

Meridian Planning and Zoning Meeting

April 6, 2023.

Meeting of the Meridian Planning and Zoning Commission of April 6, 2023, was called to order at 6:03 p.m. by Chairman Andrew Seal.

Members Present: Chairman Andrew Seal, Commissioner Nate Wheeler, Commissioner Maria Lorcher, Commissioner Patrick Grace, Commissioner Mandi Stoddard, Commissioner Enrique Rivera and Commissioner Jared Smith.

Others Present: Joy Hall, Kurt Starman, Bill Parsons, Sonya Allen, Stacy Hersh and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Nate Wheeler	<input checked="" type="checkbox"/> Maria Lorcher
<input type="checkbox"/> Mandi Stoddard	<input checked="" type="checkbox"/> Patrick Grace
<input checked="" type="checkbox"/> Enrique Rivera	<input checked="" type="checkbox"/> Jared Smith
<input checked="" type="checkbox"/> Andrew Seal - Chairman	

Seal: Good evening. Welcome to the Planning and Zoning Commission meeting for April 6, 2023. At this time I would like to call the meeting to order. The Commissioners who are present -- 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 you 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 to comment. Please note that we cannot take questions until the public testimony portion. If you have process questions during the meeting, please, e-mail cityclerk@meridiancity.org and they will reply as quickly as possible. With that let's begin with roll call. Madam Clerk.

ADOPTION OF AGENDA

Seal: And that is the first time in a long time we have had a full -- full panel. So, thank you, everybody, for being here tonight. First item on the agenda is the adoption of the agenda. The Costco H-2023 -- H-2023-0007 application has vacated and will be rescheduled for the 4th of May. So, if there is anybody here to testify on that application tonight we will not be taking testimony on it. Can I get a motion to adopt the agenda as presented?

Wheeler: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor, please, say aye. Opposed nay? Motion carries.

MOTION CARRIED: ALL AYES.

CONSENT AGENDA [Action Item]

1. **Approve Minutes of the March 16, 2023 Planning and Zoning Commission Meeting**
2. **Finding of Facts and Conclusions of Law for the Conditional Use Permit for Chipotle, located at 1737 S. Meridian Rd., by Jeff Likes, ALC Architecture**
3. **Finding of Facts and Conclusions of Law for the Conditional Use Permit for the Delano Apartments, located at 3850 N. Centrepont Way, by Becky McKay, Engineering Solutions, LLP**
4. **Findings of Fact and Conclusions of Law for Denial of Variance Request Concerning a Proposed Addressing Change for 2201 E Gala St. by Orme Family and Implant Dentistry**

Seal: Next item on the agenda is the Consent Agenda and we have four items on the Consent Agenda. The first is to approve the minutes of the March 16th, 2023, Planning and Zoning Commission meeting. We also have Findings of Facts, Conclusions of Law for the conditional use permit for Chipotle. The conditional use permit for the Delano Apartments and the denial of variance request concerning a proposed addressing change for 2020 -- 2201 East Gala Street by the Orme Family and Implant Dentistry. Can I get a motion to accept the Consent -- Consent Agenda as presented?

Lorcher: So move.

Wheeler: Second.

Seal: It's been moved and seconded to adopt the Consent Agenda. All in favor say aye. Opposed nay? Motion carries.

MOTION CARRIED: ALL AYES.

Seal: Okay. At this time I would like to 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 of -- the names individually of those who have signed up on our website or in the back to testify in advance -- or to testify. You will, then, be unmuted in Zoom or you can come to the microphones here 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 for the meeting it will be displayed on the screen and you can run the presentation. If you have to establish that you are speaking on a -- on behalf of a larger group, like an HOA where others from that group will yield time to you to speak on their behalf, you will have up to ten minutes. After all those who have signed up in advance of spoken we will invite others who may wish to testify. If you wish to speak on the topic you may come forward in Chambers or in the Zoom app press the raise hand button or if you are 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 and a phone, please, be sure to mute those 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 be muted on Zoom and no longer have the ability to speak. And, please, remember we generally do not call you back up 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 Commissioners will have the opportunity to discuss and hopefully be able to make final decisions or recommendations to City Council as needed. Some other rules of the Chamber. Please do not cheer, whistle, moan, groan or otherwise outburst. It's something that we don't like to see here. Let's treat each other with respect and dignity as we move through this.

ACTION ITEMS

- 5. Public Hearing for Costco Development (H-2023-0007) by Barghausen Consulting Engineers, Inc., located at 3403 W. Chinden Blvd. VACATED**
 - A. Request: Development Agreement Modification to modify the existing Development Agreement {Inst.#2018-069276 (H-2018-0066), amended as Inst.#2018-114828 (H-2018-0066)}, which currently prohibits deliveries occurring between the hours of 10:00pm and 5:00am to prohibit deliveries from occurring between the hours of 11:00pm and 3:00am.
 - B. Request: Conditional Use Permit to allow extended business hours of operation from 6:00am -11:00pm to 3:00am -11:00pm.

- 6. Public Hearing for Crowley Park Subdivision (H-2023-0006) by Riley Planning Services, located at 4135 W. Cherry Ln.**
 - A. Request: Annexation of 1.002 acres of land with an R-8 zoning district.
 - B. Request: Preliminary Plat consisting of 5 residential building lots (including one existing home to remain).
 - C. Request: Alternative Compliance.

Seal: So, at this time I would like to open the public hearing for Item No. H-2023-0006 for Crowley Park Subdivision and we will begin with the staff report.

Hersh: Good evening, Mr. Chair and Commissioners. The applicant is here to present their application for the Crowley Park Subdivision and the applications that were applied for were annexation and zoning, preliminary plat and alternative compliance. Doesn't require Commission action on that one. The size of the -- the site consists of 1.002 acres of land, zoned R-1 in Ada county, located at 4135 West Cherry Lane. There is no history on the property. The Comprehensive Plan FLUM designation is medium density residential and the summary of the request from the applicant is annexation of 1.002 acres of land with an R-8 zoning district, preliminary plat consisting of five residential building lots, including one existing home to remain and one common lot and three alternative compliant -- compliance requests, at a gross density of 4.99 units per acre, which is within the desired density range of the medium density residential designation for the Crowley Park Subdivision. The proposed development offers lot sizes ranging in size from 4,011 square feet to 57,168 square feet, with the existing home on a 9,744 square foot lot. Single family detached and attached dwellings are listed as a principally permitted use in the R-8 zoning district. Future development is subject to the dimensional standards listed in the UDC for the R-8 zoning district. An existing home on the property is proposed to remain on Lot 1, Block 1, is required to connect to the city water and service within 60 days of becoming available. The outbuilding located on Lots 2, 3 and 4, Block 1, should be removed with the development of this property. And there were three alternative compliances that were applied for. One was for common driveways shall serve a maximum of four dwelling units. In no case more -- shall more than three dwelling units be located on one side of the driveway. The applicant is proposing five dwelling units to take access off the common drive. All five dwelling units are also located on one side of the driveway. Based on the analysis the director is supportive of the request for alternative compliance proposed for the five dwelling units to take access off the west side of the common drive. The second alternative compliance was for parking. The existing home does not meet the required number of off-street parking spaces per the UDC for a three bedroom home. Four parking spaces are required, at least two in an enclosed garage. Other spaces may be enclosed. Or a minimum of a 20-by-20 pad -- parking pad. The existing home does not have an enclosed two car garage. However, the required number of parking spaces is provided by an existing attached carport and driveway and based on this analysis the director is supportive of the request for alternative compliance to the existing carport with the addition of the lattice. Off-street parking for this development is required to be in accordance with the UDC standards for the single family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. The applicant has provided additional parking. Three stalls at the end of the common drive on the southeast side of the site for overflow parking. Landscaping -- a 25 foot landscape buffer is required along West Cherry Lane in accordance with the UDC. Alternative compliance was applied to this -- was requested for the front porch encroaching from the existing home more than two feet into the required landscape buffer and based on the analysis the director is supportive of the request for the alternative compliance with staff

recommendation to modify a few things on the plans. Access is proposed from West Cherry Lane from a common drive on Lot 2, Block 1. Direct lot access from West Cherry Lane for Lot 1, Block 1, is prohibited. Interior lots 3, 4, 5, 6 in Block 1 are proposed to take access via the common drive to West Cherry Lane. So, this meets the requirements in the UDC. Common open space requirements. There are no common open space requirements for properties less than five acres in size and the building elevations that were submitted demonstrate what future homes in this development will look like. There were variations of two-story homes with a two car garage are proposed. The submitted elevations depict field materials of lap siding, different -- color different color accents, roof profiles and stone and the final design of the structure is required to comply with the design standards listed in the UDC. These are also pictures up here of the existing house that is to remain and you can see the carport is enclosed by some lattice and the landscaping in front of the home. There was no written testimony on this and staff recommends approval of the proposed annexation with the requirement of a development agreement and preliminary plat per the conditions in the staff report. And then staff -- that concludes the presentation and staff stands for any questions.

Seal: Thank you very much. Would the applicant like to come forward. Good evening.

Constantikes: Mr. Chairman. For the record Penelope Constantikes representing the applicant. Post Office Box 405, Boise, Idaho. 83701. And I'm a bit of a novice when it comes to the PowerPoint, so -- oh. Awesome. The mouse is not working.

Seal: I think you can run it with just the arrows if you need to advance the slides.

Constantikes: Oh. Okay. They are the top. I don't know how to get it to -- all right. We will figure it out. Thank you. It's always rewarding to work on a project that checks uncommon boxes and -- and this one does, in fact, check some uncommon boxes as you can see from the two elevations that were shown. This is an old house that was built in 1938 and it was remodeled in 1958. So, it kind of qualifies as a historic structure and it's quite charming with all the river rock that's on the front porch columns and the fireplace. Even though the door is not centered on the porch it's -- it's a lovely looking home and it was -- it's been fun. The developer has spent a lot of time and energy upgrading and dressing up that house so it looked nice. As Stacy stated, the applications before you this evening are for an annexation into the city with a zoning designation of R-and And a preliminary plat for five residential lots, one existing residents and four new ones. The team is especially appreciative of staff's recommendations regarding the common lot and the alternative arrangement. If we can -- I don't know how to -- like to show you this. I can't -- the mouse does not seem to be working. There we go. Thank you very much. Staff made a recommendation regarding the common lot, which we really appreciate. So, to preserve the view of the home the applicant is interested in doing a picket fence along the boundary between the landscape buffer and the front lot. The green line that you see towards the top is how we are going to change the common lot to accommodate that porch. The red line right below it is a privacy fence that we are proposing. So, the -- the site includes a dedicated water line -- this is the blue line on the left-hand side that comes down and, then, turns and goes east and it's going to feed a fire hydrant for the project.

Since it's a dedicated water line it needs to sit in an easement, which will run along the west property line. We also have on this exhibit the two parking spaces that are going to be added to the carport. You can see them in the orange colored box that's below the carport on the south side. As I stated there will be two fences, the common lot fence and, then, a closed taller vision fence that will be set back a bit in order to provide some privacy for the patio area that goes along with the front house. The remainder of the site is already fenced. Each of the new residences, four in total -- and if you could advance that to the parking exhibit. Perfect. Thank you. Each of the four residences, the new ones, will have two car garages and they will also have two additional parking spaces. So, the red blocks on the top exhibit show you the 20-by-20 pads that will be sitting in front of the parking of the garage, which provides us with four parking spaces for residents. And, then, as Stacy mentioned, down at the bottom the blue square shows you where the three additional guest parking spaces are located. The existing home will be connected to municipal sewer and water with development of the subdivision. The well house is in the small structure that's attached to the existing residence. The residence will be disconnected from the well water and will be using that to irrigate the site. The HOA will, through the CC&R's have responsibility for maintenance and repair of that well. We don't have any surface water. Stacy's already covered the alternative compliance elements and I just, again, want to mention that we really appreciate the approval of those alternative compliance applications and the excellent recommendations we received from staff with that regard. We do understand the implications of the nonconforming status of the house, which means that if it's ever modified or added to it will require a conditional use permit and that was one of the alternative compliance elements in the application and that's due to the carport, as opposed to an enclosed garage. A development agreement is required, as you know, and the team will move forward with that as quickly as staff will allow us to get that done. I would like to address the fourth bullet down on page six where it recommends that the utilities go to and through the site to the south. If you would go down one more exhibit. It's this bottom one. Thank you. What you have in front of you now is the -- the top illustration is just the subject site. Below it is what's to the south of our southern boundary, which are two platted lots. So, there is really nothing to go through to, because there is probably not enough space between those two houses to accommodate at least a 20 foot wide easement that would be required for a utility line. So, we would ask that maybe that particular item be modified or deleted, so that we are just stubbing a sewer water line to nowhere. I think that that's pretty much it. In conclusion I did want to say it's been a lot of fun working on this. I don't often get to work with existing structures that have history and an in-fill development and trying to package it together in such a way that it serves the community and provides nice homes for people. So -- and the assistance we got also included from the engineering staff. So, thanks to them all. With that I would be happy to answer any questions you have.

Seal: All right. Thank you very much. Commissioners, do we have questions?

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Thank you, Chairman. Just a quick question. So, do you have any -- any hesitation about your -- the -- the homeowner there or your client they are going and connecting to the Meridian City water when it's made available within the 60 days or is it just running that stub?

Constantikes: Mr. Chairman, Commissioner, no we -- they will be hooked up with the -- with the subdivision -- the site improvements.

Wheeler: Perfect. Okay. That's it.

Seal: Commissioner Lorcher?

Lorcher: Mr. Chair. The -- the two houses in the back, there are two detached buildings; correct?

Constantikes: Yes.

Lorcher: Four families?

Constantikes: Uh-huh. Yes. That's correct.

Lorcher: And they will be ownership not rentals; correct?

Constantikes: Mr. Chairman, Commissioner, that is correct. Those are going to be on platted lots.

Lorcher: And are there backyards at all or --

Constantikes: Yes. We -- one of the reasons why we wanted to put all of the -- the new residences so that they are facing east and along the common drive -- and this was a recommendation we got from Bill -- was so that we had backyards matching backyards. So, that's -- so, they have backyards on -- on the new residences that abut the backyards of the adjacent properties.

Lorcher: Okay. And -- and they are proposed to be two stories; correct?

Constantikes: Yes. That's correct

Lorcher: All right. Thank you.

Seal: Anyone else?

Constantikes: Thank you.

Seal: Thank you very much. Madam Clerk, do we have anybody signed up to testify on this?

Hall: I have two names listed. A Sally Butter. Okay. Then, no, I have no one signed up. I have two ladies, but neither of them are checked to sign up.

Seal: If anybody online wants to --

Hall: No, There is no one online.

Seal: No one online. Okay. Anybody in Chambers want to testify at all? No? Applicant have anything further to add? Okay. Indicating no. Okay. With that, unless there are any further questions for staff or the applicant, I will take a motion to close the public hearing for Item No. H-2023-0006.

Lorcher: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2023-0006. All in favor, please, say aye. Opposed aye? And the motion carries. The public hearing is closed.

MOTION CARRIED: AL AYES.

Seal: Who would like to jump in first?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: This is in my neighborhood. I go down Cherry Lane every day and there are two similar in-fills that have occurred on Cherry Lane in old farmhouse settings like this one, but the difference is is that this shares a common driveway with the house in front and, then, additional ownership in the back of the house. I applaud the developer for keeping the historic house. That's I think important for the City of Meridian, but I just wonder -- if it's a family and they have teenagers and they are coming in at 2:00 o'clock in the morning with the radio blasting and coming through the farmhouse first and, then, to the residence, how can -- how can anybody really guarantee there be always good neighbors when there is a common drive, especially passing the house. If this were reversed where the buildings -- the ownership buildings were in the front and the private was in the back it might be a little bit different, but this is a pretty tight space. We are only talking an acre and even though the backyards abut another backyard, we are talking about a very small piece of land with a six or eight foot fence in between and because they are similar projects on the same street it's hard to say no, but on the other side, just because it fits doesn't mean it should. I just wonder -- I mean I guess it's up to the people who want to buy that, knowing that there is somebody living in front of them and they have small parcels and -- and if there is going to be an HOA they all have to kind of follow

it, but this one acre parcel to put really five families on seems very aggressive and even though by code they can fit, I struggle with -- because you don't know who is going to be ownership there, that -- would they be all good neighbors and we wouldn't have problems going forward just the way it's set up, so I'm kind of just struggling with the design. I understand it fits and I understand it meets code, but with the private residence in the front -- the historic residence in the front and having the other ones in the back and having to pass that house every single time, that's my challenge personally. Thanks.

Seal: Anybody else? I can jump in here. I'm -- I have similar struggles. I mean the -- the one problem that I can see here is basically one car -- or one obstruction in the front and the fire department cannot service this at all. So, I mean it only takes one thing blocking that and the next thing you know fire department, ambulance, whatever it is cannot get back there. So, I -- I really struggle with the safety aspect of it. As far as it meeting code, I mean it's got alternative compliance for three things, so -- which is not necessarily uncommon for in-fill properties like this, but I'm kind of on the other side of the historic piece of this. I mean it's an old house. I don't know what it's historic relevance is for Meridian, other than being one of, you know, probably an original house in Meridian, so -- I mean personally I would have rather that the older house be removed and this, you know, be developed with a little bit more harmony between the -- you know, the dwelling units that are there, so that we don't have to deal with such a small opening. I mean, you know, the -- some of the additional parking that's being done is kind of beyond the parking that's already there that's temporary, you know, I mean putting up temporary lattice and calling that a wall is -- I'm not quite sure how that one squeaked through to be honest. That's -- I don't agree with that one either, but that's a pretty minor issue, so -- I mean my biggest -- the biggest issue I have with this is -- is literally the safety piece of it where there is one lane going in there. If that gets blocked or you need multiple -- you know, if you needed multiple fire trucks or ambulance and fire truck you can't -- you wouldn't be able to get them in there. Just -- it wouldn't fit and once you get one in you can't put anymore in there and if one needs to get out can't get out, so not sure how to reconcile that.

Grace: Mr. Chairman?

Seal: Go right ahead.

Grace: Yeah. I was struggling just conceptually. I -- I didn't -- I kept looking through the materials and trying to find a better depiction of what's going -- going to happen here and I was really struggling with the concept of that house in the front and in those -- the proposed houses in the back. So, I -- I think what that tells me is I'm -- I'm a little confused by it and -- and that probably means that I -- generally I want to -- I want to favor things, in-fill projects like that -- like this and so -- but I'm not following this as well and I echo -- I probably couldn't have articulated them, but I really echo some of the comments that Commissioner Lorcher made, so -- but one question maybe for the Commission or maybe the Council, are we just at the annexation and zoning stage? So, is it -- is this subject to some modification and are we really giving feedback to the applicant for when that occurs

or are we at a point where we are saying we don't like the proposal? I just want some clarity on that.

Seal: I will let you -- I will let you handle that, because you will say it much better than I do.

Starman: Mr. Chairman, Members of the Commission, I'm not sure about that, but I will do my best. So, I will say that we have two items before the Commission. You are a recommending body on both topics, the annexation and, then, the second topic is a preliminary plat as well. So, you have both those topics before you as a recommending body and I will just add onto that in the sense that there was some discussion about whether it meets code and so forth and that's certainly part of your deliberation here tonight, but, obviously, this is an annexation as well and so there are certain findings required ultimately by the City Council in that regard, including that the annexation is in the best interest of the city, and so if the Commission doesn't feel that's the case for a variety of reasons that can certainly be part of your recommendation would be you don't feel it's in the best interest of the city and articulate your reasons why. So, those are the two -- but back to the specific question, those are the two issues before the Commission tonight, would be the annexation issue, a recommendation to the Council, the preliminary plat. Also listed on the agenda, but not within your purview is alternative compliance. That's a director decision. But that's a third component to the overall application as well, but not before you tonight.

Seal: Thank you for clarifying that. Appreciate it. Commissioner Grace, did that satisfy your question?

Grace: It did.

Seal: Okay. Perfect. Anybody else want to weigh in -- weigh in on this? Love to hear your opinions. Or we could take a stab at a motion.

Wheeler: Mr. Chair?

Seal: Go right ahead.

Wheeler: I think fire -- fire would have written off on the alleyway and the access to it, so I think -- I mean they would have seen that they would have been okay with that access on it. The density on it is, you know, within the -- within the zoning of it, so for that -- for just annexation purposes, I'm okay with on the annexation purpose. I, too, though, am concerned that there will be vehicles that will be parked in that alley street and, then, what happens then when there is a need or an injury or hurt or a need for emergency vehicles to be serviced there, there can be ways to put up signs that say no parking, things like this, and that can be in the HOA, that can be put up with signs, what have you. I -- I -- I have a struggle with the density on it myself, too, and going back to what counsel said here about being in the best interest of the city, that many dwellings on -- in one acre that tight with only one access point in and out, that's just -- that's hard to say okay to. I would

be up for not as much density on there, just because of the unique fit on an in-fill project and that's also what we see sometimes happen with in-fill projects is even though there are afforded more based upon zoning, just because of the nature of them they sometimes go lighter, too, even with the conditions or adjustments. So, I'm -- I'm -- I'm fine with it being annexed on it. I'm not in big favor of the way it's platted.

Seal: Yeah. The -- the density -- I mean the -- the density of it -- if -- if this were one acre of ten the density is fine. In fact, it's kind of what we shoot for. But it's one acre of one and so -- and especially the orientation of it where it's, you know, a long, you know, lot that's not very wide where we are trying to, you know, put the house -- kind of stack the houses in as they move up towards the -- Cherry lane there, it's just -- it's -- it's a very odd configuration and I'm -- I -- I struggle with it. I --

Wheeler: Yeah. Mr. Chair?

Seal: Go ahead.

Wheeler: In that same note there is a 20 acre -- 20 acre. That would be massive. Twenty foot -- square foot -- or 20 feet -- foot long parking area there, some of even just trucks or even just longer than that, so they would be hanging out into that -- that drive aisle. So, I'm just -- that's where I'm just having some -- just some logistical issues with it on that side of it.

Seal: Yeah. And I always bring up the -- you know, the Super Bowl party scenario.

Wheeler: Yeah.

Seal: That's one of my famous lines, so -- I mean I don't even want to think about that in here, so that's -- it just doesn't work in here at all. So, again, one gathering like that creates -- I mean a -- a huge safety issue in this configuration in my mind, so -- somebody -- something's going to get blocked -- somebody is going to get blocked in there and, then, emergency services can't get there, so --

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: To give any feedback to the applicant, I would say in this particular case they may want to consider removing the historical house, because it just doesn't fit to be able to have them all in -- you know, in a row. If you go down Pine Street you can see where there has been in-fill where they have had either apartment buildings or duplexes that are -- that face either east or west and so they have the parking out in the front and so there is always that kind of extra space, but having the house in the front inhibits that flow in this particular parcel and even the two similar ones that are in the area, it was part of a - - kind of a cul-de-sac and somebody had a big property, but they extended it out, so they

-- everybody has their own drive aisle and there is two ways -- you know, one -- two different ways in and out. So, with that in mind I will make a motion.

Seal: Go right ahead. After considering all staff and the applicant and public testimony, I move to recommend denial to the City Council for File No. H-2023-006 as presented during the hearing of April 6th for the following reasons: Safety because of the narrow lane with only one way in and out and the best use of the space to hold five residences in a small parcel.

Seal: And to clarify the file number is H-2023-0006.

Lorcher: Oh. Pardon me. Did I forget a zero?

Seal: Forgot a zero. Does the motion still stand?

Lorcher: Yes.

Seal: Is there a second?

Grace: Second.

Seal: Okay. It's been moved and seconded to deny -- or recommend denial for File No. H-2023-0006 with the aforementioned reasons. All in favor of denial, please, say aye. Any opposed to the denial, please, say nay. Okay. The denial passes. Thank you very much.

MOTION CARRIED: ALL AYES.

7. Public Hearing for Modern Craftsman Franklin (H-2022-0079) by Horrocks Engineers, Inc., located at 4540, 4490 & 4420 W. Franklin Rd., approximately 1/4 mile east of the northeast corner of W. Franklin Rd. and N. Black Cat Rd.

- A. Request: Development Agreement Modification to the existing Development Agreement (Inst.#2020-117678) to remove the property at 4540 W. Franklin Rd. from the agreement for the purpose of including it in the proposed multifamily development.
- B. Request: Annexation of 10.29 acres of land with an R-15 (medium high density residential) zoning district. C. Request: Preliminary Plat consisting of one (1) building lot and (1) one other lot on 11.47 acres of land in the R-15 zoning district. D. Request: Conditional Use Permit for a multi-family development consisting of 122 dwelling units on 11.47 acres of land in the R-15 zoning district.

Seal: And with that I would like to -- do you want a second to work on that, Bill? No? Okay. Got you. So, I would like to -- or I would like to open the public hearing for Item No. H-2022-0079 for Modern Craftsman at Franklin and we will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next applications before you are request for annexation and zoning, conditional use permit, and preliminary plat. There are also concurrent development agreement modification and private street applications, which do not require Commission action. This site consists of 11.47 acres of land. It's zoned RUT in Ada county and R-15 in the city, located at 4540, 4490 and 4420 West Franklin Road. The western portion of the site at 4540 West Franklin Road was previously annexed into the city with the Compass Charter School East expansion project and zoned R-15. The Comprehensive Plan future land use map designation is medium high density residential in the Ten Mile Interchange Specific Area Plan. The applicant is requesting a modification to the existing development agreement to remove the property at 4540 West Franklin Road from the agreement for the purpose including it in the proposed multi-family residential development and the new development agreement associated with the proposed annexation. Again, this application does not require action from the Commission, only City Council. The applicant is proposing to annex the eastern two acre parcels shown on the plan on the east there, consisting of 10.29 acres of land with an R-15 medium high density residential zoning district. A medium -- excuse me. A multi-family residential development with a mix of housing types is proposed with a gross density of 10.6 units per acre, consistent with the medium high density residential future land use designation in the Comprehensive Plan. A development agreement is recommended as a provision of annexation that includes the west parcel proposed to be removed from the existing development agreement for the charter school. The plan shown there on the left is the concept plan that's included in the existing development agreement that was approved with the Compass Charter School. A preliminary plat is proposed shown there on the left consisting of one building lot and one other lot on 11.47 acres of land in the R-15 zoning district. Right of way is proposed to be dedicated with the plat for the extension of West Aviator Street, a collector street, across the northwest corner of the site in accord with the master street map. Access is proposed via the collector street, Aviator, with a driveway access via Franklin Road, an arterial street, along the southern boundary of the side. The driveway is required to be located along the west property line for shared access with the property to the west. Private streets are proposed for internal access and for addressing purposes. Street buffer landscaping is required along the collector and arterial streets in accord with UDC standards. The Purdam Drain allies off site along the east boundary of the property within a one hundred foot wide easement on land owned by Nampa-Meridian Irrigation District. The easement encroaches on this property at the northeast corner of the site. You can see the little easement line right here. A conditional use permit is proposed for a multi-family residential development consisting of 122 dwelling units in the R-15 zoning district. A mix of housing types with one, two and three bedroom units is proposed consisting of single family residential detached, attached duplex and townhomes. Because all units will be on a single lot, rather than individual lots, it is considered a multi-family residential development. All units will be for rent, rather than individually owned. A minimum of 1.85 acres of qualified open space and five site amenities are required to meet the minimum

standards. The common open space exhibit submitted with this application included some areas that don't qualify per UDC standards for multi-family residential development. Staff has requested the exhibit be revised prior to the City Council hearing in order to determine compliance with the minimum standards. The applicant has noted in their response letter that they are below the minimum standards for qualified open space and that they intend to request alternative compliance to those standards. So, that will be submitted prior to the Council hearing. Site amenities are proposed as follows from each of the required categories. Quality of life. They are proposing a clubhouse and a dog park. A way station is required to be provided with a dog park. Open space category. They are proposing a community garden. From the recreation category they are proposing a swimming pool and internal walking trails and a children's play structure. And, finally, the multi-modal category and they are providing charging stations for electric vehicles, which meet and exceed UDC standards. Off street parking is proposed for the development that meets and exceeds UDC standards. A minimum of 248 parking spaces are required. A total of 260 are proposed for an extra 12 spaces. Conceptual building elevations were submitted for the proposed structures within the development as shown. Building materials appear to consist of a stucco-like material with wood-like -- wood look lap siding and stone accents with asphalt shingle roofs. Final design should comply with the multi-family design standards listed in the Architectural Standards Manual and the traditional neighborhood design guidelines in the Ten Mile Interchange Specific Area Plan for the medium high density residential future land use designation. Written testimony was submitted from Shannon Ely, Baron Properties, the applicant's representative. She requests the following changes to the conditions in the staff report. Condition A-2-1-C she requests the proposed private streets are allowed to be in an easement, rather in a common lot, due to the nature of the project and the civil complexities associated with it and concerns pertaining to spacing and easements. The city code states the preference is that the private streets is in a common lot if the property is being subdivided. It's also staff's and the Ada County Street Name Committee's preference for clarity and accuracy in determining the street alignment and for approval of the street names that are -- excuse me -- that they are depicted on the final plat and recorded. Condition A-3-6-M she requested the street names be updated in the condition to reflect those on the most recent plans. Staff has made that change. And, then, finally, Condition 2.9 in Section B, they request that condition -- it's a Public Works condition -- be replaced. I can read through this if you would like. Otherwise, I will just let you view it in -- in the staff report and the hearing outline, but they have a proposal for replacement of that condition with alternate language and Public Works has agreed to that alternate language. So, staff is on board with that change. Staff is recommending approval with the requirement of a development agreement per the provisions in the staff report and staff is requesting one condition be added to require a sidewalk along the south side of West Fresh Powder Lane on the north side of the common area where the community center is located for pedestrian connectivity and safety. Staff will stand for any questions.

Seal: Thank you, Sonya. Would the applicant like to come forward? Good evening. We will need your name and address for the record.

Koeckeritz: I think Penelope was right. Is it working or no? She was right. Okay.

Allen: Are the -- the arrows on the keyboard aren't working?

Koeckeritz: No.

Allen: I can -- I can forward them for you if you like.

Koeckeritz: All right. Thank you.

Allen: Apologize for that.

Koeckeritz: We are good right now. Okay. Good evening, Planning and Zoning Commissioners. My name is Elizabeth Koeckeritz. I am with Givens Pursley. My address is 601 Bannock, Boise, Idaho. With me tonight are Jeff Riggs, Matt Riggs, Greg Hector, as well as members of our local planning development team. I want to start by saying thank you to Sonya and Bill and really everyone in the Planning Department. This project has been a long time coming. We have gone through numerous iterations. We feel like we have worked with every planner, even ones that aren't here now, and we are really excited with where we have landed and how this is going forward and how we comply with the Ten Mile Interchange Special Area Plan. Baron Properties, just by way of background, because they haven't been here for probably a year or two, they were founded in 1983 by Jeff Riggs and they have developed and operated over 125 residential communities in the Mountain West. One of the things that's really unique about their properties is they provide high end amenities in a community. It's owned, operated, maintained by Baron and residents -- and there is a lot of different types of multi-family units within their projects, which allow residents to enjoy the community without -- and live really like they are in a single family detached home without worrying about the maintenance or upkeep associated with home ownership. Most recently they have developed two projects in Meridian, including the Black Cat one, which was the first development of its type really in the Treasure Valley area and it provided with its attached and detached residential units, its provided Meridian residents with a living opportunity that was previously unavailable. That one is currently -- it's still partially under construction, but it has started having tenants move in and they are giving it really rave reviews as you can see here. The other one that they have just recently -- it's been entitled, it's under construction, is the Modern Craftsman at Ten Mile. Next one. One thing since Baron came to this community they have become really involved in the Idaho Apartment Association and with the local chapter of the National Apartment Association. They recently had an annual event and Baron brought home four awards for its developments here in Meridian and what's really cool about this is these awards are voted on by the membership, which includes many of our most recognizable multi-family owners and developers in the valley and so their Black Cap project received the Property of Excellence in Meridian Award. Moving on. So, vicinity map. Sonya did a really nice job of covering this. We are right north of Franklin right at sort of the northern end of the Ten Mile Area Specific Plan. We are requesting annexation, zoning, a UPE, and a DA amendment and we are in full agreement with all but two recommended conditions of approval and looking at -- it's not super easy to see, but this R-15 -- we are really looking at offering a mix of housing types. You can kind of see different colored dots on here,

like you see some lime green ones, some purple ones, some blue ones and each one of those is a different housing type. The lime green ones are townhomes. There are six units together. They are two-story townhomes. The purple are one bedroom, one bath duplexes. So, each side there is one bedroom, one bath. The bright green are two bedroom, two bath bungalows and, then, there are six three bedroom, two bath, bungalows. All the buildings use quality materials, including stone, stucco, wood tone siding. There is a variety of roof lines and facades, some with single slope roofs, some with hip roofs. There is -- some have attached garages, tuck under garages, detached open parking carports. There is just a wide variety for the residents that will be living here, including what's -- actually, let's go back one. I think -- we didn't get these slides for you. Is what's -- one of the things that makes these -- the Baron projects really unique is that they really focus on providing private open space. The Meridian City code requires 80 square feet of private square --private usable open space per unit and what Baron really focuses on is all of these units have their own private usable open space that far exceeds the 80 -- the 80 square feet. The bedrooms have 138 square foot patios and 126 square foot yards, for an average of 264 square feet. The two bedrooms they are combined at 578 square feet. The three bedrooms have 386 square feet. The six bedroom -- the six-plexes, the townhomes, they don't -- we have not included the yards. Their patios are 94 square feet. But as I will show you in a minute, they do also have their own sort of private green grassy area, it's just not individually fenced for them. So, going on -- let's go one more. One of the things we really looked at in trying to get this to comply -- to fit into the neighborhood was with the Ten Mile Plan, which focuses on three primary elements, land use, transportation and design. I will talk about each briefly in turn. Sonya did a really good job of pointing out where this is located and what's right around it. There -- while there is residential in the immediate vicinity, this really takes advantage of the fact that within one mile there is also property designated mixed employment, high density employment, industrial, commercial. We are not very far from the new Paylocity, the Saltzer Health, the Alquist project. There is just a lot going on right in this neighborhood, which makes this ideally situated for a neighborhood where residents can truly live and work within the same area. This is also recommended by the zoning. In the R-15 it talks about single family detached townhomes, two family duplexes, apartments, things of that nature and although ours are all on one lot, they still live and work like detached single family housing. Moving on to transportation. A big issue in the Ten Mile Plan is focusing on traffic and interconnected streets and here we have this unique rather narrow property. So, we worked with staff to create what you see here. We worked -- to start we worked with the property owner to the north. Aviator Street just cuts the very corner of this property and so they worked closely with him, with the Aviation Subdivision, over the last year and a half to make sure that this property would be included to make sure that it would be developed with that street Section C as envisioned in the TMISAP. Also when you look to the south, it was also really important that the properties to the west have also access, because you are getting close to the intersection of Black Cat and they are trying to -- ACHD is trying to minimize connections onto Franklin and so that's why the entrance is pushed so far to the west and, then, it has to curve back around to get into the bulk of it, because we are trying to work and collaborate with the neighbors to the west to make sure they have that access. The street design focusing on the complete streets. Because this is kind of a narrow unique property shape, we really tried

to work with staff on creating this main boulevard on drive through the developer -- through the development and you can see on this main street you have townhomes on one side that front up to the street and on the other side you have our duplexes, which also front up to the street. The TMISAP stresses that it's really important to look at the design beyond the edge of the roadway bed and so that's what we did here and we really tried to copy the design standards in the TMISAP with a narrower drive aisle for keeping traffic speeds down. The drive lane is 24 feet, with nine feet of parallel parking on each side, which also parallel parking is encouraged in the TMISAP, followed by eight foot carriage streets, which are wide enough and we do intend to have trees in those. Then five foot sidewalks and, then, it's just another five feet to the home entrances. All of the garages along the street were moved to the rear as it's mentioned multiple times in the TMISAP about sort of hiding the garages behind -- putting them on alleys, making them further back. We also have agreed to incorporate more traffic calming at the crossroads through pavers, bricks, colors, concrete, that sort of thing at ACHD's and staff's recommendations. The design elements -- here is a picture of the townhomes and you can see there is a small grassy area in front of them and the way this is set up it's really not likely that other people are going to be using that and so although we are not calling it their private usable open space, it really is. They do have a nice little grassy area that they can sit on fronting onto this main boulevard street. Our building details are really high quality lap siding, cultured stone, stucco. We have three separate color schemes that are all different, but really cohesive when you view them as a whole. All the units they are only -- most of them are one story. The townhomes are two story. There is a variety of roof lines for diversity and all the mechanical units are screened, as also recommended in the TMISAP. We have usable porches on the front. We have our walkways entering to the front. Let's see. This diversity of residential type, styles and densities we think does appeal to a wide range of lifestyles who want this sort of upscale living environment without the responsibility of lawn and other maintenance. Moving on to the one bedroom, one bath. This is what those units look like. They have an open floor plan with an emphasis on natural light. Every unit has a small private fenced backyard. It's desirable, because there is only one shared wall on these. Ample storage. And these are sort of really popular units. All of these are with young professionals sort of starting out who want more than that really multi-family three story walk-up experience who are ready to have more of their own space, but aren't ready for full home ownership and for empty nesters, retirees, who want to just be able to lock it, walk away, and not have to worry about all of the upkeep that comes with home ownership. On our next -- here is a picture -- another picture zoomed in a little bit more on our townhomes. It's 34 percent of the mix. There is -- the two car garage is tucked under there and so our parking counts -- what they don't also include is the fact that there is also additional parking available on that driveway apron, but we are not counting that in those. So, that does help with the overall parking. Let's see. They have upper balconies and lower. Both -- they both have upper balconies and the lower porches and that private green space -- space that I mentioned. Interior amenities. It's really tall ceilings. They are open floor plans. Modern finishes. Stainless steel. Everyone has their own in-unit washers and dryers. They are smart security systems. Smart thermostats. All of those sort of new app enabled amenities that people are really looking for. Within the community there is - the clubhouse includes a lounge, a coffee bar, conference room, Zoom room, state-of-

the-art fitness center. As you walk through the pool -- through the clubhouse you end up in the pool area with a pool, a hot tub, and attached grill area. There is the adjacent tot lot that's next to the pool. If you go sort of up towards the northern boundary there is a dog park up there. There is a community garden. We have learned over time that residents really do like having the option to still just dig in the dirt and although it's not listed within code, most of these units do have the private yards. Lots of parking. Lots of connectivity. We will be submitting an application for our common open spaces for alternative compliance for that. We have been working through it. We are going to continue to work with staff and figure out what we can do to make it best work and so that is something that will be coming and we have talked to them about providing that within 15 days -- at least 15 days prior to the City Council meeting. It looks right now like we are about one-third acre short, but we are two-thirds acres over on private open space, if not more, and so we are going to try to figure out if there is just other options for us for that. The clubhouse. Next one. You can see this one I think actually has a super cool looking round swimming pool, something you don't see every day, and it leads out to that swimming pool, hot tub and spa area. These units also include detached garages that have storage. They are not. There are -- so, the garages come in blocks of -- I'm just about done -- six and, then, they also have additional storage units within them that individuals can also use. So, each garage bank has six -- 17 storage units also attached. We have confirmed that all services are available to the site. We are in compliance that Meridian and police -- fire and police are both able to serve the site. That we are meeting with all of the requirements for annexation and zoning. We meet all the setbacks. We are in compliance with all of those -- just with all of those standards and, then, finally we are just asking for these two small conditions of approval and it sounds like we are already in agreement -- or that staff supports one of our conditions of approval on the platting and the timing for the platting and that Public Works has signed off on that. The other one is that we are requesting that our public -- our private streets remain in easements. That's how we have worked it on the last two developments. It's worked out really well, because there do become various setback issues there become -- when you have to put the pins in at lot corners, there just become a lot more issues when you put this into separate -- when it has to be individually platted or when the streets have to be in separate lots, then, all of your setbacks and everything kind of gets set off from there and it be creates a lot more issues going forward. So, we are asking for that one change in condition. And the code does allow you to do it either way. It specifically says or.

Seal: Okay.

Koeckeritz: With these I will stand for any questions.

Seal: All right. Thank you very much. Commissioners, do we have questions for the applicant or staff?

Smith: Mr. Chair?

Seal: Thank you. Question for the applicant regarding the alternate conditions of approval -- or -- around the open space. Yeah. You mentioned you are looking for additional options and things like that. Are -- are they -- I guess what I'm trying to make

sure I'm on the right page around this is are you trying to come into compliance or are you looking to find an alternate condition or somewhere in between? You know, the -- the staff reports says, yeah, you are looking for -- you know, alternate condition, but it sounds like you are trying to work on something. I'm just trying to -- to make sure it's not something like, hey, you know, we are -- we are close enough, you know, if you round up we are almost there or in the open space, especially considering the closeness to the school -- the other -- other development projects in -- in, you know, in the area. There are certain things that I think it's important to ensure that there -- there is adequate open space in this neighborhood. So, I just want to ensure that that's something that's being taken into account.

Koeckeritz: Good question, Commission -- Commissioner Smith. We actually are looking at probably a both and -- in that we are going back, we are looking at what our open space is. Are there different areas where we could include more. Just really working through the open space really closely and carefully to see other places where we can add more open space where we already have it and maybe we are not counting it right or we are not looking at it quite right. But, then, I do think that we will also be looking at applying for alternative compliance for a portion of the number.

Smith: Okay. Thank you.

Seal: Go right ahead.

Grace: Mr. Chairman. Can you help me understand -- I was trying to follow your description of why you prefer the easement over the common lots, but it may -- it may be me. I'm just not tracking with you.

Koeckeritz: All right, Commissioner Grace. So, within the R-15 zoning district there are certain setbacks for every single lot and once you put this -- and so right now everything -- we only have -- I believe it's two lots. But if everything -- yes. Two lots. But if we were to have a third lot and that lot comes down as a road, then, we have to also count setbacks off of that road and right now we have things that are closer and so we would be having to look for waivers of distances and things of that nature and off the top of my head I can't tell you what -- which ones create an issue and which ones don't or what those exact setbacks are.

Grace: That helps. Thank you.

Seal: Anybody else? I have got a couple here. So -- and -- so some of the things that you have done in your other developments I don't see here is live-work. Will there be any kind of live-work arrangement here or commercial?

Koeckeritz: There will not be, because this site was zoned -- has a future land use map designation of straight medium density residential -- medium high density residential.

Seal: Okay. In the backyards is that for the -- is that going to be like your other developments where it's going to be kind of an indoor-outdoor type grass, where it doesn't have to be mowed or cared for?

Koeckeritz: I believe so. Yes, it will be.

Seal: Okay. So, the storage that's provided that is -- that is going to be for the residents only and it will be allocated by a resident or is it something they have to rent or --

Koeckeritz: It's something that you can -- there is not quite enough storage for everyone and so it's something where you can lease an extra storage unit.

Seal: Okay. And it will be for the residents of --

Koeckeritz: It's for the residents. Yes.

Seal: Okay. Yeah. And, then, I had a similar question on the open space part, because you are calling it private open space. Generally we just call that a yard. So, I'm kind of -- that might have missed a little bit for me. So, I mean generally speaking you have a yard and, then, you have common open space. So, the two of them don't really interact very well. Common open space serves a different purpose.

Koeckeritz: Yes.

Seal: With that does anybody else -- Commissioner Wheeler?

Wheeler: Yes. Thank you, Mr. Chair. So, yeah, that was one of my questions, too, was about the real grass. So, on the -- it looked like there might be in the front of the house, too. Not just the back, but in the front. Those little grassy spaces I'm assuming that's going to be like artificial grass, too?

Koeckeritz: Commissioner Wheeler, we have some members of the development team here who could answer that for certain.

Wheeler: Okay. Perfect. Okay. Yeah. That was it. And then --

Koeckeritz: Okay. I can repeat it. Put it on the record. It is actual turf in the front yards. The only -- the only not real grass is in the fenced backyard areas.

Wheeler: Fenced backyard. Okay. Great. And, then, similarly -- I mean looking at this development you can tell that there is a lot of thought and a lot of craftsmanship for sure and a lot of pride in this development in the way that it's moving that -- the way that's developed and that's really good, because, you know, that the -- the development carries that developer's name and he is -- and -- or they are making sure that this is a high quality, nice development for sure. One of the questions, though, too, is on the -- on the open space use. It seems like it's -- it's below that. Usually in multi-family it's -- it's good to try

to at least hit that as a benchmark as at least the minimum requirements, if not more, and so have you thought about ways to re-adjust the -- the layout on this to allow for some more open space?

Koeckeritz: Commissioner -- Commissioner Wheeler, great question. Yes, those discussions are ongoing right now and so we are trying to -- that's where we are at, we are trying to figure things out. Can we make small adjustments here or there to really come up with more of that open space.

Wheeler: Okay.

Seal: Okay. Any further questions? None? All right. Thank you very much.

Koeckeritz: Thank you.

Seal: Madam Clerk, do we have anybody signed up to testify for this application?

Hall: There is no one signed up online, but we do have a David Bailey that signed up to speak.

Bailey: Good evening, Mr. Chairman, Commissioners. My name is David Bailey. I'm with Bailey Engineering. My office address is 1119 East State Street in Eagle. And I am the engineer and the -- and -- and worked on this project for the developer, so I'm, obviously, in favor of it. But I have some insight that can -- that can talk about the -- the two issues that you are talking about here -- is -- the first one is on the private road, we do these often, you know, in the -- in the City of Meridian and we have worked on them for some time and we have done them in easements and we have done them in common lots. When we have -- where we are going to subdivide the individual lots, buildings, within the property for separate ownership we need to have that frontage on a private road and we need to have pins and those people to be able to locate their properties when they own them individually. But when they are -- when they are rental units it really doesn't add any value to the -- to the tenants within the property. So, it becomes an administrative requirement. The bottom line is if -- if the city decides they are going to make that happen I can make it work; right? It's -- it just doesn't add anything to it. We agreed to put these drive aisles as -- as private roads mostly for the condition of Joe Bongiorno, the fire department, so we could provide much better addressing for emergency services within the site, because if we just have a Franklin Road address for 122 units it makes -- it's a big problem for -- for them and so the only reason they are private roads is -- is really to provide that addressing for them and not to provide frontage. We do also have, in the same area, easements for the city utilities, sewer and water services that go in there, and we have worked extensively with your department as you might imagine getting all those services stuck in between the buildings and making them all work right. Meeting your -- your Public Works Department requirements are -- are -- are pretty tricky. Luckily I have got some really good engineers working on that piece and we figured it out. So, I don't think it's necessary for that to be in a common lot, you know, to provide any -- anything more than what we are providing for the project already. That

said, if the city decides that's what you want, I can make it work and wouldn't affect anything. The second issue is on the open space for this and the -- the issue on it is is that -- for example, all of the green space we show on both sides of our boulevard in the center and the islands in the middle and the landscape that goes with that and those sidewalks, that has a boulevard on this that looks exactly like what you have in your Ten Mile specific plan; right? We really wanted to copy that look and -- and follow that look within there. All of that open space up through there and those boulevard strips and all that doesn't technically qualify as open space under your code. So, we have plenty of open space in this project. It's just how we measure it, whether it's wide enough in order to qualify for -- for that -- that position there. On the other hand, we do have probably -- I think it's over four times as much private open space within the project as required by the code. So, we could take those yards away from people and put that into common open space and we could actually do that -- I can't say I can trade it all one for one, because of configuration, but I could probably get most of it back just by taking away these private yards, which are a significant amount of amenity to the project. So, as far as the quality of the total open space for the project, we are going to ask for alternative compliance -- compliance, because we think we are -- we are way over that, what's -- what's required in that end. So, at that point I would -- I would -- I would stand for any questions you might have.

Seal: Any questions from the Commissioners? Commissioner Lorcher?

Lorcher: I have a question for staff. In regard to the private roads being either on a common lot or easement when it comes to a full rental property, has there been a precedent set for this -- the City of Meridian?

Seal: I think -- hi, guys. That's okay.

Allen: Apologize. Sorry. Can you, please, repeat that?

Lorcher: That was absolutely fine. And so the conversations been going around this common lot for the private roads -- or the easement.

Allen: Yes.

Lorcher: So, these are all rentals, so there is no home ownership like the engineer had just -- what David had just said. Has there been a precedent set in the City of Meridian for easements on rental properties versus the other or is it just a case-by-case basis? And I mean, obviously, it's already been approved on occasion, but --

Allen: Mr. Chair, Commissioner Lorcher, so two things. This property is being subdivided and that's -- that's where our code specifically says if it's part of a subdivision the preference is that it be in a common lot.

Lorcher: Okay.

Allen: Or another lot. Whatever. Not a buildable lot and not an easement, so -- and the other thing is -- since some of the previous approvals the Ada County Street Name Committee has requested that these be in a separate lot recorded on the plat.

Lorcher: Did they say why?

Allen: Yeah. Excuse me. I will refer to my notes here. I ran through it in my intro, but let me reference that again here. Just a second. Yeah. So, their preference was for clarity and accuracy in determining the street alignment and for approval of the street names that they are depicted on the plat and recorded.

Lorcher: Okay. Thank you.

Starman: Mr. Chairman, can I inject some procedural or --

Seal: You bet.

Starman: Yeah, I guess that's a process question or topic and I will ask my planning colleagues to help me out here, but we have kind of an odd -- this is an odd topic in the sense that in the UDC decisions relative to private streets are delegated to the director of the department. So, those are director decisions and an applicant can ask for City Council review, but absent that those are the decisions of the director. So, that's topic one. But topic two is it a kind of gets blurred, because now we have some proposed conditions that are attached to the preliminary plat that reference the private streets and, hence, we have a discussion tonight about that. But the odd issue from a process perspective is that technically issues relative to private streets are delegated to the department director and if the applicant isn't satisfied with that answer, the recourse is to ask for City Council review. So, I don't -- we can talk about that more as you deliberate, but I think, really, if the applicant is not satisfied with the director's decision they probably ought to consider asking for Council review between now and the time this reaches the City Council and they should take that up concurrently. But I'm going to look at Bill and see if you have any additional thoughts on that.

Parsons: Mr. Chair, Members of the Commission, we have -- we have talked about this before as staff and, yes, we have had instances where the director has made a determination and, then, the applicant has submitted a companion City Council review application to catch up with it, just like you would with the alternative compliance that you are working. Now, I don't -- I'm going to punt it back to you a little bit, Kurt, because in this instance technically this application is going before City Council. So, is it really necessary to do that City Council review when it's already going to be in front of the City Council, because they are -- they are actually the ones that are acting on the annexation and the CUP and the plat. So, that's where we have had those internal debates about whether or not a City Council review application is necessary, because this is landing in their court and at that point the applicant has that ability to address the Council and say we think the director has erred and we think it should be in an easement and not a common lot. But that's typically how we have handled it.

Starman: So, Mr. Chair, with your indulgence I will make one additional comment or respond to Bill's thought there, but I don't want to get too far into the weeds tonight. That's kind of a technical esoteric issue and I would like you to deliberate first, because it may be academic. But what I would say with regard to what Bill was inquiring about is my view is that the code is pretty specific that decisions relative to private streets are the director's determination and there is a very specific process in code that says if an applicant doesn't agree this is what you do and that -- what you do is not talking about preliminary plats and things of that nature, you ask the Council to review the director's decision and that is a discrete action. There is a separate processing code. And I think for the integrity of the process and to adhere to the code we should probably follow that sort of a parallel concurrent process. So, I will leave it at that, because that's really more than you need to know right now and it may be academic depending on your deliberations this evening regardless. So, I will be happy to answer questions, but I will leave it at that for now.

Seal: Okay. Question on that. I mean that leads us to the -- to the -- sir, you can sit down. I think we are -- I think we are through this part of it. If you want --

Bailey: I had one more question, since I'm here, in the middle of it.

Seal: Absolutely. You filled us in on a lot, so I will allow that. Go right ahead.

Bailey: Okay. In -- in regard to that, I see his point on that end and, as I have said, it can go either way and we can live with it. It's just our preference compared to the city's preference on that. So, I would appreciate that if -- if you think that the easement's okay that you forward that recommendation to the Council and we will take it up with them.

Seal: Okay. Excellent. Thank you.

Starman: I -- I think that's -- that's a -- that's a fair comment and I would say -- I don't have a dog in the hunt either. I don't have a strong preference either. I'm just saying from a process perspective the code's pretty specific about here is how it works and so, you know, part of my job is to make sure we play by the rules, right, and so I just want to bring that to the -- to the Commission's attention.

Seal: Okay. And so for -- for our choices on this -- I mean as -- as we go down the road is that essentially takes it out of our purview is -- is what you are speaking about; correct?

Starman: I think it's out of your purview in the sense that the decision about the private street and whether it's an easement or a -- a common lot, that -- that decision either has been made by the director or it's going to be made and, then, if the applicant doesn't agree that wouldn't be something before this body, it would be reviewed by the City Council. So, I think the answer -- I would frame it that way. I do think the applicant -- or the applicant's engineer makes a good point. I certainly would not object. I think it's fine if you want to make a recommendation to the Council that if you go in this direction or we

think this might make sense, I think that's fair game, but it really is not a decision point for the Commission.

Seal: Okay. Thank you. Appreciate the clarification on those -- on that item. Where -- where are we again? Was there any -- that's right. Was there anybody else that would like to testify? Please indicate by raising your hand. I see no one. If we have no further questions for the staff or applicant, I will take a motion to close the public hearing for File No. H-2022-0079. Come on up. Sorry. I'm -- I'm flustered at this point, so --

Grace: Mr. Chairman, though, I think we would close public comment and, then, you would let the applicant come up; right?

Seal: Beforehand?

Grace: Beforehand? Now I'm flustered.

Starman: As the Commissioner recalls, our typical process we ask -- we have the staff presentation first, then, we ask the applicant to present. We hear from the public and, then, we always provide opportunity for the applicant to sort of close the argument, so to speak, and answer questions. So, that's very appropriate before we close the public hearing. We will get all that on the record.

Seal: Okay. I'm sorry about that. Generally when another member of the staff comes up, then, there is not much more to add, but the floor is yours.

Koeckeritz: I will be very brief. Elizabeth Koeckeritz once again. Givens Pursley. I guess -- and I just want to reiterate one of the points about putting these streets into private roads, which I understand, there is a question as to process wise whether or not that's in front of you today or not, which I don't necessarily know is something to get into, but it is a recommended condition of approval within the staff report and so it's important from our perspective to make sure we address everything that's in that recommended conditions of approval. However, the one thing that I just wanted to close with is that what makes this also unique and different when it comes to these private roads -- when it comes to this development as a whole, compared to almost all the other multi-family development complexes that are ever going to come before you, is that this is owned by the same family team, Baron Properties, from now through the construction, through to the operation, to the management, through to the very end and so a lot of the concerns that come with putting things in private -- in public roads versus private roads and a lot of these other concerns, they just simply don't exist in developments like this where it really is one cohesive unit and they are really looking at taking care of their own property for the long term. Thank you. And with that we would ask for a recommendation of approval for our applications.

Seal: Thank you very much. Okay. Now, if nobody has any further questions for the applicant or staff, I will ask for a motion to close the public hearing for File No. H-2022-0079.

Wheeler: So moved.

Rivera: Second.

Seal: It's been moved and seconded that we close the public hearing for File No. H-2022-0079. All in favor, please, say aye. Opposed nay? Motion carries. The public hearing is closed.

MOTION CARRIED: ALL AYES.

Seal: Who would like to go first? Everybody -- Commissioner Grace, go right ahead.

Grace: Sure. Mr. Chairman, I -- I really like the -- the design elements and the design concept. I like the variety of housing types. I think it fits the area, the proximity to other -- other activities in terms of jobs and schools. I really like the external site amenities. So, I'm -- you know, I'm -- I'm -- I'm in favor of the project. I -- I hesitate to wander off, because we probably don't need to based on counsel's -- well, I'm not going to then. Based on counsel's recommendation that it might not be before us. But if we do -- it turns out that we do want to make a recommendation as a group, then, yeah, I guess I have some thoughts on that.

Seal: Okay. Anybody else?

Smith: Mr. Chair?

Seal: Go ahead, Commissioner Smith.

Smith: Yeah. I just wanted to -- to come back on the open space question. I know there is -- you know, there is not a ton for us to look at right now in terms of what that -- what that looks like, but, you know, that -- I'm struggling a little bit with -- with some comments, as I think you kind of referred to, of private open space being equated to similar statuses as public open space. I don't think that makes sense. I don't think it's reasonable. Theoretically you could give a handful of people massive backyards and -- and make the same argument. I just don't think it tracks, because, like you said, they are different purposes. I think that also follows suit with the strips on different part -- on sides of -- of streets. I think that the purpose of open space is pretty clear and there is a reason that the code is set out as it is, so I don't know if this looks like it -- a condition, since it's something that's going to come before the Council and we -- we haven't really looked at it, but I -- I sincerely would hope that the developer would make as much of an effort as possible to get into compliance. I understand that alternative compliance might be necessary regardless, but I think I personally would like to see a whole lot of the former than the latter is -- is my main kind of consideration. It just -- especially given just the general density in this area. The denser you get I think the -- the more important open space becomes, you know, in -- in -- in the long run -- in long term planning. So, those are some comments -- I don't know if that -- if -- if I would want that as a condition. I don't

know if that really can be a condition, since it's still TBD regarding what the -- what the ultimate proposal to City Council looks like, but those are just some thoughts.

Seal: Okay. And -- and I -- I agree with what you are saying and I mean the open space private space doesn't necessarily track with me. However, I -- I will say that I'm glad to see -- and -- and -- and I do like the design of these. I -- I have toured the one that's up on Black Cat and it's -- it's pretty impressive and it's not a whole bunch of four-plexes and it's not a massive apartment complex. So, personally I really, really appreciate that, that this is still considered multi-family, that it's livable. So, I would like to see the applicant come to at least the minimum. So, I know that might be a stretch, but I -- I think the minimum is -- is something that can be accomplished here. So, with -- without, you know, degrading the design or -- or the atmosphere of the -- of the subdivision that's -- that's -- or the development here. So, that is something that I would like to see happen with it personally. But I do appreciate the design of it for sure. Anybody else?

Wheeler: Mr. Chair?

Seal: Go ahead.

Wheeler: Yeah. So, I'm just going to mimic those same comments there. For me I -- like I said, there is a high quality here. There is a lot of pride in what's going on in the development on here. Good quality. It's a place that doesn't -- you know, just seem like they are trying to pack it in as deeply as they can. They have wider drive aisles. It's a -- it's -- it's a beautiful community concept. It really is. And -- and the -- the fact, though, that it's on -- I believe it's on one parcel -- is that what I heard correctly was that it was on one parcel?

Seal: I believe it's three different parcels.

Wheeler: Is it three parcels? Okay. So, it's on three parcels there, but it allows them to kind of combine a little bit of those open spaces without the -- without the lot lines there as being used for some of the -- some of the yards are being counted for as open space. So -- and even the buffer up there -- I look at more like open space, like where are the kids going to go play where somebody can throw a soccer ball -- or kick a soccer ball, you know, throw a ball around that and -- and while there are some of those spaces there that are for some of the duplexes and there is some down on the south end, it would make some of the utilization of where that can go, so that the community can -- can enjoy, that might be -- that's more of what I'm hoping that can be hit and, once again, just the minimum would be nice to see in some way or another. But this is a -- this is a great -- great concept in a -- in a great spot.

Seal: Okay. Thank you. As far as the -- kind of what -- what's not agreed upon, it -- I mean if -- whoever is going to make the motion it sounds like the staff and applicant are in agreement on the -- the last two, the A-3-6-M and the B-2-9. As far as the A-2-1-C, what I have seen in the past when it comes down to decisions like this when it's somewhat

not necessarily in our purview and we make a recommendation generally speaking I have supported what staff has down and, then, I leave that to Council to deliberate, you know, or a decision to come in from somewhere else. So, if somebody else accepts that, then, that's something that, you know, again, it's basically out of our purview. But if you do have designs on whether or not you do support it or not, feel free to voice that in a -- in a motion. And with that I will take a motion. If anybody would like to throw one in. Commissioner Grace, I see you are reaching for the microphone.

Grace: Yeah. Mr. Chairman, after considering all staff, applicant, and public testimony I move to recommend approval to the City Council of File No. H-2022-0079 as presented in the staff report for the hearing date of April 6th, 2023, with the following additional recommendation: That with regard to the applicant's requested modification regarding A-2-1-C, that the -- that the private streets -- well, that we follow the director's initial, I guess, decision on that to call those common lot in lieu of -- of an easement.

Seal: Do you have any comment on the other two?

Grace: Oh. Well, I -- I would be in favor of the -- of the other two requested and that would be part of my motion as well. It sounds like those were already agreed upon.

Seal: Okay. I think they wanted those stricken, unless I'm --

Grace: Say again, Mr. Chairman.

Seal: I believe they want those stricken. They are -- they are conditions right now, so they would need to be stricken.

Grace: Right. And I would be in favor of -- and make in my motion to strike those -- those other two.

Seal: Okay. Can you list those out? And, then, there is one other one that Sonya has listed at the very end.

Grace: So, I'm looking at modification A.3.6M and, then, B.2.9; is that accurate?

Seal: That is correct. And, then, I believe Sonya wanted an additional one that's listed at the bottom.

Allen: Chairman Seal?

Seal: Go ahead.

Allen: May I interrupt? Condition B.2.9, the request was to strike it, but to replace it with new language as contained in the hearing outline and the applicant's response to the staff report. Thank you.

Grace: Did I do it? This got awfully complicated.

Seal: It does sometimes, so -- yeah. Essentially to --

Grace: Oh, the additional request. Okay. Okay. We didn't -- we didn't talk about that, necessarily, but I, too, would be in favor of it, if that's what staff has determined in their infinite wisdom.

Seal: You want to go ahead and read it out loud?

Grace: So, Mr. Chairman, I -- I -- I make the same motion with the same comments regarding the applicant's requested modifications and I would add the additional -- the additional recommendation of a condition to add a -- the required sidewalk along the south side of West Fresh Powder Lane. Oh. On the north side of the common area where the community center is located for pedestrian connectivity and safety.

Seal: Okay. Do I have a second?

Wheeler: Second.

Seal: Okay. It's been moved and seconded to recommend approval of File No. H-2022-0079 with the aforementioned modifications. All in favor, please, say aye. Any opposed? Motion carries.

MOTION CARRIED: ALL AYES.

8. Public Hearing for Artisan Victory Market (H-2022-0066) by Kindi Moosman, Horrocks Engineers, Inc., located at 2820, 2910, 2960, 2990 and 3020 S. Eagle Rd.

- A. Request: Annexation and Zoning of 14.47 acres of land with the R-15 (12.45 acres) and C-C (2.03 acres) zoning districts.
- B. Request: Preliminary Plat consisting of 5 building lots and 1 common lot on approximately 13.6 acres in the requested zoning district.
- C. Request: Conditional Use Permit for a multi-family development consisting of 132 units on approximately 12.45 acres in the R-15 zoning district.

Seal: All right. With that I would like to open the public hearing for Item No. H-2022-0066 and we will begin the staff report.

Parsons: Not making that transition easy on you tonight. Apologize. Thank you, Chair, Members of the Commission. Next item on the agenda this evening is the Artisan Victory Market. The applicant is here to discuss with you annexation, preliminary plat, conditional

use permit and, again, a private street. As you looked at the two -- the previous project and this project, you will see there is some similarities between both of them and it's the same applicant. So, their request was to have you act on their -- their Modern Craftsman project on Franklin first and that way we can maybe go through this last one a little bit quicker and get to some of the public testimony. It looks like we have a full audience wanting to testify in this particular project. As you know, this has been continued multiple times and, again, as you heard from the applicant this evening, due to staff changes they were also passed around to different planners and -- and it landed up on my plate and I told them that I would commit to getting them to the finish line on this project, because the last thing we want to do is have applicants waiting in the wings and taking a long time to get through our process. So, I felt it prudent to take over the project and, then, help them get through the finish line and make sure that whatever we are doing tonight it's consistent with the other approvals that they had throughout the city. I, too, had the opportunity of touring their Black Cat facility as well and -- and I agree with all the Commission's comments this evening. It is a quality development. Now, where this project differs from the other project is it's -- it's actually located -- so, this is -- sorry. Let me back up here. So, the -- this project consists of 13.6 acres of land, currently zoned RUT in Ada county and there is seven properties associated with the annexation request. As you know, annexation requests -- their boundaries are larger than the preliminary plat, so the annexation itself is 14.47 acres, where the plat is 13.6 and that's just because we have applicants annex the property to the center line roadway, so we know who has jurisdiction if there is an accident on Eagle Road. It's more of a public safety issue than anything and just making sure zoning goes through the center line of the adjacent right of ways. But you can see here that this subject property is completely surrounded by city zoned property -- annexed property and there has been some history on this site. In the early 2000 -- in 2005, 2006, this property did come before the city for a Comprehensive Plan map amendment. At the time it was part of a larger area and the applicant was requesting mixed-use regional on the site. At that time the Council didn't feel comfortable with that designation and it got downgraded to mixed-use community. Later they came forward with annexation and Council did not support the annexation or the concept plan, so they denied the annexation, but approved the -- the Comprehensive Plan map amendment and that's why we have mixed-use community on this -- this property tonight. You can also look at the future land use map and see that this area is part of a larger mixed-use community area. In the staff report we -- we shared with you that starting at the north boundary of the mixed-use community area the site has storage and, then, as you transition to the south it transitions to the office part and, then, some more single family and, then, we have this property, which has that multi-family component and a commercial component and, then, as you translate to -- transition even farther south at the intersection, which is Inglewood Subdivision -- Inglewood Place Subdivision, there will be an assisted living care facility and there is some independent units across on the other side of Titanium, just like this particular project. But on the corner there is a daycare and a Starbucks with a drive through on it and, then, even across the other side, east -- the south side of Victory we have the Rite-Aid, another coffee shop with a drive through, and another daycare. So, when you look at all of what's occurring in this mixed-use area we found that the project was consistent with the mixed-use community designation based on what's occurring and that's why we did support just the two land use types on this

particular site, given the size of it and not all -- and looking at the entire area as a whole. So, I just want to at least put that out there for you as well. See if this will advance here. No. There we go. Now, I'm locked up. So, as I mentioned to you, the applicant is here to annex in 14.47 acres of land. A majority of it will be zoned R-15. You can see in the right-hand exhibit that the R-15 zoning area is approximately 12.38 acres and the C-C zone or the commercial zone is approximately 2.09 acres, which is consistent with the development to the south of this as well. Here is the preliminary plat that the applicant is proposing. This is just -- basically show you the lot layout. So, the applicant is proposing to subdivide three multi-family lots, which would be located here to the north, the east, and internal to the development and also a portion of the south here and the two commercial lots are adjacent to Eagle Road in this general location here and, again, the purpose of that was so that it would align with the commercial zoning that's currently approved in the Englewood Subdivision and it also helps facilitate cross-access with that adjacent subdivision, which was a condition of that project as well. Now, what I have tried to describe on this exhibit before you is the road connectivity for the development and I will go through that briefly and the reason why I thought it was important to highlight that, because if you had a chance to look at the public record, the public comments for this particular project, a lot of the public testimony had to do with concerns with traffic, density, and, then, extending these stub streets and I thought based on just the amount of public testimony we had it's important to stress and at least explain how we analyze projects and -- and what this -- this project entails as far as connectivity. So, starting with the cross-access, I have highlighted that in a rectangular -- in a rectangle. It's actually highlighted in blue, but it doesn't show up well in this graph, but -- so the access to Eagle Road will -- will be very similar to the previous project. It is a driveway connection. It is not a private street connection. If you had a chance to look at the staff report, both mine and Sonya's staff report for both projects, our code does not support private streets connecting into arterial roadways. That would require alternative compliance. In pre-application meetings with the applicant we made them aware of that requirement and so they have adjusted their plan accordingly and made sure that this is only a driveway connection, along with a driveway connection, a cross-access driveway with the property, to the south and this is also consistent with ACHD's approval as well. Now, the private street network that's being proposed with this subdivision is actually this looped road here and similar to the staff recommendation on the previous staff report, we are recommending that this easement be converted over to a common driveway based on the same testimony you heard on the previous application. The -- the areas that I have highlighted with a red circle are -- those are the public right of ways or the stub streets controlled by Ada County Highway District that are extended to this particular property. I would let you know that the applicant has been working with staff over a year on this on making sure they get the layout right and every time that they met with staff they were informed that these roads need to be extended with this development, particularly if they were going to propose an internal private street network, because the last thing we want to do -- if you look at the mixed-use community standards, connectivity is important, not only vehicular, but also pedestrian connectivity and that's why it's important that not only does the applicant plat the property and dedicate additional right of way, but extend those stub streets for not only the benefit for this development, but also for the surrounding developments. So, that's very -- very critical. And if you had -- as you are aware when

there is -- there is a stub street adjacent to a property, ACHD requires a road that says this is a public right of way. This road is to be extended in the future and that's what today is. It's us talking about the extension of these roadways, because we are here subdividing the project. The other important factor for having this road is we don't want to funnel everyone out to Eagle Road or that -- it will happen that way, but that shouldn't be the primary access for the subdivision to cut through this multi-family development and try to get to Eagle Road. We want to make sure that both -- both Victory and Eagle Road are arterial roadways, so we would like to have a backage road or some kind of local street or collector street network to funnel traffic to those roadways and that's why it's critical to have this local street network and get these roads connected, so that all of these residents don't necessarily need to cut through this development to get to Eagle Road. At least use the main -- use this Eagle Road access as it's currently designed. So, thought I would give you a little bit more on that and let you know that's -- that's why it's important. We have -- we have -- we have got a -- both ACHD's policies and city's code and city's policies require the extension of roadways. Also mention to you, if you had a chance to look at the ACHD staff report, and -- and staff's recommended conditions of approval, because of the length of this roadway it does exceed code requirements. Not necessarily our requirements, because the applicant has many different intersections here, but ACHD noted that this roadway will exceed over 750 linear feet and in keeping in spirit with ACHD's conditions of approval and with our mixed-use guidelines, staff has recommended not to redesign the road as -- as ACHD has suggested, but we -- we have recommended that the applicant work with AC -- us and ACHD to implement traffic calming at this intersection and create decorative crossings per our recommendation. Of course, ACHD and applicant is in agreement with that. They think that's an important as well. Just like the last application, integration and integrating all of these uses together is just as important in the Ten Mile area as it is a mixed use areas and so this -- that will be an important design element moving forward. So, the applicant -- oh, I wanted to step back here. So, the height -- the areas that I have highlighted in -- in the tan are things the applicant can remove for the plan. It's -- it's not necessary to have these as private streets or dedicated easements for access. As you have heard, this is all going to be held under one ownership. The applicant is going to maintain an owner -- it's not necessary to do that. They will -- we will treat it just like any other multi-family development and they will just build driveways and shared parking lots for the -- the residents to use. And as Mr. Bailey mentioned in the previous presentation, again, the private street is -- is important for addressing as well. So, that's really one of the major purpose of why we are platting the -- the privacy street, is because, again, for emergency services. The other thing that I would note, too, is -- are the units on the east boundary of the site, they do have accesses to share driveways. Typically in a -- in a single family residential development we would classify those as common driveways, but in this instance they -- they function more like a commercial drive aisle, but the applicant has been notified that those driveways should at least be 20 feet wide minimum, so that residents can get in and out of there and get access to the garages. And that has been conditioned accordingly. So, that's -- that kind of highlights all of the access points proposed for this particular subdivision. So, here is the site plan for the conditional use permit. The CUP is a request to develop 131 single -- or 131 dwelling units on this site. I don't -- I -- I want to steer away from multi-family, but that's what it is technically in our definition as you --

as you noted. The applicant tries to have these live like a single family development and the mix of residential types in here will be the same as you heard before, so you have some townhome units, some duplex units and, then, some single family detached units and the applicant has highlighted that on the proposed CUP site plan here for you to take under consideration. If -- in the staff report I did note that the applicant did align the townhomes along the south boundary to provide that transition to the larger assisted living facility on the south boundary and, then, was very cognitive of the adjacent single -- single family on the east and also the north boundary and so they have provided all single stories along those boundaries as well. Also per -- for multi-family developments you have to have a minimum ten foot setback along the perimeter, unless the code requires a greater separation. In this particular case the applicant is providing a 15 foot setback -- in some cases a 20 foot setback along that perimeter. Now, I did note in the open space section of the staff report that some of those areas would not count towards their open space requirements, because the code requires those to be a minimum 20 feet wide. So, there are specific dimensional standards that you have to use in order to count qualified open space and I will get into that a little bit more as well. So, parking for the site -- this -- this application actually came in prior to the adoption of our current standards. So, this particular application before you is really a hybrid of -- of what the current code is and what the previous code is. I think the applicant really was trying to meet the spirit of the code and try to get more open space and provide a higher parking ratio than what was required under the previous code. So, in the staff report I did analyze the parking and let you know that there is really 191 parking stalls required for this site based under the previous code and as proposed by the applicant there is 236 on this particular site plan and that's a mixture of garage spaces and surface parking and covered parking. Also note the Commission -- let the Commission know that the applicant also noted that there is some on-street parking available here, too. So, there is 50 plus additional parking spaces on the street and the applicant has been very mindful in their design to have parkways between the curb and the sidewalk to also provide that traditional neighborhood feel, which I think is important again to those mixed-use standards. So, here was the color rendering that the applicant provided in their open space exhibit. As I mentioned to you, along the perimeter some of the -- the -- what I appreciated the applicant doing on this particular project was they didn't highlight what areas were counted towards the baseline open space and the multi-family versus what the open spaces required per the square footage of each multi-family unit, plus the private open space required by the multi-family standards. So, the light green itself is what the applicant classified as the ten percent baseline that's required by code. The darker green is the area -- are the areas that represent the amount of common open space that is required per the square footage of each residential unit. In this particular case all the units do exceed 500 square feet, so it's -- it's -- it's anywhere between 250 square feet and 350 square feet per residential unit in addition to that baseline. So, technically, if the applicant is using the new standards, which they committed to doing, they have to provide a minimum of 1.93 acres of open space on this site. And so just like the previous application, staff has recommended that the applicant provide a revised open space exhibit, either removing those areas from the calculation, so we can confirm that they still meet the minimums, or enhancing those areas, so they can be counted towards open space and what I mean by that is I had a conversation with the applicant on Tuesday and they were toying with the idea of adding

some more pedestrian walkways through some of those areas to create this nice looping path through the development. So, they cannot only enhance the open space, but also add to the amenity or the experience in -- in the development and I thought that was a -- a great idea to do that. So, I'm -- I'm sure they are going to work with me as we transition from this body to City Council, but just wanted to let you know that, again, same issue here, we need to make sure -- we need a revised open space exhibit, make sure that we are hitting at least those -- those minimums and I know the applicant is committed to potentially adding more. I would also mention to you that we have recommended some changes to the site plan that's before you, too, or -- and I'm going to use the landscape plan, because it's a lot less busy and a lot easier to read for discussion purposes. So, essentially, staff had raised some concerns that a lot of this site is amenity and open space heavy on the west side of Titanium and not necessarily east side. But you can see here, based on the schematic that you see here, there is really not a lot of integration between the two developments. It's a road separating the two. Hence the importance of why we need that -- the traffic calming and they enhanced -- the decorative crosswalks at that intersection to help promote some of that connectivity and integrate this site a little bit better. But I also wanted to bring to your attention that the applicant is proposing a trash enclosure in this particular location and you can see here there is not -- if someone wants to get over to the tot lot and the -- the clubhouse, you are going out of route to get there or you are walking through the parking lot. So, staff had recommended that they either shift this trash enclosure or relocate it and, then, provide a more direct connection in this location, so that when you do cross the street and come in here you can just take a -- stay on sidewalk and get to those essential amenities for the proposed development. The other thing as I -- what I wanted to talk about is the concept plan for the commercial development. So, the applicant is proposing up to 18,100 square feet of commercial on this site. So, here is a multi-tenant building here and, then, a potential retail tenant here with -- with a drive through and with the mixed-use developments, again, we try to integrate all the uses and so the applicant was made aware -- at least I shared with them that we were going to be asking for some type of plaza and integrating a pathway connection through the commercial to tie in with this open space as well. We thought this was a good linkage between the two here. So, this will have to get redesigned slightly to include a plaza area and, then, provide a pedestrian connectivity. Again, another decorative crossing through the private street linking this open space with the plaza area that's going to be planned or required as part of the commercial component and, then, ultimately get people out to the seven foot sidewalk along Eagle Road. So, the applicant will work that into their plans as well, but that's -- that's another component of that mixed-use element that needs to be addressed with this particular project. But, again, it has been conditioned accordingly in the staff report. You can also see here that with this application the applicant has provided a fencing plan and I have highlighted what all the different colors mean for you, so you can see how that lays out. But, generally, this is consistent to what the code would require or allow as part of the development. So, really, no real issues with the fencing. The only thing that I called out in the staff report, it -- it appeared that some of the fencing was a little close to -- to the roadway and the code requires that fencing be set back ten feet from the property line. So, applicant Assured me that they could probably accommodate that and make that work. Here is the amenity plan. As I mentioned to you. Similar amenities as the previous project. Staff did condition

the applicant to add an additional amenity from the multi-modal category. They did confirm that they do plan on putting vehicle charging stations in this development just like the one -- all their other developments that they have going on in Meridian and so with that addition staff finds that they do meet the amenity requirements of the UDC. Again, similar building elevations. Same building materials. Pretty consistent theme tonight. Again, just like Sonya mentioned, I really appreciate the fact that the applicant is trying to integrate the commercial design in with the residential. Again, that is another essential component of mixed-use developments and, of course, the applicant will have to require with the -- all the architectural standards manual guidelines in the ASM as well. So, again, generally speaking staff is supportive of this particular project and the design as proposed by the applicant and, again, that -- that second check will be done at the staff level when we do the administrative design review. As I noted previous -- earlier in my presentation, a lot of -- a lot of public comments on this particular one and I can -- you can tell by -- by the audience here tonight that -- I think a lot of it is really the concern of the extension of Titanium. It's what I saw in the -- in that hearing outline. So, I just wanted -- I know you guys had asked me to send over the staff report for the Inglewood development, including ACHD's staff report, which I did, and I think you are very well aware of -- that it was required as a public stub street and stubbed to this property and was required to put a sign up in -- in front of that street that said this is a -- this right of way will be extended in the future. I also want to mention to you that I did receive written comments from the applicant similar to the same information that you had on the previous application. Applicant wants to modify DA provision C in the staff report. Staff is amenable to this. Again, it's the same reasons. The only thing I -- I don't think we need to make the condition as lengthy as the applicant has proposed. The -- the -- the language that they are proposing -- it's -- it's in your hearing outline in front of you, but it does coincide with the Public Works condition that they want modified and has Sonya mentioned to you we have coordinated and we are supportive of that. So, I don't think we need a paragraph of a condition in DA. I simply just want to modify that particular condition as it's currently written to change it from prior to -- final plat shall be recorded prior to the issuance of the first occupancy permit for any structure within this development. That would allow the applicant to still meet their -- get things under construction, bond, and do those subdivision improvements at the same time as their -- they are working through all the other Public Works issues and items that they need to as part of the final plat process. Item number two is the common lot versus the easement for the private street. I think I'm going to stand with how that decision went on the last one. I think it really needs to stay in a common lot. We want to support Ada county as we can. As -- as mentioned in the previous project, this just came about a few months ago from Ada county. What was happening is they were getting quite a few requests for private streets, but they had no subdivision or plat in front of them to even understand how to name them or what was even good. People were just trying to name commercial drive aisles and didn't even have a private street application with the city and so as part of their process they just feel it's - - it's easier to process -- treat private streets almost like public dedication. It's on a plat when you record a plat you show the public right of way on it and this would be no different. It would be a common lot with a street name showing how it aligns with all the adjacent streets and typically this -- the street naming committee -- if that private street aligns with any other public street, it gets named pretty similar to what the public street is.

It would just have a lane at the end of it versus a street, avenue, or road on it. That's really the difference here. So, I -- again, I think -- I think we have kind of beat that one to death tonight and I -- I think you guys are clear on -- on what your purview is on that tonight. And, then, second -- the last item that the applicant shared with -- has to do with that Public Works condition. It's the same 2.9 and staff is -- is agreeable to that. So, we are good with that language as written in that hearing outline. Again, staff is -- finds that this is consistent with the Comprehensive Plan. It does -- with the conditions and the staff report we are recommending approval and I will stand for any questions you may have.

Seal: Okay. Thank you very much, Bill. Would the applicant like to come forward? Good evening again.

Koeckeritz: Good evening. I am still Elizabeth Koeckeritz. Still with Givens Pursley at 601 Bannock and I am still here with the Baron Development team. All right. All right. Good evening again, Planning and Zoning Commissioners. Elizabeth Koeckeritz with Givens Parsley. 601 Bannock. I am here on another Baron Properties project and once again just -- I won't go over everything over again, but we do have Jeff and Matt Riggs here, as well as Greg Hector with Baron Properties, as well as the entire -- most of the development team who will be able to answer questions that I'm unable to. Thank you so much, Bill, for that presentation. We have been working for a long time on this one as well. We have gone through several iterations and we finally landed in what we think is a really good place and this one does have the commercial. Once we have incorporated the variety of mixed-use housing, we have one large -- we have two commercial pads. They are about the same size. One we anticipate being one larger sort of development - - one larger sort of building on it and the other is being built more to be able to divide and have several -- five or six smaller businesses located on it and I will talk more about that in a few minutes. We agree with Bill with all of the conditions, with putting in a better plaza in the commercial area, improving some of our connections, the pathways, the traffic calming that ACHD is requesting. We are agreeable to all of that, except for still it -- it also sounds like we are likely in agreement on all, but one can condition and rather I think than rehashing all of that at this point, I would actually, with your leave, Mr. Starman, the attorney, just ask that the record reflect if this were to ever go up on some sort of appeal, let the record reflect that full discussion that was had concerning it, rather than redo all of that at this point.

Starman: Just -- just for the record I will -- I will say that I think that's a good approach and I would support that and that sounds fine.

Koeckeritz: All right. Thank you. All right. So, here we have -- just skipping through a bunch of our first slides -- the surrounding here is -- as Bill just talked about is our site plan. It's -- to the south there is the R-15 and C-C zoning. There is R-8 to the north and there is R-4 to the east. Properties to the north and east -- the surrounding single family detached residential, those are all one and two story single family homes and so in looking at that the development team very purposely placed one story buildings up adjacent to that fence line and purposely moved all of the two-story townhomes down to the south and down along Eagle Road. We have all been in many of these hearings and we have

all heard neighbors talk about the multi-family apartments coming and looking down into their backyards and so that's the one thing that we don't want to have that complaint ever with these developments. This really is meant to live and work like single family -- standalone detached single family residential housing and all of these houses are very purposely one story in this location. Bill, can go to the next one. The future land use map. It's about a 40 acre area within this mixed-use community area and it really has fully developed with the -- with sort of the vision of the city. From the top to the bottom you have storage. You have an office park. There is some higher density single family residential. There is our development where we are proposing multi-family and commercial. There is the daycare. The over 55 community. And across the street as a Rite-Aid. Notably missing from this is -- without this any sort of multi-family development, which is actually often a -- typically a component in these mixed-use community areas and one thing that has come up is if you also notice the properties to the east -- there were initially some concerns with the neighbors. They are designated medium density residential, which is a completely different type of FLUM designation, which has its own set of requirements and so this property could not be developed in that way, even if we were to come here and want to do that, it really is meant for a mix of some sort of commercial residential development on it, like what we are proposing. Again, there -- I'm not going to go through this as -- in much detail this time. There is the big variety -- the product variety and mix here. Get two story -- I looking for. I apologize. This slide -- so, one of the things that's a little bit just slightly different than the other ones -- the top picture is a picture of our two story -- of our two bedroom, two bath, standalone units. Those all come with -- you can see sort of as you are going into it and we have agreed to widen the drive aisle to the 20 feet -- we have agreed to widen the drive aisles to the 20 feet. I apologize. And so that's one. That's the same similar sort of building, a little bit different setup of how it is here. Then you can also see our townhome units, which turn out to be some of the most popular, most desirable units. There is the three bedroom units. The two end units. And, then, the four in the middle are all two bedroom units and they still have that in -- under -- that tuck under two car garage. I think we can keep moving forward. This is our one bedroom, one bath, duplex again. And the townhomes. The clubhouse here -- it's -- let's go -- so, here we have the clubhouse. Once again, it's laid out very similarly. You walk in, it has all of the same sort of high end amenities. A coffee bar. A Zoom room. App enabled fitness equipment. There will also be the leasing office here. You walk through it out into the pool area, which also includes -- it's a resort style pool with the really nice furniture, hot tub, and also adjacent -- here again is the tot lot. The detached garages with storage -- once again as we talked -- and I actually have a parking exhibit here -- there are -- there is both these garages. We now have more of the two bedroom with attached garage and all of those townhomes that also include attached garages, which is something that the residents really do appreciate actually having the real garage space. The community amenities are close to the same as last time, including it does have the dog park with the walking path on the north side. Inside the clubhouse -- it's a 2,780 square foot clubhouse with the pool, large pool deck, hot tub, the tot lot. There is also the community garden at the corner of Publisher and Titanium and we will be providing those additional pathway connections that we talked about and one of the other things -- since trash did come up -- is there is also a trash valet service where they mention that every day if you leave your trash on the front step someone will come along

and pick it up and take it to the dumpster for you and this seems -- I did not know this happens -- that this could happen. This is a really nice -- I'm also considering it in amenity. They also -- they do include the EV charging stations. One thing that Baron does is -- they are currently going to put in four right now, but they do install the infrastructure throughout. So, as EV vehicles become -- electric vehicles become more and more prevalent, it's easy just to, then, pull it up, instead of having to go back and lay all that infrastructure again for those charging stations. The interior amenities are the same as before. They really pride themselves on the high end amenities. They are really nice finishes. We actually have a parking exhibit on this one that really helps lay out the different types of parking. As mentioned there is 274 parking spaces for the multi-family portion and that doesn't include any parking on Townhome Drive or on- street parking on Titanium or Publisher Streets. If you look, the open parking is the aqua blue and that's just more of the standard parking lot parking. The covered parking carports are in green. The standalone garage buildings with the storage attached, those are in red and, then, any building with an internal garage is shown in royal blue and this also does not include the commercial parking, which is an additional 55 spaces. Okay. Moving on to open space. We -- let's see. Per the two kinds of open space in the development code, we need to provide about 1.95 acres. We were providing approximately 2.25 acres, but now we are -- backed off on that a little bit. On this development -- so, we -- also we will be submitting an updated open space plan. However, on this development we are confident that we are going to hit the open space requirements. We don't think that alternative compliance is going to be required. We know a couple places where we can put it, where we can look at things, where we can really make sure that this is inclusive and it does check all those boxes. Once again each unit does also have its own private open space, ranging from -- for a one bedroom 509 square feet between the patio and the yard, up to the three bedroom units have a total of 681 square feet. Once again, the townhomes do not have that private fenced area, but -- so, they have their patios, which are 92 to 94 square feet, but they still do have that smaller grassy area, it's just not a private fenced area. Pathways. You can see here that there are a lot of connections and we are working with staff on making sure that we incorporate all of them that they are looking for. There is going to be one near a trash enclosure to make it easier to go straight out sort of from the clubhouse area across the parking lot to get to Titanium Street. We are going to look at more decorative crosswalks and different traffic calming devices, things that -- that -- what the city and ACHD will sign off on. And really -- yeah. Services and utilities -- we are -- sewer and water are adjacent to the property. Police and fire can serve the site. One question that came up in comments was what about the irrigation water and in this case there was enough allotment from purchasing the property for -- that we have sufficient irrigation water on the property and will not have to go and use any other second source or find a second source, that there is enough water for irrigation with the property, of course, as it works, if we are really low on water everyone gets their pro rata decrease. But there was enough water with the property purchase in order to fully supply their irrigation. And, then, ACHD has reviewed and approved the traffic study and all of the conditions of approval are acceptable. Just the roadway connectivity. Bill went into it quite a bit in his discussion, but what we also went back -- because we do understand there is the concerns with the extension of Publisher and Titanium. This is recommended by both ACHD and the city and it complies with ACHD's continuation of streets policy.

So, I did go back into the traffic impact study and looked at what is actually going to be coming from this development onto Victory Road at the access where Titanium will hit Victory Road and going out -- the estimates are going out in the a.m. peak hours there will be 20 trips, coming in will be seven in the a.m. and in the p.m. there will be 17 and -- 17 going out and 17 coming in and so while there is -- there -- I mean there -- you can't deny that is somewhat of an impact. That's not -- I hope that gives some relief to people that this is not -- that although there is traffic there will be some increased traffic. Any development has traffic. That these are not huge numbers really super negatively affecting this one intersection. And finally -- so, for commercial, there will be a maximum of up to 18,100 square feet of commercial and it fronts Eagle Road, which makes it pretty desirable commercial area. We exceed the required parking. Because the tenants are not yet known and this does have to go through design review, these are illustrative drawings only. However, we anticipate having one larger tenant and the smaller tenants that you can see on the bottom. We understand Bill's comments about the plaza and making sure this all connects better and so we will be working with him on that. Finally, the conditions of approval -- you can't really read them here and I don't want to say that we are one hundred percent in agreement with Bill's conditions, because we want to have the opportunity just to think through it and digest it, but we are certain that we can reach something that would work for that particular condition. And with that we would ask for a recommendation of approval to the City Council and I will stand for any questions.

Seal: All right. Thank you very much. Commissioners, do we have questions for the applicant or staff?

Smith: Mr. Chair?

Seal: Commissioner Smith, go ahead.

Smith: Just a question on one of the last points around that commercial space. I know some of the -- some of the -- the public comments were -- were desiring, you know, more kind of public facing retail, things like that in the area, rather than residential. I'm just curious, are you -- did you design those spaces or are you kind of conceiving of these spaces with a certain type of commercial inhabitant or is it kind of TBD?

Koeckeritz: It's -- well, the thought is is that there will be one that will be something a little bit bigger, something like a pharmacy or a bank or it could be a restaurant, maybe a G&C, a specialty retail, something like that on the bigger pad and, then, on the smaller -- well, I guess the pads are about the same size. But on the one where we are depicting a larger building. And, then, on the other lot we see more of like -- because it is able to be divided into smaller units, something like tutoring, an accountant, and maybe a salon. But just some smaller more locally serving businesses there.

Smith: Okay. Thank you.

Seal: Will those commercial units be available for live-work or not?

Koeckeritz: There are no live-work units, Commissioner Seal, on this one.

Seal: Can you tell I really like those? Sorry.

Wheeler; Mr. Chair?

Seal: Go right ahead.

Wheeler: Thank you. So, you mentioned what the -- or Elizabeth; right?

Koeckeritz: Yes.

Wheeler: Did I get it right? Still. Like you said just still; right?

Koeckeritz: Yes.

Wheeler: Had a question -- you mentioned about Titanium -- and this is -- if you can leave it right here, Bill, this is a great spot here for just some of my questions. You mentioned that on Titanium as it goes southbound and it intersects with Victory Road, that -- the traffic counts on that; right? But we know that there is 133 doors, I believe, in this -- in here. So, with 17 going in and 17 going out, that leaves unaccounted a lot more traffic. So, what did the traffic study say about will be entering onto Eagle Road?

Koeckeritz: Okay. So, the traffic study breaks it down at -- you know what, I think I did a slide for this. Let's -- go to the far end. I think it's the very last one. Oh, no. We didn't include the slides. That's the mitigation. So, if you look at -- ultimately 65 percent of the traffic heads north on Eagle, 25 -- let me -- let me just confirm. I have this all flagged here.

Wheeler: And just for the record just make sure you can speak into the mic, too, please.

Koeckeritz: I thought I had this -- I apologize. I thought I had this one flagged, but I will find it quickly.

Wheeler: You are fine.

Koeckeritz: Okay. Twenty-five percent of the traffic overall will go south out onto Victory Road. South down Titanium. Forty percent of the traffic is estimated that it will go up to EasyJet and, then, jog over to Eagle and 35 percent of the traffic will go in and out -- 25. Yeah. Thirty-five percent total will go in and out on the Eagle Road access. So, then, ultimately 65 percent of the traffic ends up heading north on Eagle and seven percent of the traffic ends up heading -- no. Thirteen percent ends up heading east on Victory, 20 ends up going south on Eagle and it looks like eight ends up going west on Victory.

Wheeler: So, on peak hours, then -- so, let's go like a.m. peak. What are we looking at for like northbound, southbound traffic? Mainly it's going to be northbound traffic on Eagle Road at that entry point.

Koeckeritz: So, northbound traffic at EasyJet?

Wheeler: No. At the entry point at A.

Koeckeritz: At the entry point at A. So, that is -- the entry point at A is from this development -- and I can dig into here and eventually find the total traffic numbers on Eagle, but from this development there will be 21 going out and heading north and nine going out and heading south and nine coming in from the north and four coming in from the south.

Wheeler: Okay. And, then, on EasyJet you are saying that the traffic was -- that's where the --

Koeckeritz: Yeah. EasyJet is the big inter -- is --

Wheeler: Yeah. The one.

Koeckeritz: One. And that one is showing -- and this is -- if you have -- and I can provide you this information later. I believe it's probably attached somewhere. Is that going on EasyJet, which is number one, 32 cars at that intersection will be turning north out of EasyJet in the morning, 21 cars are going to be -- from this development will be going north through the intersection. Ten cars will be coming down through the intersection to get to the turn in and 15 cars will turn on to EasyJet.

Wheeler: Okay.

Seal: That is the most thorough traffic demonstration I think I have ever seen.

Wheeler: Ditto.

Seal: Can you do that with bikes now?

Koeckeritz: I would love to.

Seal: Just kidding.

Koeckeritz: Right about now I'm really wishing we had -- wish the traffic engineer was here.

Wheeler: And I do appreciate you digging for the questions, instead of what we normally get, which is, I don't know, I will get back with you. So, I do appreciate you digging that up. I honestly do. Somehow there is -- something's not getting accounted for, because there is 133 doors. I'm not saying that you -- not at all. Okay? I'm just saying that there

is going to be more traffic than I think what's getting projected coming out on that side of things and especially on that -- on that road itself, so -- no. No. None of that. None of that, please.

Koeckeritz: I can get -- I -- I got more numbers.

Wheeler: No. No. No. I know you do. And I trust you on that.

Koeckeritz: I can --

Wheeler: And you are --

Koeckeritz: -- anything else?

Wheeler: No. This is -- this is good. Thank you. I do appreciate it. And I'm and I'm done I think I put took way more time Mr. Chair by asking that but thank you.

Seal: And -- and I will -- I will ask you to address the -- kind of the -- the traffic calming and traffic mitigation that's going to happen there, excuse me, on that road, specifically as it relates to the -- the property to the south. So, just -- can you explain that? Because that is a long run of road and I completely understand that -- I mean that -- that is a connection that was going to be there when, you know, the application was put in in 2019 and approved to have the -- to -- to have the development to the south. But I would like you to speak to how the traffic -- traffic calming measures are going to be put in and what that amounts to.

Koeckeritz: And so at this point in time, Commissioner Seal, it is still being discussed. There are different sorts of things. ACHD doesn't -- some things that you think would be no brainers are more difficult to convince ACHD to bite off on, like doing speed bumps, things of that nature. That's not saying they can't be done. You can sometimes talk them into sort of the decorative crosswalks, the colored crosswalks. Just having it striped helps a lot there. There can be traffic bulb outs. These are all issues that are still being discussed, because it is something that we do know is important and it's looking at it there and up a little higher just to make sure that we have as much as possible to slow people down through here.

Seal: Okay. Commissioner Grace, go ahead.

Grace: Mr. Chairman and Elizabeth, just -- based on the traffic study information you just gave us, can I put that into context -- to your -- in your experience and history with this project is the EasyJet Drive the -- the issue that's being kind of -- that's causing the concern from citizens?

Koeckeritz: The concern from -- Chair, Commissioner Grace, the concern from citizens in the file is from where it goes south on Titanium out to Victory has been the primary concern, because we actually held -- the development team did hold a second public

meeting on this to meet with the neighbors. Unfortunately, it doesn't seem like there were representatives or really the people in that retirement community knew much about it so they could talk about it, but there have been ongoing discussion. So, the big -- the lion's share of the comments in the staff report are about it going south. There have, of course, been comments from other people, but most of them are going south.

Grace: So, then, is there something developed there that's not reflected on this map that I'm looking at?

Koeckeritz: Yes.

Grace: Okay.

Koeckeritz: There is. And it's really new, which is -- the whole area is under development. I don't know if Bill has a better map of it. I don't think I do. This shows that there is a --

Grace: Yeah. Okay.

Koeckeritz: Yes. That there is a retirement community there. Senior living community.

Grace: Okay. Thank you.

Seal: Any other questions?

Seal: Anymore questions from the Commission? All right. Thank you very much.

Koeckeritz: Thank you.

Seal: Madam Clerk, shall we start?

Hall: We shall. We have no one signed up online.

Seal: Real quick. Can -- can we start with -- I know this is out of order and we generally don't do this.

Hall: Uh-huh.

Seal: Can we start with the person that is going to be the spokesman for the senior living center? Sorry if that takes things out of order, but I figured --

Delaney: Hi. I'm Lorie Delaney. I am the assistant manager over at the The Point and am here to represent The Point at 3123 South Titanium Avenue.

Seal: Thank you.

Delaney: I'm just going to read this. I have not done this before, so I am an extreme novice. We are here to oppose the opening of 3123 South Titanium Avenue as a go

through thoroughfare. This road has been a destination only road. There is no traffic, except for those going to their homes or families coming to visit their loved ones. Opening this street to allow access to a huge residential and business area is going to be detrimental for the safety of our residents. We have the -- the community is divided into -- we have a main building -- I can't see this -- we have a main -- oops. Excuse me. We have a main building and we have 80 -- 86 residents that live inside the main building and, then, Titanium divides the main building from some independent cottages out there. So, it -- it -- literally it goes right down through the middle of the building. The residents that live here come over to the community three times a day for meals. They also have to pick up their mail in the main building and also have to come to the building for activities throughout the day and they are provided seven days a week pretty much one every hour, hour and a half. Having cars zooming up and down this road is extremely unsafe for these elderly residents. Some have walkers, they are on oxygen and have very poor hearing. To have a large volume of traffic driving through this area is very unsafe. We also have a dog park that's located across from the main building and many of the residents that live inside also have small pets that they take over there multiple times during the day. In the morning -- and just to elaborate a little bit. I literally live in the Sutherland Farm Subdivision and I live -- I -- I live on the other side of the fence, so I drive to this building every single morning between 7:30 and -- 7:15, 7:30 In. The morning it's dark outside. When breakfast is served these residents will be walking across a busy road in the dark for their first meal of the day or going back home to their homes at night in the dark. The chance of someone getting hit by a car or not hearing a horn honk is a huge safety concern. These people moved here to live in a safe, quiet environment. Opening this road will leave not only people using it to access their homes, but also as a shortcut to avoid the intersection of Victory and Eagle and all due respect, ma'am, I totally disagree with your numbers, because I live there and I see the -- the traffic. It's nuts. There will also be -- this will also be used as a shortcut through this area to cut through the new area and pop out on Eagle Road, avoiding the light at the intersection. Also because of all the traffic in the morning and at 5:00 o'clock the lines of traffic are so long that if -- that you -- you can't hardly even get into the main entrance. There is a turn lane that goes west on Victory and then -- it goes west and, then, it turns to go south on Eagle Road. That gets so blocked up that you can't -- literally I cannot even get out of Titanium myself to go home, because I turn and go east. In the mornings using this area to drive through to get out onto Victory Road will cause cars waiting to turn east out onto Victory to be stacked up inside our community, because they can't get out. This is also unsafe for our residents. I have worked in this area for over 28 years and have driven all over this valley. There is not one senior living community in this whole valley that has a major thoroughfare going right through the middle of it. I ask the city leaders -- the Commissioners and the Chairman, would you feel comfortable placing your parent or a loved one in this area knowing that the street is going to be like a highway? I also challenge all of you involved in this project to come and see the volume of cars that are at this intersection between 7:00 a.m. and 7:30 and 4:30 to 5:30 p.m. each day. There are other alternate routes to get into this new area. There a fire road out behind us that has access to come into this new area. There are also areas where the homes were removed, that have entrances that could be made in and out of the new development. With the two stop lights, the one on Victory and the one on EasyJet in this area, which

would make easy access in and out of that new area, because when those lights are red you can just turn and you can go in and out, it would be very easy. A road could also be put in behind the garage area of our community which would keep the traffic from blasting through the middle of our residents' homes. We are here and thank you and we just, please, ask that you will consider these -- these other options. Thank you.

Seal: Real quick I got some questions for you and -- and -- and I will ask this for the benefit of others that have the same -- that are going to have the same concerns. So, earlier Bill had a graphic up there and -- and it actually showed the posting for this and - - and on that there is a big sign that's up against the road and what does that sign say?

Delaney: It says that this is a go through road. But I can tell you right now I have been working at this building since it was a shell and that sign has not always been up there.

Seal: But the sign is just a sign. So, when -- when the road goes through the road is supposed to go through.

Delaney: Right.

Seal: You do realize that ACHD controls the road, not the City of Meridian, too?

Delaney: Right.

Seal: Correct?

Delaney: Yeah. I do.

Seal: And so when -- when the application come through it came through and I read through the application for the development for the senior living community and there were several concerns raised by staff, by the Council, and by the Commission at that point in time about this very thing and about the layout of the property. Part of that was the applicant, which is this business -- was supposed to -- was supposed to work with ACHD for traffic calming measures and for any kind of traffic mitigation. Did any of that happen?

Delaney: I have no idea.

Seal: Okay. Are there any crosswalks?

Delaney: No. Well, we have crosswalks -- we have a designated area for wheelchairs, but there are no crosswalks.

Seal: Okay.

Delaney: We were told there would be no speed bumps put in, no traffic lights, nothing to help our residents get across the street safely.

Seal: Okay. So, that's -- that's my questions and concerns about this is -- is in 2019 these -- these concerns were brought up and nothing has been done to address them and -- and now this street. Okay. And now this street that has to go through, because it is an ACHD road -- we are at this impasse.

Delaney: Yeah. Well, it's -- it is what's going to be. I can -- I can assure you that somebody is going to get ran over and that's really sad.

Seal: It is unfortunate, but I -- I'm -- I'm reluctant to say that it's the city's fault or ACHD's fault.

Delaney: I don't know whose fault it is.

Seal: Okay.

Delaney: All I know is it's -- it's been very upsetting, because we just in the last few months found out that the road was for sure going through, because the sign got put up, because there wasn't a sign on that road for a long time.

Seal: But, again, during the application that was made very apparent to the owners.

Delaney: Well -- and shame on them.

Seal: Okay.

Delaney: Yeah. Just -- just wanted to make that point for the record, that -- because there -- there is a lot of people on record -- on the public record. We read every piece of public testimony that comes in and -- and this is the main concern. But I just wanted to make sure that this is something that --

Delaney: Yeah.

Seal: -- people understand. This is not -- this is not something that the city can control. This is something that ACHD controls and there is not much that we can do about it.

Delaney: Well, maybe the owners need to get with them and see if there is something they can change.

Seal: I completely agree.

Delaney: Because it's going to be unsafe. Thank you.

Seal: Uh-huh. Madam Clerk?

Hall: David Bailey.

Bailey: Again David Bailey. Bailey Engineering. 11198 East State Street in Eagle. And -- and representing the -- the owner for some questions. I won't go through the other stuff we had before, but I would stand for any questions you have. I -- I do have one comment relating to the road there and the developer who developed those houses and the -- the -- the -- the apartments that are across the street from them where their facility is was responsible to do those improvements on that road and was required to make that a public street and that is noted on the plat that that street will be extended in the future that's on the thing there. What I would suggest is that -- and I would be glad to help if we can -- or I'm sure your staff would be glad to help as well -- is that the residents there talked to the owner of the -- of the facility about improving the conditions for crossing -- crossing Titanium. I think there is -- there is options to do there; right? You can paint a crosswalk at least, right, and you can -- you can put in some narrowing in the road in there. There is -- there is some things that can be do -- that can be done to help you with this situation. And just to point out, we originally, way back when we first started working on this, we -- we took that street and turned the corner directly into the subdivision to the east and were going to leave Titanium out with a -- with a cul-de-sac at the north, just so we wouldn't have the -- the through traffic through the site. Your staff and ACHD said absolutely not, you are connecting all those roads. That's going to happen. So, just this -- the -- the -- the point on that, that -- that -- to follow through on that. So, other than that I would be glad to answer any questions you have about the -- about the development from the engineering perspective.

Seal: I -- I would ask you the same question that I asked previously to see if there is a more robust answer to kind of the Titanium Way and -- I can't remember the name of this little road here, but as far as the traffic calming measures are going to be put in there, can you comment on that or is really that just --

Bailey: Yeah. We will --

Seal: And -- and I understand -- yeah. And I understand that ACHD is like no stop signs, no speed bumps. To me that's kind of common sense mitigation, but how do you work around that.

Bailey: You do a couple that are common and we have looked at a couple of things on the -- two of them -- the one that we do the most common are called chicanes where we narrow the street into 24 feet back -- back of curb and we will probably do that in two locations. We can do that at the intersection of the road to the east and of our entrance at the south end and you just bulb out the corners where the sidewalks come, it makes that great place to walk across the street there. They are really close and you can mark that well and so that's probably what we will do is -- is bump out the corners of that intersection between Titanium and -- I don't know -- oh. Publisher to the east there for the first piece and, then, to north we will probably put a chicane in that curve at the -- at

the north end of the property to do that. It should be -- it should really slow down traffic there -- would be the most convenient way. And, then, we will mark those crosswalks --

Seal: Okay.

Bailey: -- that come across there.

Seal: Thank you. Commissioners? Okay. Thank you so much. Madam Clerk?

Hall: Mr. Chairman, there is no one. No one else has signed up. I'm sorry.

Seal: Anybody else like to come out and testify? Go right ahead, sir.

Riggs: Yeah. Hi. My name is Matthew Riggs. 529 West Fordham in Eagle and just want to reiterate -- you know, I think a lot of the concerns relative to Titanium and traffic are really concerns of ours as well and why we are talking about these mitigations. You know, there is going to be senior citizens in this community and, then, there is going to be a lot of families with young kids. So, you know, I think that the way that Titanium has been drawn and shown here, you know, gives it a little mitigation, making -- making people, you know, not go straight down north-south, it does have a little turn in there, but we are, you know, working hard with staff and will continue to do so to -- to try to find anything we can to -- to mitigate, you know, that -- that rush through traffic risk, because as dangerous as that is, you know, at 7:00 a.m. going to breakfast, you know, last thing we want is a four year old living on our site chasing a soccer ball and -- and having the same thing. So, just wanted to note, you know, for the record that we really are I think aligned in a lot of ways about how can we go about mitigating this traffic risk and, you know, for the record we would be more than willing to meet with the property owner to the south and try to coordinate those efforts, so at least it's, you know, the same, you know, picture through and through. I mean, you know, we will throw things out there, but I just wanted to note, you know, that really is -- as a focal point of ours. I mean life safety is number one. Last thing we need is -- is anything on our side or from the neighborhood that's -- that's an issue. So, you know, traffic will increase with -- with our -- with our development here if it moves forward, but, you know, we are really standing by to mitigate the risks associated with that and we are not unfamiliar with ACHD and, you know, we are quite accustomed to working through these type of things with them and -- and are standing by to do so. So, thank you.

Seal: Thank you very much.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher.

Lorcher: Ms. Delaney, do you think the owners would work -- work with the developer to come up with a solution that is safe for your community, as well as the new? Are they here tonight or no? Do they -- are they in state?

Seal: Hold on a minute. Why don't you come back up if we are going to go ahead and ask a bunch of questions. Thank you. That's okay.

Lorcher: It was just going to be one.

Seal: Let's -- let's -- let's go ahead and have -- have that repeated so it's on the record.

Delaney: They are in Utah.

Lorcher: Oh, they are in Utah.

Delaney: Yeah.

Lorcher: Do they own other senior centers, too, or is this the only --

Delaney: This is the -- this is the -- a pilot. So, they are building others, but this was the first one. So, obviously, mistakes were made.

Lorcher: Okay. All right. Well, thank you for coming up. My questions are now done.

Delaney: Is that it?

Seal: All right. Thank you. Ma'am, you want to -- come on up and testify. We will need your name and address for the record, please.

Montgomery: My name is Bev Montgomery. I live at 2560 South Teddy Avenue, which is in the Sutherland Farm Subdivision. I did not plan to speak tonight, but I feel great concern for my neighbors here and I know that in the morning I don't have to, because I'm retired, get up and get down EasyJet to get out to Eagle Road, but the folks who live across the street in the subdivision across the way that time -- and my children who do have to go there and get kids to school, have a very difficult time getting out and just recently I had to get to -- down to St. Luke's Hospital. I did not know that from my place, which is really two miles, but it was going to take me 35 minutes. So, all of this adds to the congestion that for us is really really difficult and we have many children that need to get to school and we have many young families in Sutherland Farm that need to get to work and to add this many more people to that mix and just -- my concern about the crowded schools that we have, I just -- I just want to be noted that it's -- the quality of life, if you have to go out and get on Eagle Road, is jeopardized. Thank you. Thank you for spending your time here listening to our concerns and we are greatly concerned. Thank you.

Seal: Thank you. Is there somebody else? Come on -- go ahead and come on up. Good evening, ma'am. I will need your name and address for the record, please.

Jenks: Okay. I'm Jennifer Jenks. J-e-n-k-s. I live at 3532 East Beamer Court. I am actually on this -- can I use this map? Maybe. So, if you have Titanium Way that they are proposing, if you will go over two streets, I am the street called -- I'm on the corner of Baystar, which is actually the street that comes from EasyJet -- it goes out to EasyJet and out to Victory. So, I'm the one that everybody's using right now. Yeah, I would have to side with the residents here. We can't do anything now about our streets, but certainly if we could keep them safer I would definitely side with that. Having said that, definitely Easy -- Eagle Road, Victory, EasyJet at 7:30, all of those traffic numbers are highly -- they are way low. I go out there all the time to get my daughter to high school, to get my elementary kids to where they need to go. It takes me -- where the schools are maybe five minutes away, it takes me at least 20 to 30 minutes. Let's see. What else? You have got all the high schoolers, first of all, that in those early morning hours they have to get to high school, they are going down Victory, EasyJet, Eagle Road. So, again, all of those numbers are very low and we have lots of -- not necessarily cognizant drivers who are going to go slow and so that might be something else to consider. Obviously, ACHD -- we have been through this before with our subdivision, with the complexes there on Overland Road and -- that come between Cloverdale and Eagle, we had the same issues with them. ACHD would not put another entrance out to Cloverdale and so all of those residents now come through our subdivision and down my street. So, I guess that would just be my two cents in maybe helping these guys back here. I can't help myself anymore and just more information maybe from a different perspective. Anyway, thank you.

Seal: Thank you very much. I can speak for myself on the Commission -- I can't speak for other Commissioners, but I think if you live in any part of Meridian right now we are sympathetic to the fact that traffic is horrible, so -- I mean my -- you know, just this evening I had to wait through three lights southbound on Ten Mile crossing Cherry Lane. That's not normal generally speaking, but it happens. So, I -- I -- I feel your pain for sure. So, with that -- ma'am, you raised your hand, would you like to come up?
Good evening. We will need your --

Skinner: Thank you for listening to us. I live in the point also. I have a cottage that's --

Seal: Ma'am, I will need your name and address for the record. Thank you.

Skinner. It's Ritis Skinner. It's R-i-t-i-s. And I live at 3123 South Titanium Avenue, but I live in a cottage across Titanium. My concern is we have the need for ambulance and fire all the time. If we have another group that densely populated you are going to have a lot of police and fire coming in there also and I say the ambulance and the fire truck always come together. So, there is a -- a dual situation. So, I think what they are saying with their traffic report is way way low. Plus the fact that to get that large of equipment in there is very difficult. So, I think the narrowing in the street is a great idea if it's just passenger traffic, but what about the emergency traffic? You have very limited access to that large group of people. There is the -- Titanium and clear over to EasyJet. So, I see many mornings where the traffic is solid -- all Victory and all up and down Eagle there is absolutely no way that people are not going to see that access and cut off that whole

corner, go through Titanium and come out on EasyJet. I -- I just am very concerned for the people that live there.

Seal: Okay. Thank you very much.

Skinner: Thank you.

Seal: Sir, come on up. Good evening, sir. We will just need your name and address for the record.

Koonz: Carl Koonz is my name. I live at The Point. My address there is Apartment N113. I can appreciate the fact that you are not going to be able to do anything about the highway, but at 96 I'm concerned about my welfare, along with all the rest of the older tenants at The Point. So, all I could do is ask you to do everything you possibly can to protect our well-being. Thank you very much.

Seal: Thank you, sir. I appreciate that. Okay. Anybody else like to come up? Ma'am, go right ahead. We will need your name and address for the record, please.

Richardson: Leann Richardson.

Seal: Oh. Please speak into the microphone.

Richardson: Sorry.

Seal: That's okay.

Richardson: Leann Richardson. 2760 South Proud Way. I'm in the Sutherland Farm.

Seal: Okay. Can you pull that a little bit closer to you?

Richardson: I could stand closer to it.

Seal: Okay. It will pull to you, too, there a little bit. Yeah. Thank you.

Richardson: Okay. My only question is -- what I have gotten from this is this is a wonderful proposal that they have, probably the best that I see anymore. Usually it's three and four story apartment buildings jammed in. But it's not -- you don't control the roads, but you control the building. So, I hear, well, we can't do anything about the roads. So, where is the standoff here? Do we just continue? I -- I'm -- I'm naive about the whole thing -- that the roads are our issue. We cannot move all of these people, but yet we continue to build these big apartment complexes that impact everybody. So, I don't -- what's -- what's the answer to that? I don't know.

Seal: Well -- and -- and the best answer I can give you and -- and a statement that I have made in a few applications that have come through is if you are here to talk about the

roads you are at the wrong hearing it. ACHD is who owns the roads and for the most part dictate what we can do with them within the city. When it comes to a public road like this. So, the best answer I can give you is contact ACHD.

Richardson: Well, it doesn't work too good for you guys, but I will try.

Seal: Okay. Thank you. Anybody else? All right. Nobody else has signed up. Nobody else is online. Would the applicant like to come back up? I won't forget that this time.

Koeckeritz: Thank you. Elizabeth Koeckeritz: Givens Pursley. 601 Bannock. As expected we agree there is very little that can be done from the city's perspective about many of these streets, intersections. If we could go to our very last slide. I just wanted to make a couple of points. First there is already a second connection onto the development from Victory Road. That's that access easement that's going to go right next to the daycare. It's closer to Eagle Drive, so there is already some access there. It's not considered a real street. It's not included in traffic count numbers, but it is -- there is that access over there. So, where the manager -- I have missed her name. I believe was Ms. Delaney something. Lori Delaney was speaking about it. We already are using that access, which, then, especially for the commercial traffic, should keep some of that from going through the Titanium area development. I also just wanted to reiterate what Matt Riggs said. He is one of the two owners of Baron Properties and the company is really committed to working with the developer -- with -- with the owner of this senior center to try to come up with the traffic calming measures, both on our property, on theirs, to try to make something work, because it really is a big issue throughout. There was a comment made about EasyJet Drive and that's where if you go to our very -- very last one, the only -- all the intersections and roads are continuing to operate and at an acceptable level, except for eastbound EasyJet in the morning. Eastbound EasyJet coming out at 1:00 o'clock to turn north onto Eagle Road is not operating acceptably now, it's not operating acceptably in the future. Our development doesn't really have anything to do with -- if those numbers don't change and this intersection doesn't get any worse. There were some recommendations in the traffic study on one of the things we could get to make everything work better would just be if ACHD did some restriping of that lane and made a dedicated left turn lane heading north out of EasyJet from the east side heading north. So, there is just a dedicated left turn lane. All of a sudden all the wait times get better, everything improves according to the traffic engineers and I can appreciate we all have sat in traffic and especially right now there is some temporary construction on Eagle, but the traffic engineers that we use they do actually have degrees in traffic engineering, they really spend a lot of time doing this. All of these reports are standardized, they all follow the same national standards that are used both here in Idaho and across the country and for the most part we all know the feeling of -- but this is too long, but they really are out there following these national standards and guidelines when they put these together and so that's what's here was the findings and the mitigations are simply that the only intersection that is really operating at the level F is that EasyJet going east. I think -- and with that we would just stand for any questions -- any last questions and ask that you approve -- recommend approval of these applications.

Seal: Okay. Do we have any further questions for the applicant? Commissioner Wheeler, go ahead. Thank you, Mr. Chair. Elizabeth, just a question here. So, you are talking about some traffic calming measures and trying to work on some things like that and I'm -- and -- and there was a comment about making the roads narrow a little bit and bringing back up. Are -- I don't know the level of aggressiveness for traffic calming measures. I'm not a -- I'm not a civil engineer, but have -- would -- would your -- would your client look at like -- possibly even like roundabouting or making the -- making the road more serpentine? I know that the roads we don't control, but I'm just saying other sort of more aggressive measures on slowing down traffic there.

Koeckeritz: I think that they would consider that, but I think that they would really be more looking at the -- like the more of the traffic bulb outs, because when you do have those going on any street -- like, for instance, if you are in -- and I don't know where there are so many here in Meridian, but in like the north end of Boise it really slows things down. Like you think you are moving along and you really do come to this very -- you really definitely slow down a lot and the crosswalks make it really obvious that there is kids there, there is pedestrians there, there is someone standing there who is trying to cross the street. I can just tell you that -- so just indulge me for a second. I -- my house is almost seen on this map here. So, I live -- I have lived here for six -- 17 years on this area and I have dealt with this here a lot. I'm reading -- I'm reading right here where it says there is 26 crashes, 15, and one fatality and that fatality was a schoolmate of my son's, Mason, whose red marked lines is right there at level one. That's where he died. My -- I have a very very dear friend got hit by a vehicle, broke his scapula. Boy, if there is a nurse in the room you know to break of scapula is near impossible. That's -- that's the traffic issue we are dealing with here. It's at that level and I have avoided I don't know how many accidents by people almost pulling out in front of me, getting me boxed in, up and down this road and I'm just trying to go home and see my kids. It is -- it's that level. And, then, you have got the traffic between 7:30 and 8:00 before school starts. This is -- any opening space it is zipping in and out, so, then, the high schoolers can turn to go to Mountain View using the back roads and, then, it's just a race to get back there to hit their Dutch Bros or Human Bean and, then, go into school. That's -- this is the normal traffic thing. Backs up for ten minutes to get to the Interstate. That's just what it is. That's the concern that's kind of being brought here and the traffic mitigation coming through Titanium is going to -- they are going to funnel that way and they are going to try to cut off the intersection that's right there on the traffic congestion, because it backs up a half a mile to three-quarters of a mile either direction at the peak times and it's just -- there is just a lot of pressure and tension all the whole way. So, anything you guys can do in order to help mitigate that, anything you can do to help any sort of traffic calmingness, with those things in mind to the -- to the strongest amount means a lot on that for everybody that's been living in this area for a -- for a hot minute.

Koeckeritz: Thank you, Commissioner Wheeler. We will definitely take that to heart. I know both the owners are here and they are listening and they have been speaking as well

Wheeler: Thank you.

Seal: Okay. Commissioners, nothing further? All right. Thank you very much. Appreciate that. And with that I will take a motion to close the public hearing for File No. H-2022-0066.

Stoddard: So moved.

Grove: Second.

Seal: It's been moved and seconded to close public hearing for File No. H-2022-0066. All in favor, please, say aye. Opposed nay? Motion carries.

MOTION CARRIED: ALL AYES.

Seal: Who would like to go first? Commissioner Lorcher? Yep.

Lorcher: Well, if anything that this hearing has provided is an open dialogue between the owners of the development and the representatives -- the community of the senior living to be able to come up with some solutions so that your community is safe and that they provide a good -- be good neighbors and so as city volunteers, you know, we don't have a voice with ACHD, but -- or we don't have any decision makings with ACHD, but it sounds like between the owners of the sub -- the proposed development and the owners of your community I think efforts have -- can be made to make it work for everyone. Is it perfect? No. Titanium was always planned on being a -- a through street and as Commissioner Seal said in the application for when your community was developed it was addressed at that time. So, as a -- as a body that makes recommendations, it's hard for us to evaluate. We need to evaluate the entire project. Is it in the best interest of the city, but also take care caring of our community at the same time. I worry that this -- this is a very nice development and they are very conscious about how they want it to look and -- and the way it happens. If -- if we went to decline it and the city went to decline it, what happens next? Like would it be three story apartment buildings, because those are approved there, too. The example that came up a couple months ago was off of Chinden. There was a storage facility being proposed on Chinden between I think Black Cat and Ten Mile and, then, Rock Harbor Church came in and it's like this huge three story building. So, you sometimes have to be careful of what we wish for, because if it's not this development it's going to be another one and it may be owners that, you know, aren't as caring that want to work with you. So, in that respect I would be inclined to approve this development, because there is now a mechanism and a conversation between the owners of the development and, hopefully, representatives of your community that you will come to a conclusion and a solution that everybody becomes safe. Thank you.

Seal: Very well said. Commissioners?

Smith: Mr. Chair?

Seal: Commissioner Smith, go ahead.

Smith: Thank you. First off I want to say thanks for covering pretty much every question I had. Every time I thought I was about to ask a question you beat me to it. So, thank you for that. As I'm recovering from whatever I have, saving my voice, I appreciate -- just a couple of thoughts. I echo pretty much everything that's been said. I also have the -- the privilege to be on the Transportation Commission for the city and so for the developer -- for the applicant, for the community, for the representative of the senior center, just some thoughts about potential, you know, things that they can benefit going forward. ACHD -- they -- they have some -- some really smart people who work there. I think if you talk to a lot of people who serve on the Transportation Commission who might have had a certain opinion about ACHD going in and having worked with ACHD over time, while we have our disagreements, there are some -- some brilliant people working there. They really care about the community and to that end they are -- you know, anytime someone's come to us with complaints about cut-through traffic, about cut-through speeding, and things like that, ACHD is willing to do speed studies and to do cut-through studies and so that's something that, you know -- and they tell us, hey, we don't think this is going to be a lot of cut-through traffic, as much as the residents complain it is and sure enough, you know, we -- I -- I personally tend to doubt them quite a lot and usually it comes back, hey, the cut-through traffic is really hardly a percent of what people think it is. They think it's cut-through traffic. They think it's people trying to get around the intersection and often that's the people living there who -- who are -- are -- are speeding, who are cutting through, et cetera. So, I -- I do understand the concern of cut-through traffic, especially at such a busy intersection. I do think that that -- that tends to be a concern that we may rely too much on, but -- but if -- if that does really become an issue you have -- you know, while -- while ACHD controls those things, you do have a voice and an advocate from the city government that are always willing to -- you know, willing to -- to work as -- as a liaison there. So, I think, you know, there are a lot of issues here around transportation. I also want to talk about, you know, the funding mechanisms. There is -- there are some mentions of schools and of roads. The impact fees, unfortunately, in the state of Idaho -- fortunately unfortunately, depending on who you ask, is funded to where you -- you need development to pay for the things that the -- the -- the things that are impacted by that development and we don't keep funding for schools unless we develop the things that are going to necessitate more schools, so -- so because of that, you know, there are some things that are -- I have some genuine concerns, but, you know, like you said, Mr. Chair, they are -- they are not necessarily things that this Commission can -- can control or even that the city can control. They -- they belong at ACHD or even with the state legislature. So -- so, I'm -- I'm empathetic to those things, but -- but I genuinely think this -- especially with a developer-owner, you know, with -- with -- one with -- with a solid track record, who clearly cares about -- about the community, cares about the area, yeah, I think this is -- for -- for -- for all the -- the -- the splashes and concerns, I -- I think this is a great development. I think this is something that, you know, I -- I would love -- you know, if -- if I -- if I didn't already have a home I would love to live there. You know, I think this is a great place and it looks beautiful and it looks like it's -- it should help foster a sense of community with the -- the commercial aspect on it as well. So, I wholeheartedly support this. I understand the concerns and I hope that there are things that the existing development owners can do to work with ACHD and

work with the applicant to -- to ameliorate that -- that -- that concern on the southbound traffic, but -- but I think that those -- you know, that's a -- a significant responsibility of the current development of the Inglewood property as kind of neglected it appears. So, with that, yeah, I wholeheartedly support this. I'm not going to make a motion, as I don't have the -- the specific -- the ever so helpful specific language, but I -- I wholeheartedly support and would gladly, you know, second when it comes to that.

Seal: Okay. Thank you. Yeah. I'm on the same page with that, so I won't beat it too much to death here. Bill did put a nice graphic on the screen that shows the bulb outs that we have kind of been talking about a little bit. So, that's why that's up on the screen. Hopefully that's why it's on the screen. But that's just a good illustration of -- of what that looks like and how it works for people to take a look at. So, yeah, I -- just to get back to talking about the application itself. Again, I do appreciate that this is -- I mean it's classified multi-family, but it's not, you know, three story apartment buildings or a whole bunch of four-plexes all just mashed together with very little character. So, a lot of the things -- this was kind of touched on a little bit earlier, but a lot of the things that we have to kind of go over and over and over with other applicants, like, you know, please, you know limit the height of the -- the buildings on the periphery, you know, things like that, the -- the street signage. There is just a lot of things that are repetitive in other applicants that we don't have to deal with on this. So, it's kind of hard to complain about it. I do like the -- I'm -- I have a son in the valley that I would love if he lived in one of these places. So, I mean it's kind of -- kind of tailored for -- for his lifestyle for sure, so -- but you know -- and I'm glad to see things like that that are kind of coming back into Meridian. So, he lives in Boise now, because Meridian just got too expensive, which is hard to say sometimes. But that's the way it is. So, as far as this development I like it. I like the -- you know, I -- I -- I wish there was something we could do about Titanium, you know, a little bit more, but I think that's going to be taken care of as we move down the road with it. So, glad to see there is a commercial element to it. Kind of wish that they were live-work, because I really like that. I just support the entrepreneurial lifestyle and hope that there is more of that that comes into -- into the Meridian area. We have several businesses in the area that are very very successful that started, you know, literally in somebody's apartment or, you know, in Scentsy's case in a storage container, so -- but I would like to see more of that as it comes in. You know, glad to see the amenities there. I do like the community gardens as well. I wish there were more of those. Hopefully they continue to get used and it's not just something that's a fad. So, it's -- you know, people start to kind of settle into a place and, hopefully, they make more use of that. But -- and with that I'm -- I mean I am in support of this.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler; Thank you, Mr. Chair. So, this density on this parcel could be a lot more and there could be a lot bigger buildings, a lot more industrial looking like buildings all the way around in here for the size of this for sure. I know the one that struggles that have always been with developing this -- this piece of dirt is this cut through with Titanium all the way

through, because you couldn't just put in, you know, seven three story, you know, 24 unit -- put in something that could be double the size of this, how many doors that are here. That's something that's always been struggled for why this dirt has never been developed and everything else around it seems to have been. So, to come up with a plan that can work within the confines of everything from right of way takes, to easements, to overhead power lines, to soils, to, you know, neighbors and cut through streets and everything like this and say this is what -- this is what works for me on the risk reward side is -- is actually nice to see something put forward like this. I -- I -- I'm just -- I -- just because of what I experience and maybe it's just too personal, it just seems like there -- there will be just a lot of -- there will be more traffic that will cut -- that -- that will be here from it, but it's a whole lot less than what could be here on other things. I -- I was -- I would hope to see more commercial space to help mitigate some of that traffic at those early morning hour commute times, office spaces, not really incubator spaces, that's a different thing altogether, but some of these little light office spaces, but those are also really hard to lease up. So, I understand that on the developer side. But if we can have some very strong assurances that they will work with the owner to the south and to do everything they can to help out with traffic calming measures, it's something that I could -- I could give a nod for. But that's -- it's just -- it's -- there is just a lot of lot more traffic here and I don't know how that's going to affect everything up and down Eagle Road and I know it's going to back it up even more on Victory. Those are just my concerns and what that happens with impatience on drivers. That's my biggest concern.

Seal: Commissioner Rivera, go ahead.

Rivera: Yeah. I just want to say that I agree with all my fellow, you know, Commissioners here and all the -- you know, I appreciate everybody that's came up today and testified and -- and thank you for doing that and -- and it's great to see that everybody has the best interest for -- for their community and -- and, you know, for their -- for the right way of life for everybody to be safe. But I also applaud the -- the developer for being sensitive and -- and taking time to -- to try to accommodate as much as possible and work with -- with the community. We don't see that every time and -- and -- in every application, so -- so, that's great to see to -- and -- and I have full faith that, you know, they will have, you know, conversations with the owner. I wish the owner would have been present here today with the -- you know. But I have full faith that something will be worked out for the safety of everybody, so -- but with all that being said I -- you know, I will look forward to, you know, approving this -- this project. But thank you.

Seal: Okay. Thank you. Any other comments? Motion? I'm open for that.

Lorcher: Mr. Chairman?

Seal: Yep. And, please, remember that there are other things that Bill covered in here if you are going to do a motion. Thank you.

Lorcher: Okay.

Seal: Got you.

Grace: It's not as easy as it looks.

Seal: Right. Yeah. Exactly.

Lorcher: Bill, can -- can you refresh me, please?

Parsons: Absolutely. Happy to. So, get to my notes here real quick. So, as I mentioned to you, the applicant wants some flexibility to get under construction, get building permits before final plat approval and that was DA provision number -- I called it C. I'm going to call it DA provision C. I had suggested that they change that applicant -- final plat shall be recorded prior to the issuance of the first occupancy permit for any structure within this development and striking the building permit. So, replacing building permits with occupancy. Item two on the private streets. I think we probably keep with staff's recommendation, since I am empowered by the UDC to strike some of that condition, I am going to go with the applicant and just to be -- have a clear record and let them know that because there is no private street connection to Eagle Road that alternative compliance is not required for that. So, I did give them an either/or. So, I will be striking that portion of the condition as it's -- it's not really relevant here. And, then, the last condition is Public Works Condition 2.9 and that's, essentially, how it's written on the -- I don't think you have to say a word for word, just say as proposed by the applicant and, then, I can make sure that that gets modified as we transition to City Council.

Lorcher: Can we go back to the first one? So, is just striking building permits on the preliminary plat?

Parsons: Well, it -- no, it's DA provision C and it says -- it's basically -- the way it's worded now the applicant has to record a final plat prior to getting building permits and with this developer -- and any multi-family development we usually allow them to get under construction and, then, record -- the plat has to be done prior to getting occupancy. So, that's what we are really -- we are changing it -- they can get -- they don't have to record the plat to get building permits, they just need to have it done prior to getting occupancy for the first structure.

Lorcher: A DA provision to get --

Parsons: Yeah. To record the plat prior to the first certificate of occupancy.

Lorcher: Before.

Parsons: Yeah.

Lorcher: Okay.

Seal: And I would -- and I would recommend some good language in there as far as working with the -- the owner of the property to the south, as well as ACHD to implement traffic -- traffic calming and mitigation. If it were me that was making the -- luckily I don't have to do those anymore.

Lorcher: One second. Anything else? All right. I think I got it.

Seal: Go for it.

Lorcher: Okay. After considering all staff, applicant, and public testimony, I move to recommend approval to City Council for File No. H-2022-0066 as presented in the staff report for the hearing date of April 6th, with the following recommendations. A DA provision to record before the certificate of occupancy. Alternative compliance is not required. Item No. 2.9, Public Works, as proposed by the applicant and the current developer work with the owner to the property to the south to come up with the best case scenario for the safety of the current community and for -- and future development.

Seal: Got a second?

Smith: Second.

Seal: Okay. It has been moved and seconded to approve File No. H-2022-0066 with the aforementioned modifications. All those in favor, please, say aye. Opposed nay?

Wheeler: Nay.

Seal: Did we get that? Commissioner Wheeler.

Wheeler: Commissioner Wheeler.

Seal: Okay. And with that it passes. Thank you very much.

MOTION CARRIED: SIX AYES. ONE NAY.

Seal: And if there is no other business --

Wheeler: Mr. Chair, I move we adjourn.

Rivera: Second.

Seal: It's been moved and seconded that we adjourn. All in favor, please, say aye.

MOTION CARRIED: ALL AYES.

Seal: All. We are adjourned. Thank you.

MEETING ADJOURNED AT 9:23 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK