

**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 about 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.