

2020-0150 as presented in the staff report for the hearing date of December 17th, 2020, with the following modifications: That the ACHD detention basin be landscaped instead of -- with grass, instead of just the sand that they like to put in the bottom of it.

Holland: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0105 with modifications. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: ALL AYES.

Fitzgerald: Matt, thanks for hanging with us. Look forward to seeing you later, sir. Have a great -- Merry Christmas.

Schultz: Merry Christmas.

**8. Public Hearing for Southridge South (H-2020-0083) by The Land Group, Inc., Generally Located South of W. Overland Rd., East of S. Ten Mile Rd.**

- A. Request: Rezone of 7.15 acres of land from the R-4 to the R-2 zoning district and 28.89 acres of land from the R-2 and R-4 to the R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 254 buildable lots and 29 common lots on 83.77 acres of land in the R-2 and R-8 zoning districts.

Fitzgerald: Okay. Moving on to our last item on the agenda is the public hearing for Southridge South Subdivision, file number H-2020-0083, and turn this over to Sonya. You survived until the end, ma'am.

Allen: Thank you, Mr. Chair, Members of the Commission. Thanks for keeping this on the agenda tonight. The next applications before you are a request for a rezone and a preliminary plat. This site consists of approximately 84 acres of land. It's zoned R-2 and R-4 and is located on the south side of West Overland Road, east of South Ten Mile Road, and is part of the larger 291 acre Southridge Development currently in the development process to the east. Southridge encompasses land on the south side of Overland Road from this property to the east to Linder Road and to the south to Val Vista and Aspen Cove Subdivisions. Adjacent land use and zoning. To the north across Overland Road is vacant, undeveloped land, zoned R-8 and apartments in the development process, zoned R-15. To the east are single family residential properties in the development process, zoned R-4. To the west and south are rural residential properties in Val Vista and Aspen Cove Subdivisions, zoned RUT in Ada county. So, just to give a little history on this property, it was annexed in -- in -- excuse me -- 2007, with a development agreement that was later replaced a couple of times with new development

agreements. The existing agreement requires a minimum of one thousand and a maximum of 1,286 residential units, consisting of a mix of apartments and single family residential homes to develop in the overall Southridge Development, unless otherwise specifically approved by Council through subsequent applications. Subsequent development agreement vacation applications were approved that removed the two apartment projects to the east from the overall Southridge Development and placed them in development agreements of their own, which no longer tied them to the terms of the original agreement. So, if you can see my pointer here, this orange area here on the first map is the Southridge Apartments site and, then, to the east of that is another apartment site. So, just so you have your bearings of what's going on in this area. With the 640 units anticipated to develop in Southridge Apartments, 336 units in Linder and Overland Apartments -- and that was the furthest east apartment complex -- 221 single family residential units in Southridge phases one through five to the east and 254 in the proposed development, that's a total of 1,451 units, which is 165 units over that originally anticipated in the development agreement. Mostly the difference is in the apartment units, which were approved through subsequent applications as allowed through the development agreement, which were 848 anticipated units and 976 were approved. The single family residential units were anticipated to consist of 438 units or a balance of -- or a balance to total of 1,286 total units with the apartment units. The total number of single family units in the overall development, if this development is approved, will be 475, which is approximately 37 over that originally anticipated. Because the subject plat is a subsequent applicant, as described In the development agreement, staff finds the proposal in compliance with the agreement without a modification to the development agreement. A preliminary plat was approved with the annexation that included the subject property as mega lots for future resubdivision. The existing development agreement does not include a conceptual design plan for this and only governs the number of lots anticipated for future development, which can be modified through a subsequent application approved by Council. I should clarify that the existing development agreement does include a conceptual development plan, but the text of the agreement only requires that the public streets be in alignment with that shown on that concept plan. The Comprehensive Plan future land use map designation is low density residential, which is 5.5 acres of the site and that is that green area, if you can see on the screen that I'm pointing to, and the rest of this site is designated medium density residential, which consists of approximately 78 acres. A rezone of 7.15 acres of land is proposed from the R-4 to the R-2 zoning district and that is along the southern and western boundary and 28.89 acres of land from the R-2 and R-4 to R-8 zoning districts for the development of 254 single family residential detached homes, at a gross density of three units per acre, consistent with density desired in the Comprehensive Plan for this area. The Comprehensive Plan includes goals for development that encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian's present and future residents, with a desire to avoid the centration of any one housing type or lot size in any geographical area and desires for diverse housing types to be provided throughout the city. With the size of the Southridge Development and no other housing types besides apartments in this vicinity, staff believes more variety in housing types is needed in accord with the Comprehensive Plan and, therefore, recommends another housing type, either attached units and/or townhomes, is provided in this development.

By attached I mean two units attached together or townhomes, three or more units attached together. A preliminary plat -- actually, let me back up. I did make that recommendation and ask the applicant to submit a revised plat that indicated compliance with -- with a variety of housing types prior to the City Council hearing. A preliminary plat is proposed consisting of 254 buildable lots and 29 common lots on 83.77 acres of land in the proposed R-2 and R-8 zoning districts. The minimum lot size proposed is 4,369 square feet, with an average lot size of 8,053 square feet. The plat is proposed to develop in four phases, as shown on the phasing plan. There are a variety of lot sizes proposed and a variety of styles of homes. Just not a variety of housing types, as desired in the comp plan. Staff worked with the applicant to modify the phasing plan prior to the hearing to include the large 3.8 acre common area where a clubhouse, swimming pool, tot lot is proposed to develop in the second phase, along with the bridge and extension of a stub street to the east, instead of with the fourth phase as originally proposed. There is one existing home on this site that is proposed to remain on a lot in the proposed subdivision. Access is proposed via one public street and one emergency access via Overland Road. Stub streets are proposed to the west, south, and east for future extension. Off-street parking will be provided in accord with UDC standards on individual lots. On-street parking for guests can also be accommodated on both sides of public streets. Public streets and three common driveways are proposed for internal circulation and access to lots. Detached sidewalks with landscape parkways are proposed throughout the development. The Ridenbaugh Canal runs along the northeast side of this development and is a large open waterway that is required to be piped, unless left open and improved as a water amenity or a linear open space. The applicant requests a Council waiver to this requirement, which is in UDC 11-3A-6B, to allow the canal to remain open and proposes to construct six foot tall chain link fencing along the waterway to preserve public safety. The Williams Northwest Gas Pipeline bisects the southwest corner of this site within a 75 foot wide easement and is contained within common lots and that is this hatched area you can see right there on the plat. A 35 foot wide landscape street buffer is required along Overland Road, an entryway corridor. Ten foot wide multi-use pathways are proposed in accord with the pathways master plan on the site within the street buffer along Overland Road, along the Ridenbaugh Canal, and along the Williams Pipeline. Qualified open space is proposed in excess UDC standards. A minimum of ten percent or 8.38 acres is required. A total of 22.3 or 26 percent of the site is proposed consisting of half the street buffer along Overland Road, linear open space and open grassy areas of at least 50 feet by 100 feet in area. Parkway also qualify toward the open space requirements, but were are not included in the calculations. A minimum of four qualified site amenities are required. A clubhouse, a swimming pool, tot lot with children's play equipment, three different segments of multi-use pathways and additional qualified open space above the standards are proposed in excess of UDC standards. Conceptual building elevations are proposed for each of the different lot widths proposed. Four 39 foot wide lots as shown, 50 foot wide lots, and 60 foot wide lots. Written testimony has been received from the following: Tamara Thompson, The Land Group. She is the applicant's representative. She is in agreement with the staff report, except for staff's recommendation that another housing type is provided. She would like this requirement removed and I will let her go over the reasons for that in her presentation. Letter of testimony was received from Ken and Sherry Fawcett, neighbors. They are not in favor

of the proposed R-8 zoning and location of the stub street to the south. They would like it to be moved further to the west between Lots 4 and 5 and I will just go back to the plat here and show you where that's located. So, four and five are right to the corner -- at the southwest corner of the development. So, that's where they would prefer that the stub street be located. A letter of testimony was also received from four couples, also neighbors to this development. Scott and Jennifer Nichols. Curtis and Naomi Elton. Steven and Susan Przybos and Michael and Brenda Voglemore. They are in agreement with the location of the stub street to the south, where it's at, and that does stub to the Nichols' property and they have three requests as follows: The first they would like suitable drainage for irrigation and runoff to be maintained from the west end of the Southridge fence, northwest towards Overland Road. Second, they would like a condition placed on this development and the associated housing to only allow dark sky compliant lighting, so that it doesn't encroach on their properties. The city has no ordinance, just as a -- as a side note for such. And, third and finally, they would like Lots 1 and 2, Block 10, located on the east side of the stub street -- those are these two lots right here where my pointer is at. They would like those relocated to the north in this common area right here. And they would like the height of the residential vegetation adjacent to Val Vista Subdivision fence to be limited at ten feet above ground level for the reasons stated in their letter. Staff is recommending approval per the conditions in the staff report. Staff will stand for any questions.

Fitzgerald: Thanks, Sonya. I appreciate it. Any questions for Sonya at this time? Hearing none, I see Tamara Thompson joining us. Tamara, you want to take it from here?

Thompson: Absolutely. Mr. Chairman, Members of the Commission, Tamara Thompson, I'm with The Land Group. We are located at 4628 Shore Drive in Eagle. And if I can, I have a PowerPoint for you that I will go through. I want to mention as well that with me from The Land Group is Jason Densmer. He is an engineer on the project. Okay. Are you seeing that? All right. Thank you. All right. Before you this is the Southridge South Subdivision. This is a rezone and a preliminary plat. The property is located south of West Overland Road, east of Ten Mile Road. As Sonya mentioned, it was annexed in 2007. It's gone through several different development agreement modifications over the years. The latest which was dated 2012. So, it's had the same development agreement since 2012. The rezone is necessary to clean up the zoning boundaries to be consistent with the proposed lot configurations and to be consistent with the development agreement and the future land use designation from the city. So, I have color coded this for you, so you can see it a little easier. The blue-purple color is the R-8 zone. There is roughly 68 -- or 63 acres of that and the R-2 is 22.25 acres and that's the salmon color. And, again, the proposed zones are consistent with the existing development agreement. This is the master concept plan that is in the development agreement and, please, note the different varieties of homes that are included in the overall master plan. So, in this area there are alley-loaded patio homes. They are detached units, but they are patio homes with -- that are alley loaded and in this area there is some smaller narrow lots, Blue Valley Elementary school is -- is located here along Linder Road and I can let you know that that school is currently in design and permitting. There is a commercial corner and, then, this was approved as the Linder-Overland apartments and that is -- I don't know if it's a hundred

percent done, but the units -- there is several units that are occupied and, then, the Southridge Apartments are in this area. So, the area that we are talking about tonight is the area I have outlined in blue. So, the preliminary -- the preliminary plat is -- is what you see here. It consists of 254 single family lots proposed in four phases. The services are available to serve the site and we will go to this one here. The -- as Sonya mentioned, we have 22.3 acres or 26 percent of open space, which is in 29 common lots. Amenities are a centrally located clubhouse, swimming pool, tot lot, play equipment, multiple use pathways throughout and as Sonya mentioned, we are requesting a waiver to leave the Ridenbaugh Canal as is and it's an open canal. Access to Overland Road is in one location. There will be another crossing over the Ridenbaugh Canal, which would go to the east and, then, this little connection right here is the emergency fire department connection. So, although all the units are single family residential, there are three different product types. The conceptual elevations that I'm showing here are for the 60 -- 60 foot lots and, then, we have different ones for 50 foot lots and 39 foot lots. We have read the staff report and we agree with the analysis in the conditions of approval. Although it's not a condition of approval, but, rather, a requirement on page 35 of the staff report, it states prior to the City Council hearing we request -- require -- or there is -- that we need to include another housing type and as I have mentioned before, this is part of a larger master plan and within that master plan there are several different housing types. We have three different housing types within the Southridge South and we are requesting that this condition be removed. And with that I will stand for questions.

Fitzgerald: Thanks, Tamara. Are there questions for the applicant at this point? Jason, thanks for being here, too. We appreciate it.

Seal: Mr. Chair?

Fitzgerald: Go right ahead.

Seal: Just in looking at the -- I'm looking at the landscape plan, but it's area three where those common driveways go down, I mean it's -- there is essentially six properties that are going to be taking access from the shared access driveways there. Considering that the staff is asking for another type of housing in there, I mean would you guys be willing to look at that as an opportunity to do that in there, because the shared driveways in there -- I mean having six properties off that is really cramming them in there, basically. I think that's an opportunity there to possibly look at a different housing style that would eliminate that altogether.

Densmer: I would be happy to answer that, Commissioner. This is Jason Densmer with The Land Group, just to get on the record. My address is also 462 East Shore Drive in Eagle. I have been involved with Southridge since the original annexation in 2007 and so I have a little bit of background with that. The -- the type of housing that we are proposing there with the six lots along the common drive has already been built -- I believe on four other streets in the original Southridge to the east and it's really successful in helping us tackle some of the typography challenges that this site has, which makes it unique in several ways from other properties in the City of Meridian. This is kind of a

bench property where the Ridenbaugh Canal is along the edge of the bench and so below the canal to the north and east is significantly steep and, then, also on this property above the canal there is quite a bit of grade change. So, those -- that style of housing -- six lots clustered along a common drive really works well for us to create some tiered lots where each lot along the common drive is different elevation from its neighbor, which is not at all conducive to a different housing type, like an attached product as the staff report suggests we should include.

Fitzgerald: Commissioner Seal, follow up?

Seal: No. Thank you.

Fitzgerald: Thanks, Jason. Any additional questions for the applicant at this juncture? Tamara and Jason, thank you so much. We will let you finish up and close answering questions after we hear public testimony. Hang with us and we will get back to you.

Densmer: Thank you.

Fitzgerald: Thank you. Madam Clerk, do we have -- I know we have a number of people online. If you would like -- I think I will let you go down the list, ma'am.

Weatherly: Mr. Chair, I apologize, the two people that were signed in ahead of time were Mr. Densmer and Tamara. There are several other people signed in, but not indicating the wish to testify. I did see a hand raised earlier prior to this hearing, so we will see if that person does that. Scott Nichols. One moment, please.

Fitzgerald: If Mr. Nichols would like to testify, bring him over. Hold on one second, sir. Mr. Nichols, are you -- I think you are transitioned over.

Nichols: I think I'm transitioned over. Can you hear me?

Fitzgerald: Yes sir. Go right ahead, please.

Nichols: I did -- I did open up the video. I don't know if you have got video. It doesn't look like there is video on me right now. How about -- there we go. Okay. This is Scott Nichols. My address is 2730 West Val Vista Court, immediately south of the Southridge South plat that we have been looking at this evening. I'm actually speaking on behalf of the four residents that Sonya was outlining earlier, Curtis and Naomi Elton to the west of me. Myself. Mike and Brenda Voglemore to the -- to the east. And Steven and Susan Przybos, the furthest eastern most residents in Val Vista. Sonya, I want to thank you for a really good presentation and thank you for pointing out our concerns. We have been working on this project with The Land Group and Jason for -- I can't believe it's been 13 years and our -- our underlying and the most important thing that we have been working on in those 13 years is to ensure that the value of the lots that we are living on and that we purchased and that we moved here for are not lost in transition from the term Val Vista to no vista. They have worked through the process with us and -- and there are some

instances where Jason has been excellent to work with. There are some other areas that he pointed out, justly so, that he really can't represent us in -- in what we would recommend. So, we find ourselves, as we always knew we would at sort of at the 11th hour, asking the Planning and Zoning Commission to, please, take a look at this -- and I don't think there is anything egregious or out of the ordinary or unreasonable that we would ask, other than to help us preserve the view lot that we have established. Mr. Przybos has been in his house for -- I don't know how many years. Probably 15 or 20. He was one of the first residences here, I believe, and actually constructed his -- his -- his house there. Mr. Voglemore purchased his house a number of years ago. All -- all of us for the same reason, the view that we had of the valley. I want to reiterate that none of us ever anticipated that there would not be development to the north. So, we are not opposed to the development, we just really want to make sure that if at all possible -- and we believe it is possible -- that we can integrate that development and preserve not only Southridge Subdivision's values or enhance their values, but it makes them this very simple improvement for -- for the city and for the future of Val Vista Subdivision. Sonya, again, thank you for the really good summary. I want to just -- if you can go back to that slide that shows the plat with the lots that are shown on the -- on the very bottom, the lot lines. I will let that come up real quick. So, the -- as you follow to the very southwest corner of Southridge South -- Sonya, if you can put your cursor on that stub street of Red Clay Road that heads south into Val Vista. That one -- right there. Jason did a really good job coordinating with us on the location of that. It comes out west of my house, east of the Elton's house and wouldn't -- you know, doesn't interfere with either of us. As a matter of fact, in some ways it's a benefit from the standpoint of natural gas, water, sewer, or -- or fiber optic for -- for the Curtis' and myself, potentially, if we wanted to do that. But there are two lots to the west of that stub street that will significantly -- in fact, not even significantly, they will eliminate Mr. Voglemore's view shed to the northwest and totally eliminate my view shed to the north and with the light pollution we have talked about, turn our typical dark sky that I'm looking at right now, literally just looking out to the north, will -- you know, our backyards are going to be illuminated without consideration for these -- for these two minor things and I understand the city doesn't have a dark sky ordinance. Wouldn't prevent us from implementing dark sky lighting. I cannot believe it would be any more expensive and with the additional lots that have been placed out here -- I don't remember the exact number, Sonya, but we are well above the original plat that was intended to be here and, again, this is a rezone to increase the density. So, the first issue was the dark sky. The second issue really has to do with -- with this -- the ten foot vegetative buffer right along the fence line. That's all we are asking for is that we don't have a -- a bunch of 60 foot trees that would block Mr. Przybos' view shed all the way to the east on the other side of Williams Pipeline -- across Williams Pipeline and, then, just to the west of Williams Pipeline to protect those view sheds there and, then, Mr. Elton's view shed looking to the -- to the northeast also. He's got a great view of Bogus Basin. So, we are not asking for no development, but the last point of that is that we really believe that moving those two lots right there in the corner of Williams Pipeline and that stub street, if you were to put those two lots to the left in that little cul-de-sac, they are not going to fill up that park area, but it allows that park to become -- instead of one central repository where people come and stop, it allows people to flow down the street, through the park, out to the pipeline area onto the rest of the greenscape that's integrated in the

community and it would flow really really well. So, I am going to leave that with you. I think there are four really good reasons for us to make those two changes and for the Council to find in favor. These are not major or significant in terms of redesign or consideration, but they are a major impact for the residents and the future layout of the community. I guess I want to say to the other thing is is that it adds to view lots for the developer -- I'm sorry, it adds one additional view lot for the developer, instead of limiting -- limiting the view of lots that are there along Williams Pipeline. So, I am going to -- I'm sure there is something that I forgot, but we did submit written comments and I would just ask your consideration in making those changes before we issue a final plat. Thank you.

Fitzgerald: Thanks, Mr. Nichols. We appreciate you being here tonight.

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: If I could address a question to Mr. Nichols.

Fitzgerald: Yes, sir. Go right ahead.

Cassinelli: Mr. Nichols, could you just summarize real quickly -- you just -- you just want to lose -- you're asking for those two lots in that corner there to come out?

Nichols: Actually, only to be moved. We will retain the two lots, let's just fit them in right there where Sonya's cursor is.

Cassinelli: Okay. And, then, what was your other request?

Nichols: The other request was for a -- a -- just a ten foot max vegetation height on the southern edge of the subdivision on the fence line, so that we don't have 60 foot poplar trees blocking Mr. Przybos' view to the east or Mr. Voglemore's view there just along Williams Pipeline.

Cassinelli: Okay. Thank you.

Fitzgerald: Scott, can I ask you one quick question? How high above the current -- it's a gravel pit now; right? How high above you guys -- or below it are you? You guys are high above them; correct? How -- how many feet would you say?

Nichols: We are actually -- and I want to tell you we -- we supported the development of that gravel extraction under the guise of regrading, recognizing that it would benefit the developer and us. That was a painful process to go through with the dust and the noise and we lived through a lot, but I think the bottom of the gravel pit -- I would defer to Jason, but I believe that is 35 feet down the slope to the bottom and that would be in the area east of Williams Pipeline.

Cassinelli: Okay.

Nichols: The area west of the pipeline is actually higher than where I sit right now. So, as I -- as I'm looking out my window I'm looking straight out the lot line parallel with the cross-hatching that covers the Williams Pipeline and that ground is actually a little bit higher than me. So, yeah, I -- you know, I don't -- I'm going to live with houses out there. Mike -- and we all understand that. We are just trying to buffer the impact a little.

Fitzgerald: No. That helps me understand it. Thank you. I -- I was trying to pull it up on Google Maps. I couldn't get the grading. There is now, so --

Nichols: Yes, sir.

Fitzgerald: Thank you very much.

Nichols: You are welcome.

Fitzgerald: Madam Clerk, who might be -- if there is someone who would like to testify on this application that's online, please, raise your hand via the Zoom application to the bottom of your screen if you would like to testify. We have several of Mr. Nichols' neighbors that are still online. If you would like to testify, please, raise your hand. If not, we can -- Mr. Voglemore, we see that you are on. Would you like to testify? We will bring you over in just a second, sir. Did we lose him in the process? I don't see him anymore.

Weatherly: Mr. Chair, I think maybe we lost him in the process of transferring over. I didn't see any technical issues on my end, but I'm not -- I don't have an explanation.

Fitzgerald: Thanks, Madam Clerk. I appreciate it, Adrienne. Jason, while we are waiting to see if he -- if he hops back on, can you answer a question for me? Do you have a topo at all on that -- on the grading that was finished out there or the -- the pre -- pre-finish where it is right now? Do you guys have a topographical, what that looks like?

Densmer: We do and we have included a conceptual mass grading plan in the pre-plat materials, although I admit there is quite a few sheets there and a lot of detail that you probably haven't committed to memory.

Fitzgerald: Okay. So, what Mr. Nichols was talking about there -- so, is a mound in the middle right now. Is that going to be flattened out or what's that going to look like after this is done? Is there going to be a below grade -- below Val Vista that they sit up on?

Densmer: The amount of the middle certainly wouldn't -- wouldn't be capped. The overall grading has lowered the property at least 30 feet, depending on where you are. Of course, we didn't lower the grade at all at the Williams Pipeline, but as you move towards the north the ground level has gone down quite a lot. I think one of the -- one of the areas where the masquerading for the gravel pit benefited the neighbors to the south is kind of right at the corner where the Val Vista and Aspen Cove Subdivisions come together,

which is just to the west of the common driveway access lots that Commissioner Seal asked me about earlier and in that corner there is kind of one particularly large lot that you can see on the screen in front of us. Probably can't see my cursor, but it's kind of dead center of the south property line. Right at that location. I think overall the mass grading resulted in that lot being lowered -- I think 27 feet from the natural grade, which certainly has lowered that lot and all the lots considerably to the benefit of Val Vista's neighbors' views.

Fitzgerald: Okay.

Densmer: While I'm on the topic I did want to maybe mention some of the other requirements that were encapsulated in the original development agreement in 2007 and, then, carried forward into the -- the development agreement modification in 2012. All of which were originally designed in response to neighbors' concerns about a lot of the same issues that have been brought up tonight. In particular, the development agreement required -- and the developer has already completed a very expensive six foot tall masonry fence along the entire south boundary line of the project, between Val Vista and Aspen Cove and the Southridge South project. There are specific restrictions on the heights of the homes that can be built along that shared property line. They are limited to a maximum height of 22 feet or to a -- you know, basically, the maximum height of the ridge of the -- the roof of the house has -- can -- can be taller than 22, so long as it's not higher than the top of that six foot fence. So, for the lots that have been lowered, taller homes are possible, but they still wouldn't be above the top of the fence. There is a -- there is a categorical restriction on the number of homes that can be along the shared property line. The development agreement restricts it to 14, which is exactly what we have proposed. So, we are -- we are staying consistent with the promises that have been made all the way back to 2007 and, then, there is also a requirement on an increase setback for all of the lots that -- that border that property line. Although, those properties are zoned R-2 and have been since the original annexation into the city, the R-2 zoning allows a rear setback of 15 feet, but through the development agreement the property has agreed to a 50 foot setback for those lots in order to move the homes much further away from the neighbors and the underlying zoning requirement would allow.

Fitzgerald: Thank you.

Densmer: I sort of hijacked the original question, but --

Fitzgerald: You're fine.

Densmer: -- it provides more color to the discussion.

Fitzgerald: I appreciate it. No, I appreciate that. Mr. Voglemore, you are -- I think you are with us now, sir. If you unmute yourself you can join our conversation.

Voglemore: You know, with Jason -- he touched on everything. I just wanted to make sure that, you know, we all had the same understanding and so Jason did explain that well.

Fitzgerald: And, Mr. Voglemore, can you introduce yourself, just so we have you on our --

Voglemore: I'm sorry. I'm Mike Voglemore. 2720 West Val Vista Court.

Fitzgerald: So, any additional comments to make -- follow that up?

Voglemore: No. Jason touched it very well.

Fitzgerald: Okay. That was -- it's helpful. Thank you so much for the information.

Voglemore: You bet.

Fitzgerald: Adrienne, I see -- I think Karen has her hand up.

Weatherly: Yes, Mr. Chair. Karen, one moment, please. Karen, if you could unmute yourself and finish transitioning. Karen, if you would like to unmute yourself and introduce yourself. Did I lose Karen?

Fitzgerald: Madam Clerk, we are losing people left and right.

Weatherly: Mr. Chair, I promise, I don't know what's happening, but I'm not doing it.

Fitzgerald: Is there anyone else that would like to testify, to see if Karen comes back in -- that is in the audience or online that would like to testify, please, raise your hand. See if Karen gets back on. Not seeing anyone -- Tamara, would you like to take an opportunity to close and we will let Karen hop back on if she gets back online.

Thompson: Mr. Chair, Members of the Commission, this is Tamara Thompson again with The Land Group. If I could, I will just share one more screen real quickly. There we go. Let's see. Did that work?

Fitzgerald: Not yet.

Thompson: Okay. How about now?

Fitzgerald: Yep.

Thompson: Okay. So, what -- just in -- in addition to what Jason said, I think he -- he did the -- replied to Mr. Nichols' points on a lot of things. As far as the drainage, the comp -- point number one that Mr. Nichols brought up, of course, we are aware and we will accommodate the drainage that he is referring to. As far as the streetlighting with the

dark sky, we are happy to include the area that is adjacent to the Val Vista Subdivision that we can include in the CC&Rs for having some dark sky light fixtures in that area. And, then, as far as the subdivision layout, Jason addressed that. There were -- this is the master plan from 2013 and the Val Vista Subdivision was included in -- in those. Mr. Nichols has lived there since 2006. So, he's been involved in this process through -- throughout and -- and I have done lots of research as far as on their subdivision and the deeds of the homeowners along that south property line and there aren't any -- any view sheds or anything like that that are deeded and, you know, you buy your property, but you don't necessarily buy the view. The view -- the view is for sale sometimes, but -- but that's not -- having conditions that are -- encumber somebody else's property aren't something that's -- that's part of your deed, but these have been -- since 2007 there has been many concessions that have been made and those are codified, they are in the development agreement and we are complying with every single one of those. So, I just want to go back that we -- we do agree with the staff report. We agree with all the conditions of approval. There is the -- the one requirement to include another attached unit and we are asking for that condition to be removed, that we would like to keep these as detached single family homes and with that we respectfully request your approval tonight and thank you very much.

Fitzgerald: Tamara, real quick. Can you -- what about the vegetation buffer or the -- keeping the vegetation lower than the ridge line or ten feet?

Densmer: Mr. Chairman, this is Jason Densmer. If I can jump in on a couple of items that maybe I have a little bit more background on and that might be one of them.

Fitzgerald: Go right ahead.

Densmer: Yeah. Thank you. And to the point that -- that Tamara made, certainly we have been -- we have enjoyed working with Scott and all of the neighbors in Val Vista since 2006. It really has been a partnership in working with them and -- and seeing that their needs are addressed through the development agreements and are documented. We are -- I'm quite proud of the project that's in front of you tonight, because it -- it respects all of those. It also meets the developer -- our client's goals and aspirations for the property. There were -- in addition to the vegetation -- trust me, I'm coming back to that eventually. The -- Scott did also ask about relocating two lots -- the two lots that were used for the stub street and -- in between the stub street and the Williams Pipeline. One of the things that we are particularly proud of with the layout of the subdivision is the effective use of open space and while I appreciate this suggestion that we take those two lots and relocate them into the area across the street, you can see here on the master plan that's in front of us the -- there has always been lots proposed along the south boundary line in that area between the stub street and the Williams Pipeline. On the master plan originally there had been lots across the street in the open space, but we deliberately removed those in order to increase the amount of open space and really provide open parkland in a more meaningful way that can benefit the neighborhood. The proposed design of that open space area is really -- it really meets the vision of an open space by being open. It's not cut up and it doesn't have two lots just floating out in the

middle of it, which allows us to provide more sportsfield type space with a perimeter walking path that can connect in with the multi-use path that follows the Williams Pipeline. We really feel like -- while I appreciate this recommendation and the city has been great since 2006 in providing us with feedback on the design, with regard to those two lots and his suggestion, I think what we have proposed is a stronger proposal. As far as limiting vegetation along the south property line, that's really difficult and it's not a component of the existing development agreement. As Tamara mentioned, there are -- and I summarized them for you -- there is a number of protections that are already built into the development agreement and that are being honored to try and control individual homeowners landscape is -- is a minefield and I don't think even the city gets into that. You provide us with recommendations and requirements for common area landscaping, but there is very few restrictions on individual homeowner plantings. It's not a requirement that we would be willing to add to the project.

Fitzgerald: Thanks, Jason. Additional questions for Jason or Tamara? None at this time? This is your last chance. If anyone has a quick -- quick question or follow up. Okay. Tamara, Jason, thank you so much for being here this evening, hanging with us, and with that we are done discussing at this point. Could I get a motion to close the public hearing.

Seal: So moved.

Holland: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-0083, Southridge South Subdivision. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: ALL AYES.

Fitzgerald: Anybody want to lead off?

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: I will jump in on a couple of things. I think I would actually be in agreement with the applicant on the side of not requiring another housing type right here within this. I just -- I think there is plenty of housing types within the area. I mean we have got some decent size lots in here and -- you know. And even in the R-8s and I think there is a nice variety within the area.

Fitzgerald: I agree. I think there is -- then the apartments are right next door. There is townhomes right --

McCarvel: Yeah. There is a ton of apartments.

Fitzgerald: Yeah. I agree.

McCarvel: And, you know, I'm -- I'm for, you know, doing -- you know, within reason to help conserve people's views that have been there for a while, but on the other hand, you know, you can't limit what this property is -- I mean the -- there is more view lots coming. I mean they are going to have views as well. But I think there is some things that, you know, they have suggested within reason and I think Tamara was in agreement with -- already with the dark sky lighting. Yeah. And, you know, the ten foot vegetative limit on one hit -- you know, seems like a reasonable request on the one hand, but on the other who is ever going to be able to police that.

Fitzgerald: Additional comments?

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: I would agree with Commissioner McCarvel's comments there, too. I don't really feel like there is a need for another housing type. I think that it's well accomplished within this area regionally. So, I -- I would be okay with striking that. The only other thing I noticed was like -- and I don't think I want to change it necessarily. I appreciate that they have got a large section of open space, but I felt a little bad for all the R-8 units that just look like rows of R-8 without any breaks in them. I guess I don't know that I necessarily want to change anything, but it's something I certainly noticed. It's just a big section of R-8 and there is not really any pocket parks or any other amenities on -- on that section for those homes, it's just kind of more on the south side. So, there are two houses that get great access to the big open spaces, but they have the bigger lots and the R-8 -- it's all kind of more packed and they don't have as much open space that's close to them, but I think they are meeting and exceeding what -- what they need to do for open space throughout the entire project, so just a point of conversation. Commissioner Seal kind of touched on it, but I always hate shared drives when you have got three -- six houses on one split down. I just hate those. I don't think they work well. I think it causes issues with trash collection, it causes someone who has got a trailer or you have got people double parked or whatever it is -- guest parking. It just -- they don't -- they don't work well and I don't think anybody on the Commission likes them, so that would be my only point of consideration if we were going to make a recommendation to see if there was an alternative way to -- to do that. But other than that I -- I am not opposed to the development. I think it's a pretty good layout and I think the R-2 was a nice transition. I would also like to make a couple comments about the view lots. It's hard to restrict somebody on a different property from what they want to do with it, but I think they have tried to do what they can to be accommodating to those neighbors.

Fitzgerald: So, my only -- I agree with -- with the majority what you just said. I think the comment about the common area in the -- on the R-8, that is a pretty big field -- a pool in the middle at the southeast corner that is away from the R-2 that I think is really centralized. We always talk about -- like to break up these little pieces all over the place.

I love that central area. I know there is park strips all along that middle -- I know it's just kind of a funky -- like ribs layout, but that -- I love the Central Park they have in the middle with the pool in it. So, unless you want to trade off for a pocket park.

Holland: No. And that's why I said I don't think I want to change anything, because I would much rather have a big open space and walk an extra two blocks to get to it, but it's just sad when you see rows of R-8. I wish there was an extra pocket park, but I'm not going to make them take away from something else to add it in there.

Grove: Mr. Chair?

Fitzgerald: Any thought?

Grove: Mr. Chair? Mr. Chair?

Yearsley: Mr. Chairman?

Fitzgerald: Commissioner Yearsley.

Yearsley: So, you know, I think one of the banes of being on Planning and Zoning is having to look at a house with a 39 foot frontage, because all you see is a big garage door, with a little front door and it -- to me that is probably one of the most things that just -- I hate, just because it just -- all you do is you see a sea of garage and you don't see much of the house and so I guess that's more of my nitpicking versus wanting to do anything about it, but I don't know -- if we could get rid of some of those and make a little bit bigger lots I would be much happier.

Fitzgerald: Commissioner Grove, I think I cut you off.

Grove: It's all good. I would echo a lot of what's been said, especially with what Commissioner Holland said. That north portion -- or northwest portion where -- there is no open space, but I don't -- normally I would probably want to change some of that, but because of what you said also, Mr. Chair, with how big the open space is and the amenities that are there, I -- I think that that works for this. I understand what Commissioner Yearsley says about the garage that -- and how those look. I think at this point, though, for me, having houses that are smaller does improve what is available for our community in allowing more people access to homeownership and so I'm in favor of -- of how this has been laid out.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: I like a lot of things about the sub. I like the -- you know, the layout of it. I agree that the -- kind of the rows and rows of houses I don't necessarily care for, but I -- you know, I mean the rest of it is laid out a little bit differently, so provides some variety in the

community. But the shared driveways where there is six homes on each one of those, I just -- I just can't -- I can't get over that. So, I -- you know, I would really like to see those eliminated or at least limited to three, you know, and in doing that I don't know -- I mean looking at the -- essentially what Sonya has got in the staff report, she gives an example of single family attached or townhomes that she's not necessarily saying that that's what has to go in there, but I think there is an opportunity to, you know, do both -- provide something that could be different, not necessarily attached -- you know, single family attached or townhomes or something like that, but just something different in there that eliminates the need for those shared driveways. So, I appreciate that it's a little bit different landscape in there, but even in the original drawings they had -- they had cul-de-sacs in there, so I just think that the community in -- between all of the services that need to be provided there and everything else, it would be better served by eliminating those shared driveways or at least getting them limited to, you know, no more than three on a shared driveway or something along those lines. I don't know. And I can see maybe an alley load product or something like that working well in there, especially with some kind of, you know, view in mind with them.

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli, go right ahead.

Cassinelli: I think the -- the one thing on those shared driveways -- I think what Jason was mentioning -- had with the -- with the topography and so I -- I think that they are kind of limited on that. I just wanted to throw that in while I'm thinking about it. A couple of my thoughts here. I -- I don't -- I'm in agreement with the applicant. I don't think -- I think there is enough housing types in that area that we don't need to try and just shove one in here for the sake of shoving it in and we have got some of these smaller lots -- these 39 foot lots -- I'm in agreement with Commissioner Yearsley as far as the look of that, but that will bring in a -- I think a lower price point product and open the door and some of those may be with some, you know, more patio home styles that will, you know, bring the -- bring the cap and open it up for more -- more ownership. I couldn't figure out what -- what was getting me when I looked at all of this -- kind of those that -- you called it -- you referred to it as kind of the rib effect, the rib look, and as you pointed out is that there is -- there is no greenspace there. It was all so straight. I'm -- I'm not so sold on the fact that you have got to have that huge open area by the R-2 and, number one, R-2 people, they got big lots, they are not going to be going to a huge common lot. It's going to be the other people that want that. So, you know, I would ultimately like to see that move. Again, this is a preliminary plat, but I would like to see some more -- more open space in some of those other areas. It's those smaller lots that -- that need close access to -- to a pocket park and I know in -- in my subdivision we have got one huge open space area -- nobody really uses it. Every once in a while somebody will -- will put a volleyball net up there, every once in a while that's where we have our -- you know, some -- some community events twice a year. It's not like it's full every day with kids playing in there like you might think. It's -- you know, it's actually -- a couple of smaller pocket parks that I think are used more, because they are, you know, a block away, half a block away, instead of all the way across the subdivision. So, that's my thoughts on there. And, then,

one of the comments I wanted to address to one of Mr. Nichols' comment, is in his e-mail was that, you know, they are -- the applicant is asking for a rezone of a -- significant request for a rezone and I know they have -- they have worked together a lot. I don't see -- you know. And moving those two lots -- I think it's not the -- the residents up on Val Vista didn't just say we don't want it, we don't want it, I mean they kind of -- they took -- I think they were creative, they took some time, they have, obviously, spent a lot of time communicating. It sounded like the only reason why they -- why the applicant was opposed to moving those two lots is because they had that one big open area. Well, alls that does is it kind of shifts it a little bit and, again, I would -- I would -- I'm more in favor of moving some of that open space even -- even down. So, I'm not -- it's a preliminary plat. I'm not -- I would love to see some changes in there. I would love -- I would like to see the applicant really look hard about moving those two lots. It's not -- there is not a -- there is not a real reason not to do it and I don't think that the folks up on Val Vista are asking for the moon on that and I think it could be done. So, those are -- those are my thoughts. But I would really love to see some more -- some of that open space shifted down below. And I guess I have a question if I can. Sonya, are we just approving the rezone? I think you thought -- I think your comments -- your initial comments were they are presenting a preliminary plat, but we were only addressing the rezone. Can you clarify that?

Allen: Mr. Chair, Commissioner Cassinelli, Commissioners, no, they are requesting a rezone and a preliminary plat. So, both of those items are -- are requiring a recommendation from you to Council. I would like to clarify something that's not in the staff report specifically. The -- the applicant references 39 foot wide lots. Those do not meet the minimum dimensional standards of the R-8 district. There is a minimum frontage of 40 feet. Their plat is missing dimensions of the frontage. The final plat will have to comply with the dimensional standards of the district that they are approved with, but just -- just to note that, that if there are 39 foot wide lots, that does not meet the R-8 standard and they will need to be widened a little bit.

Fitzgerald: Thanks for that, Sonya. Just to follow up on Commissioner Cassinelli's comments. I -- I understand your comment about shifting a lot over into the open space. One of the things I don't want us to get into as a -- as a Commission is view sheds are not something we can -- I mean that's not -- it's not in code, it's not anywhere we can discuss it. I mean it's -- it's something that everybody has a right to. It's a property right that no one can take away from other people. When it's landowners that's -- what's on their land. So, I'm going to make sure we -- that's not the direction we go on some of these comments, because that's -- and I really appreciate that we don't want to impact the people on Val Vista, that -- I totally agree and they have been great partners, but I want to make sure that view sheds are something that get real sticky when you go into -- especially in a legal battle, because there is nothing that defines that in our code and every property right owner has a right to their own -- where their lot sits and where their view is and so does the property owner where this is developed. So, we got to make sure we don't -- we got to be real careful about how we approach that. So, I -- not that that impacts my comments about -- or your thoughts about the -- moving the lots. If that's something we think we want to do, the good kind of partner in the city, that's -- that's okay,

but let's be careful about how we approach that. I think that's my -- at least in my thoughts. I would love feedback there, if there is others that have different opinions.

Seal: Mr. Chair?

Fitzgerald: Yeah, go right ahead.

Seal: Just on moving those lots, I mean the one thing, you know, to -- to consider is if those lots are moving that becomes open space. There is requirements on the open space to have things like trees, things that are going to block that -- that view anyway. I think what we are going to run up against is the -- I think, you know, what I'm hearing from -- from the folks that live south of this is, you know, essentially, they don't want anything that's going to encroach upon their view shed -- or on their view at all and I think, you know, as long as the buildings are kept to, you know, certain height restrictions and things like that, that can somewhat be accomplished, but you can't necessarily tell somebody that they can't plant a tree in their backyard. You know. And, again, who is going to enforce that. You know, I mean we -- everywhere we go, you know, the mantra is plant as many trees as you can stand on your property. I mean I think we still have the two tree minimum in our front yards for Ada county. So, you know, we kind of get into that where, yeah, we might move two houses and, then, the next thing you know there is trees in there that are going to block the view. So -- you know. And I sympathize for them. I mean to be perfectly honest, this is a piece of property I have eyed for a long time, like if it ever comes available I'm going to start shopping, so -- you know. And -- and specifically for the fact that it's going to have great views, you know, and there is not much that's going to pop up in front of it. Not that I'm -- you know, I don't necessarily want to look out on a whole bunch of apartments, but you do have Bogus Basin in your view as well. So, you know, I agree we have to be careful with what -- you know, what we are trying to accomplish here by accommodating them, because in trying to accommodate them it might turn into just the opposite where we are going to have -- you know, because of the requirement to put in trees and, you know, bushes and things like that, it might end up doing the opposite for them. So, that's -- that's my thoughts on it. I mean --

Fitzgerald: And we can't plant anything besides grass on that -- on the Williams -- or on the Williams Pipeline, which is a big section of that greenspace.

Seal: Right.

Fitzgerald: So, just to keep that in the --

McCarvel: Mr. Chair?

Fitzgerald: Yes, sir. Go ahead.

McCarvel: Oh, this --

Fitzgerald: Oh, sorry.

McCarvel: Yeah. I really don't -- I don't see the real value in moving those two lots over into the middle of that green space and just kind of floating those two lots there in the middle of, you know, what looks like very nicely -- nice designed area and I agree with Commissioner Seal, you take those out you might be getting worse as far as view blockage.

Holland: Mr. Chair, could we restrict them to single story? Would that help at all?

Fitzgerald: I think Tamara put restrictions in place.

Holland: I think that was already covered, but --

Fitzgerald: Yeah. And, Sonya, can you speak to that? Was that something that -- was it in the development agreement originally?

Allen: I'm sorry, Chairman, can you repeat the question?

Fitzgerald: On the height of the R-2 along the southern border.

Allen: Yes. The height is dealt with in the development agreement and I believe I included those conditions in the conditions of approval of this staff report. Do you have it handy?

Fitzgerald: I do somewhere, yes. And the 14,000 tabs I have open.

Allen: Would you like me to review the condition or --

Fitzgerald: That would be awesome.

Allen: Hang on.

Fitzgerald: I think we covered it, if I remember correctly. I'm just trying to find it.

Allen: Yeah. That -- the height of the homes along the southern boundary of the subdivision shared with Val Vista and Aspen Cove Subdivision shall be limited to a maximum height of 22 feet measured from either the midpoint of the front of the lot at the top back of curb or the midpoint of the rear of the lot, whichever is more restrictive, to the average height of the highest roof surface. In the event the maximum height of the home as so measured is lower than the top of the six foot tall masonry fence, then, the maximum height may be increased, so that the maximum height is equal to the elevation of the top of the fence at midpoint of the rear of the lot. The lots along this boundary are also required to provide a minimum 50 foot rear setback.

Fitzgerald: Thank you.

Allen: Yes.

Fitzgerald: Additional comments or thoughts? What do we need to work through? I know we are -- we have some pocket park discussions. We have common driveway discussions. And, then, anything else that's -- that's hanging out there that anybody has some concerns about? I think we all -- do we all agree that we don't need to have a different type of housing type, unless they are going to shift the common drive lots? Like are we all okay there?

Cassinelli: I'm -- I'm good with that.

Yearsley: I good with that.

Seal: I mean I -- honestly my -- I mean the only thing I have hanging out there. I understand about the -- the parks and how things could be redone in order to accommodate, you know, losing a little bit of that larger area and making some small areas to, you know, break up the block base and those -- you know, where they are all just right in a row. You know, I -- I like to do everything we can to eliminate the -- the garage farm concept for sure, but I mean there is a lot of things in this subdivision that make that a little more difficult to do, so -- geographically that is. I mean my -- my only hang up really is those common driveways. I think we would better serve the community by trying to get -- you know, at least reduce them to, you know, no more than three at this point.

Holland: Mr. Chair, I would say maybe no more than four, because, then, you could at least have them even. There is six right now on them.

Cassinelli: Mr. Chair?

Fitzgerald: Go right ahead.

Cassinelli: Sonya, back to the outline. They have proposed 254 building lots. There were a lot of different numbers there in the beginning from the original development agreement to current and -- and the apartments and all the number breakdowns. How many more units -- if you know this off the top of your head. How many more units are they -- are they proposing now than what -- what the net after -- you know, the apartments and all that, what it should have been? I think -- I see in 37 is that what -- is that correct?

Allen: Well, it just depends on how you do the calcs. It's 37 in the single family homes. But there was a -- there was a variance that the DA -- the development agreement allowed, which was -- hang on just a second here. They were anticipated -- the single family units were anticipated to consist of 438 units or a balance of the single family and the multi-family to total 1,286 total units. So, if you just look at the calcs on the single family, it's approximately 37 more. If you look at the calcs overall the -- the maximum number originally in the development agreement was 1,296 and today if this development agreement is approved they would be at 1,451. However, you know, it's important to note that the other -- the two multi-family developments have gone through

separate approvals and are now broken out into their own development agreements and were approved for that number of units, if that makes sense. So, the numbers really aren't a whole lot of applicable at this point, because there has been a lot of changes to the site and the development since 2012 when this development agreement was last modified.

Cassinelli: And I guess where I'm -- where I'm going on this -- some of my fellow Commissioners -- is, you know, can we -- can we pull out some lots. A couple of you have shown some concerns over the common driveways. Can we pull out a couple there and, then, can we pull out a few in all that -- the large R-8 section and keep in mind that, you know, what they are asking for, too, is a whole lot more R-8 than -- there was R-4 in there and that's -- that's gone. They are asking to get rid of the R-4 all together and go -- replace that with R-8 and there was R-2 in there as well. I'm not looking at the -- the original right now, but, you know, I don't think it would be -- I don't -- I don't think it would be a stretch for us to ask them to eliminate some of the -- you know, some lots here and there to get a pocket park in some of those R-8 sections.

Fitzgerald: Additional thoughts?

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland, go right ahead.

Holland: My only concern is if you ask him to start eliminating lots to put in open space, then, we are looking more at a continuance for them to come back to us again to look at it again. I don't know that -- I don't think we need to necessarily do that. I think we are pretty close here. The thing -- I think if we were to restrict those common drives down to four, instead of six, I would feel better about that, but I think with how big those open spaces are, I would say -- you know, I lived in a neighborhood before the one that I'm in now that had a fairly large open space and it was well utilized for the neighborhood. It was mostly an R-4, R-8 kind of mixed neighborhood, but all of the kids were using that park, people were using it with frisbees and dogs and we walked four blocks to get to it and we didn't mind, because we liked having the bigger open space. So, I think it's just personal perspective and -- and preference there. I would prefer to have the bigger open spaces, so I don't know that I want to mess with it too much to have them eliminate lots.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: I would agree. I -- I like the bigger open space. I think maybe what we are trying to get after is fewer of the 40 foot lots, so we don't have, you know, so many of those places there be just walls of garage. Yeah. It -- you get a little bit -- better varied fronts if you just -- I mean maybe we limit the number of 40 foot lots. I don't know.

Fitzgerald: Well, I think I'm -- I'm in agreement with -- I mean Commissioner Holland and -- your comment and Commissioner Seal where if we take the -- if we start with the camera, the six lots on a common drive, and take to four -- looking at -- and I see looking and the open qualified -- or qualified open space, there is green space pretty much everywhere. It's not a pocket park, but there is green space all over the place and I do like the centralized -- you know, there are centralized places and kind of in multiple locations, but there is two big significant open spaces, which I kind of like. I don't -- I kind of like the mix of different housing types. If you are going to do that I -- I'm not sure how you do it or where you start.

McCarvel: Yeah. Yeah. I -- going after those -- eliminating the -- those shared driveways is the bigger deal, because it just -- talking through this, I mean those narrower lots do provide the housing, the different -- in my mind the different housing type, that it lends itself to having the different housing type is just detached.

Fitzgerald: Yeah.

McCarvel: Which I think is better than having more attached, being that they are so close to other townhomes and massive amounts of apartments.

Parsons: So, Mr. Chair, if I may.

Fitzgerald: Go ahead, Bill.

Parsons: Thank you. So, keep in mind this is a plat. There is a rezone associated with it, but as staff has mentioned in their presentation there is no modification to the DA at this time. We have found that even with this rezone and the subdivision before you tonight it is consistent with the recorded development agreement. So, we have to be a little bit careful of trying to redesign and require people to lose lots and make -- provide more open space when they already exceed code requirements. So, I will caution the Commission on that discussion this evening. The other thing that the Commission is missing on this exhibit before you is a qualified open space exhibit, is that the applicant is going to be building a ten foot multi-use pathway along the Ridenbaugh. That is a ring around this community. So, you don't see that green line going up along that north -- north boundary of this project, which to me is probably one of the better amenities for this development, because that's a tremendous amount of pathway being added with this development and to me that's what gives you that walking path and starts connecting some of that open space in here, so -- so, keep that in mind. It's -- it's hard to see it, because it's such -- it only has to be 15 feet wide, but that's a tremendous asset to this community and it does tie -- not only does the road network tie into the -- the adjacent Southridge to the east, but it also ties into the pathway system into that development as well. So, we are going to have a mile segment of pathway through this entire development when it's done. So, I just wanted to at least bring that to your attention as you are -- you are deliberating tonight.

Fitzgerald: No. Bill, that was hugely helpful. Thank you. And so -- but I think we can request a modification of the DA that no more than four lots come off a common drive; correct?

Parsons: Mr. Chair, Members of the Commission, I probably wouldn't go that route just to modify a DA to reduce two lots. The applicant's demonstrated that it can work in the development to the east. Sonya's conditioned it appropriately to make sure that we are adequately addressing our concerns and the fire department's concerns. So, at this point -- I mean we hear you, we understand what you are -- what you are saying. If the applicant's amenable to losing a few lots, I think maybe opening up and having that discussion with them about doing that -- or maybe even Jason can explain how it worked in the previous phases, because, again, we have already done this before. It doesn't mean we have to do it again, but, again, I -- I don't know what the benefit is opening up a DA and doing a DA mod to lose four lots. At the end of the day it's got to work, it's got to meet code, and the code allows up to six units off a common drive.

Fitzgerald: Got it.

Holland: Mr. Chair, perhaps we just make a recommendation that the applicant might consider alternatives to that shared drive, but make it not a requirement.

Fitzgerald: Yeah. Bill is all kinds of rays of sunshine this evening. He just drops like -- drops the mic and starts beating everybody about the head. Thanks, Bill. Where were you a half an hour ago? No, I'm just joking.

Parsons: Trying to get you to bed earlier.

Fitzgerald: Lisa said that a long -- an hour and a half long ago. Sorry. Anyway, I'm getting loopy. Anyone have additional comments around that? I -- I tend to agree with Bill's comments. I -- I think this is -- this is pretty baked into -- and it has been for a while after 13 years of working on it, so --

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: Just to clarify, is there anything that we do want to condition, then, or we -- it sounds like we have kind of resolved almost everything at this point. We are not planning to condition much.

Parsons: Well, Mr. Chair, I just wanted to mention, too, that the applicant will have to lose some lots. Some of his -- their lot sizes don't meet code. So, by virtue of just code they are going to probably have to re -- reconfigure some of those R-8 lots to meet our dimensional standards.

Fitzgerald: Then if that's the case -- I mean I think it may be -- and I will leave this up to you guys making motions, but maybe we make a recommendation that they look at losing some R-8 lots in the middle. They look at removing the six lots on a common drive and trying to find some way to put -- I don't know, pocket parks in somewhere. I mean I leave it up to you guys, but -- and it's more of a recommendation going forward than an actual condition.

Holland Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: I'm going to attempt something.

Fitzgerald: You go.

Holland: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number -- just lost the file number.

Fitzgerald: Eighty-three.

Holland: File number 2020-0083 for Southridge South, with the -- as presented during the hearing date on December 17th, 2020, with the following recommendations: That the applicant would consider alternative options for where the shared drive meets six lots and that the applicant might also take some time considering the dense R-8 section and the possibility of removing a few lots or adding another couple spots of green space in there.

Fitzgerald: And the housing type pieces.

McCarvel: Yeah.

Holland: And that we would remove the condition and requirement for an alternative type of housing product to be provided.

McCarvel: I think it's 8-A, isn't it?

Holland: Condition 8-A.

Seal: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0083 with modifications and recommendations. Any other further comment? Okay. All those in favor say aye. Opposed same?

Cassinelli: Nay.

Fitzgerald: I have a -- Commissioner Cassinelli, Commissioner Yearsley, is that right?  
Or Commissioner Grove?

Yearsley: I said aye.

Fitzgerald: Okay. Commissioner Grove, did you want to -- were you nay?

Grove: I was aye.

Fitzgerald: Oh, you were aye.

Cassinelli: Commissioner Cassinelli was a nay.

Fitzgerald: Okay. Sorry. Was there any other -- I just want to make sure we are clear.  
Okay. Motion passes.

MOTION CARRIED: SIX AYES. ONE NAY.

Fitzgerald: Thank you, Tamara and Jason and members of the public. Hopefully we  
will work through this and it will be a successful partnership for everybody going  
forward. With that can I get one more motion?

Holland: Mr. Chair, I move we adjourn.

Seal: Second.

Fitzgerald: I have a motion and a second to let Commissioner Holland go to bed. All  
those in favor say aye. Motion passes. Thank you, guys.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 11:55 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

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RYAN FITZGERALD - CHAIRMAN

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK