone.

MEETING ADJOURNED AT 8:03 P.M.
(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)
APPROVED

ANDREW SEAL - CHAIRMAN
ATTEST:

_____|_____|_____
DATE APPROVED

CHRIS JOHNSON - CITY CLERK