

Seal: Commissioner Grove.

Grove: I don't see any issues that jump out at me. Definitely need additional daycare, childcare facilities in the area and this would be a good addition.

Seal: All right. Thank you. Anybody else? Shy bunch this evening.

Holland: Mr. Chair?

Seal: Commissioner Holland.

Holland: I don't see any concerns, so since nobody else was jumping up, I will just make a motion and see if it goes somewhere. After considering all staff, applicant, and public testimony, I move to approve file number H-2021-0003 as presented in the staff report for the hearing date of March 4th, 2021, with no modifications.

Grove: Second.

Seal: It has been moved and seconded to approve item number H-2021-0003 for Kiddie Academy with no modifications. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

4. Public Hearing Continued from February 18, 2021 for Foxcroft Subdivision (H-2020-0113) by Gem State Planning, LLC, Located Directly West of Ten Mile Road, on Both Sides of the Proposed Pine Avenue Extension and East of the Ten Mile Creek

- A. Request: Annexation of 23 acres of land with a request for the R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 85 building lots and 31 common lots on 35.7 acres of land in the proposed R-8 zoning district and existing R-15 zoning district.
- C. Request: A Conditional Use Permit for a multi-family development consisting of a total of 216 residential units on 12.74 acres in the existing R-15 zoning district.

Seal: All right. Are we ready for the next one? Okay. At this time I would like to open the public hearing for item number H-2020-0113, which has been continued from February 18th, for Foxcroft Subdivision. We will begin with the staff report.

Dodson: Thank you, Mr. Chair. Now we are on to the fun ones. As noted, this is for the Foxcroft Subdivision. This project consists of multiple properties totaling 35.7 acres of

land, which is -- the majority of it is currently zoned RUT, but 12.7 acres of it are already zoned R-15 from an older approval. The site is located directly west of Ten Mile Road and is on both sides of the proposed Pine Avenue extension and it is east of the Ten Mile Creek, which abuts the property entirely on its west boundary. This project is surrounds --

Grove: Mr. Chair?

Seal: Go ahead, Commissioner.

Grove: Joe, did you want to switch slides before --

Seal: Yeah. We are not seeing the slides on Zoom. Sorry. I could see them in chambers.

Dodson: Interesting. That is odd.

Seal: There it is. Thank you.

Dodson: Thanks, Commissioner Grove. So, as noted, this is 37 -- 35 and a half acres, 12 of which are already zoned R-15, located west of Ten Mile and on both sides of the proposed Pine extension and all the Ten Mile Creek borders it on the west boundary entirely. In addition, it surrounds the Mile High Pines Subdivision, which is the -- I guess the white area shown here -- has not yet done their rezone, but they have garnered approval from City Council. To the north is R-4 and R-8 zoning with detached single family, as well as to civic uses, Chaparral Elementary School and Fuller Park. To the east is Ten Mile Road as noted and across that is C-C. That's not right. No. C-C and RUT zoning as I noted, which will be the future Mile High Pines, which is R-15 zoning, as well as some C-G zoning. To the south is the railroad property and south of that is C-G zoning with some self storage. To the west is the Ten Mile Creek and further west of that is R-8 zoning and existing detached single family homes. As noted, the R-15 piece already -- is obviously zoned. It received approval and annexation in 2005. However, the development agreement and use and plat were never signed and never -- I guess fully issued. Therefore, the property did receive zoning however, but no development agreement, no concept plan, and no plat are currently approved or relevant on that site. It does have two future land use designations on the site, medium density residential and mixed use community. The formal requests for this are threefold. An annexation and zoning of 23 acres of land, with a request for R-8 zoning designation. A preliminary plat consisting of 85 building lots and 31 common lots on 35.7 acres of land in the proposed R-8 zoning and the existing R-15 zoning and a conditional use permit for multi-family development consisting of a total of 216 units on the 12.74 acre site in the existing R-8 -- R-15 zoning district. The total unit count between both areas of the project is 291 units, 75 single family, and 216 apartment units. The proposed uses as noted are multi-family and single family residential. The single family is proposed as mostly detached single family, but there are also some attached single family duplexes and alley loaded single family. I will let the applicant speak to a little bit more about where those are located. The project is proposed with a gross density of 8.17 dwelling units per acre, which according

to the provisions within the Comprehensive Plan is rounded down to eight dwelling units per acre, meeting the Comprehensive Plan designation of medium density residential, which allows three to eight dwelling units per acre. Again, this does fall at the maximum allowed within the medium density residential. The majority of this project contains medium density -- or the medium density residential designation, but there is an area in the southwest portion of the site that contains the mixed use community designation. Mile High Pines, as noted, already approved earlier this year just to the south and east of this project and contains -- they are entirely mixed use community and they also have the mixed use community elements within their site plan by having commercial along Ten Mile and some additional multi-family that are half single family -- or, sorry, half single story and half two story. In addition, the existing commercial to the east should be taken into account when discussing the overall area of mixed use community. I lost my place. Sorry. Future land use designations are not parcel specific and, therefore, when a project contains more than one designation applicants have the opportunity to float designations and a proposed project that may fit with both or only one of the designations. In this case the applicant has not chosen to include any commercial uses with the subject property and, instead, has proposed a project that is entirely residential corresponding with the medium density residential designation. Despite intentionally not proposing a project consistent with the MUC designation, the applicant understands that some integration of uses and incorporating adequate transition between users is still important. Thus the applicant and that of the project to the east, Mile High Pines, have worked together to allow cross-access between the projects located on the south side of Pine Avenue, so both vehicles and pedestrians can have easier access to the commercial approved on the west side of Ten Mile and that would be right here. As well as an emergency access here that more than likely I would walk through, because it's only going to be bollards, so that's another pedestrian connection. Much of -- much of staff's analysis within the staff report regarding the apartments was based on the transition between these units and the existing two story single family homes to the north. Following publication of the staff report, the applicant provided additional information and exhibit to show that the third floor of the three story buildings will only be approximately four feet higher than the second story of the adjacent single family homes. My other discussion and analysis regarding the density and the MUC designation were somewhat misplaced and should not remain in the staff report. Following review of this information staff is recommending that some of the conditions of approval and DA provisions be changed or removed in line with the provided staff memo submitted on Monday, March 1st. With the latest information provided to staff, staff finds the proposed project complies with the Comprehensive Plan. To dive into this exhibit a little bit more quickly, you can see the elevations of the existing and the proposed. There is a presumed approximate four feet of fill and/or foundation for the apartments and, then, you have the first, second, third floor, which as you can see not that much higher than the adjacent second story, which I was concerned with initially. It will also be more than 80 feet away from the abutting adjacent homes to the north. So, line of sight is going to be very difficult to see into their yards, which is preferred and I can understand that perspective, which is why I initially had them being reduced to two stories. As noted in my memo, Commission does have an -- well, with the CUP process Commission does have the authority to limit any part of the multi-family as well. The applicant submitted conceptual renderings for the proposed apartments and some photo

examples of the proposed single family homes. The submitted multi-family elevations show traditional walk-up garden style apartment buildings. The buildings appear to have at least three field materials of stucco, lap siding, and stone and they incorporate adequate roof plain variation. The -- the buildings do appear to share an identical color palette, which is not -- which does not meet the ASM, the Architectural Standards Manual. Multi-family and attached single family homes require design review prior to obtaining building permit approval. So, at that point staff will ensure compliance with the ASM. Here is some examples of the attached duplexes, the alley loaded, and, then, the standard home lots, the detached single family. Let's go back to this one. As shown on the master street map, the applicant is proposing to construct and extend Pine Avenue as a 36 foot wide collector street from Ten Mile Road to the Ten Mile Creek and construct a vehicle bridge over the creek. Mile High Pines is also required to construct their portion of the south side of the Pine extension to their western boundary. So, to be more clear, this applicant will construct half the roadway and this section on the full roadway segment of Pine here and construct the pedestrian -- or the vehicle bridge across the creek. All projects are required to construct this public road extension with the first phase of development to help with community infrastructure and overall site circulation -- or really road circulation through this area of the city. The multi-family portion of the site is proposed with two driveway access points to Pine, both being full access points. One here and one here. ACHD has approved these access points despite the eastern driveway not meeting their offset requirements for a full access and needing a 25 percent modification to their policy to be approved. Moving this access further west would significantly change how the triangle shaped R-15 piece could be developed, which aided in ACHD's determination to allow this access as proposed. In addition, it lines up with the access within Mile High Pines to the south. All of the streets within the single family portion of the site are proposed as public local streets at width of 33 feet wide, which allow on-street parking where no driveways exist. There is also a short segment of roadway in the south area of the site located here and labeled as alley on the site. It's not actually an alley, it is considered a minor local urban street. I might be mixing the words up. Minor urban local. To service five of the alley loaded homes along Pine. This road is a reduced street section of 24 feet and does not require sidewalks. There are plenty of other sidewalks adjacent to this area that serve these units, as well as the open space surrounding it. The revised preliminary plat shows 75 single family building lots and nine multi-family building lots, with 41 common lots, totaling 125. Of the 75 single family lots, three are proposed to contain homes that are to remain and be part of the new subdivision, two in the south and one in the north along Pine, which you can guess are three larger parcels here. All proposed building lots appear to meet UDC dimensional standards on the revised plat. The applicant proposes to construct the project in three phases, starting with the south -- southwest you could say and, then, move to the northwest and, then, finish with the multi-family project in phase three. The cul-de-sac in the south of the site is approximately 720 feet in length and it connects to an emergency access within the Mile High Pines project as noted. This length of cul-de-sac and/or dead-end street, according to code, is beyond the 500 feet allowed and require City Council approval to be longer than 500 feet. The single family homes are required to show compliance with the parking standards at the time of individual lot development, but as noted the local streets are wide enough to accommodate on-street parking. Based on

the number of bedrooms the minimum parking required for the multi-family is 411 spaces. The revised site plan shows 440 exceeding code requirements by 29 spaces and amounting to slightly over two spaces per unit, which is my understanding an industry standard for multi-family development. Staff believes the revised site plan with additional parking spaces provides adequate parking without producing a waste of land area. A minimum of ten percent qualified open space is required to meet UDC standards in the 11-3G-3 section. In addition, the applicant is required to meet the multi-family development common and private open space standards for the specific use standards for multi-family development. Combine the required -- required amount of minimum qualifying open space that should be provided is 4.81 acres. The applicant's revised open space exhibit shows a total of 7.3 acres of qualifying open space. The applicant is proposing 5.7 of this area to meet the minimum ten percent and it actually amounts to approximately 16 percent. The qualified open space consists of the required street buffers, a little area along Ten Mile, but mostly the ones adjacent to Pine, the Ten Mile Creek area, which is allowed to remain natural per code, and other open space areas throughout the site as noted in the darker green on the shown exhibit. This area exceeds the minimum UDC requirement. The remaining 1.6 acres, approximately, meets the common open space standards for the multi-family development and consists of the clubhouse, pool, with some -- that doesn't make sense. Consists of a clubhouse and pool and other open space areas that meet the required dimensional standards of 20 by 20. The single family portion of the site requires one amenity per code and the proposed multi-use pathway meets this requirement. The multi-family development proposes over one hundred units, so the decision making body shall require additional amenities above the minimum four noted within code. The applicant is proposing five qualifying amenities. A clubhouse, a swimming pool, fitness facilities, pedestrian and bicycle paths and open space that is at least 5,000 square feet in size. Because of the number of units staff is not in full support of the proposed five amenities can adequately serve the apartment units. The applicant and I have discussed additional possibilities and I assume that they will be discussing that with Commission tonight as well. A ten foot wide multi-use pathway is required and proposed along the property's western, northern and southern boundaries per the master pathways plan. The submitted plans show compliance with this master plan. Staff originally required that all pathways be constructed with the first phase of development, but with the Pine Avenue extension and the detached sidewalks along its -- its entire length, plus the first phase segment of pathway along the south and west boundaries, staff now finds that the pathway should be constructed along with each phase. So, to say that another way, their phasing plan already shows them starting here and, then, moving in a clockwise pattern. They will already be constructing the southern multi-use pathway and the western one, which will connect to the detached sidewalks along Pine, as well as an existing multi-use pathway segment here and, then, be able to get to Fuller Park and the school. With this they can get out to Ten Mile and the existing sidewalk there. So, there is not necessarily a need with phase one to have the multi-use pathway segment here or even this segment here, because there will be adequate ability to get to the adjacent open space and school with phase one and the Pine Street extension. The submitted memo outlines this revision as well. Overall this applicant is proposing to construct approximately 4,500 linear feet, which is .85 miles of pathway with this development and does not include the detached sidewalks along Pine Avenue. This

is an abnormally high number for one project to construct, so staff is very appreciative of the proposed pathways that are required, as well as those that are not required, but being proposed. The new pathways constructed in this development would offer multiple avenues for residents in the vicinity to safely get to Fuller Park and Chaparral Elementary. Staff is in full support of the proposed pathway plan for the subject development. This application did receive some public testimony prior to the hearing. As of this afternoon there were six pieces of testimony discussing disapproval of the project. The main issues outlined in those were regarding the extension of Pine and not wanting it to be extended. The density of the proposed project -- project and the safety of pedestrians going to and from Fuller Park and crossing the new extension of Pine or the existing area of Pine in the western subdivisions. Staff does recommend approval of the subject applications with the conditions contained in the staff report, as well as the DA provisions, but with the revisions noted in my memo dated Monday, March 1st, and after that I will stand for any questions.

Seal: Thanks, Joe. Are there any questions the Commissioners have for staff?

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: Joe, question for you, because I know it's going to be brought up and you have already mentioned it in the written testimony from the public, but can you speak to the connection for Pine and how that is aligned within the master street map?

Dodson: Absolutely, Commissioner Grove, Members of the Commission. On the master street map -- I don't know if it's -- I can't see it in these. Pine is shown as a future collector roadway, meaning it's supposed to help local streets of subdivisions get to the arterials, which would be Black Cat to the west and Ten Mile to the east. This was always going to be extended, it's always been part of the plan. Collector roadways are usually constructed by applicants and not ACHD, which is why this applicant, as well as the Mile High Pines applicant are required to construct it with these applications. They will be also constructing the bridge over the Ten Mile Creek, which is, obviously, one of the more expensive pieces -- pieces of the project for this required access. It will -- Pine will be extended from the west all the way to Ten Mile between the two projects. Should line up on -- on the section line between the south and the north and should align with the existing stub to the west. Does that answer your question, Commissioner Grove?

Grove: It does. And I guess a follow-up question, because it was brought up in the testimony, but could you speak to the -- I guess signalized lights on the east, but how -- I think a lot of the concerns were how it affects the nonsignalized intersection to the west, but since that's not part of this project how -- how this is addressed or not able to be addressed with this project.

Dodson: Great question, Commissioner Grove. So, yes, as noted the Black Cat and Pine intersection is an off-site thing and generally speaking very rarely does the city

require off-site improvements. This would be one of those cases where we are not going to require that. It's not just the city, but also ACHD noting that there are not yet enough vehicle trips at that intersection to trigger a signal. That doesn't mean that Black Cat is not going to be widened, which it is slated to be widened in the coming years, thankfully, from Franklin all the way to Cherry. Whether that includes a signal I am not aware of that. I am -- from what I have seen I have not known of a signal to be placed at Pine and Black Cat. However, with this extension the majority of people in the subdivisions that are to the west, if they need to get to the freeway likely they are going west to Black Cat and, then, down to Franklin, back out to Ten Mile. Now those trips would be heading directly east and not utilizing the Pine and Black Cat intersection, which should help alleviate some of that traffic. I can't speak to the traffic associated with the school site south of where all of this is at, but that's also why ACHD is planning to widen Black Cat hopefully sooner than later. My understanding is within the next five year work plan that they are including the widening of that road. But this extension should alleviate some of the issue, because people would logically go east to get to Ten Mile, rather than heading west and going around the subdivisions.

Grove: Thank you.

Dodson: You're welcome.

Seal: Any other questions for our staff?

Lorcher: Commissioner?

Seal: Go ahead. Commissioner Lorcher.

Lorcher: So, the -- ACHD signed off on it, even though all these homes are going in with the extended traffic that's going to be on Ten Mile?

Dodson: Commissioner Lorcher, that is correct. Yes. ACHD very much wants this extension to help alleviate some of the traffic issues further to the west off of Black Cat.

Lorcher: Off of Black Cat. Okay. Thank you.

Dodson: Yes, ma'am.

Seal: Any other questions? Okay. Would the applicant like to come forward? Go ahead and state your -- state your name and address for the record, please. You have 15 minutes.

Suggs: My name is Jane Suggs with Gem State Planning and I'm here representing Foxcroft Subdivision. Is it okay if I do this without my mask?

Seal: I think you are okay.

Suggs: It fogs my glasses up. And, then, Joe, do I just press down if I want to get -- or do I tell you? Okay. And I will move over here and --

Seal: Just make sure you are speaking into the microphone, so we can --

Suggs: Got it.

Seal: -- get everything recorded correctly. Thank you.

Suggs: Again, Jane Suggs, Gem State Planning. 9839 Cablecar Street. Representing Foxcroft Subdivision. Happy Idaho Day. Today's the day. We really appreciate working with the staff. We updated our plans. I want to very much thank Joe Dodson, who was very helpful. Bill Parsons. Bruce Freckleton. Joe B -- because I can't always pronounce his name. The fire marshal. And others. We are very happy to say that we agree with all the conditions of approval and those are the ones that are outlined in the March 1st memo. Right now Foxcroft is an in-fill community that is approvable as conditioned. So, everybody can breathe. We talked about this -- Joe talked about this a little bit. I'm going to tell you a little bit more about Foxcroft, but while I do keep in mind that with the approval of the Foxcroft as we proposed, this developer, single handedly, will construct the vehicular bridge over Ten Mile Creek and we are going to finally provide that much needed connection. That is something that ACHD has been wanting to happen. We are also going to make the connection on Pine Avenue and this is unusual that we are doing this in the first phase. Typically you would do this type of construction throughout and have it completed after you have completed your project, because there is a lot of cost involved in that. This is a little bit of a different thing to do this all during phase one, but I believe Mile High Pines also had a condition to do their work on Pine -- Pine Avenue at phase one. So, we are going to work together and make sure that when we get started you will have a connection, not only the bridge, but -- well, of course, it will take a while to build it, but curb, gutter, and sidewalk along Pine Avenue, which I think will be a wonderful connection for the folks who live in that area. I also want to put this project a little bit in -- since it's an in-fill project and put it in context. You can -- you can see -- I don't know if you -- if this works. Oh, there we can. Oh. So, here we are. This is the R-15. This is the Mile High Pines project and this is our project north and south of Pine. There has been a lot of activity south of this project at the Ten Mile interchange as you know and you will recall that the Mile High Pines development did include over 28,000 square feet of commercial property. That's how they finally got approved. The Foxcroft community can certainly support that commercial with rooftops and the pedestrian access that you will see. We have a lot of that. We believe that Foxcroft is a really great transition and it's between this commercial area that you see in this part of Meridian. Again, a little squirrely here, but -- there we go. All the commercial here and this is a nice transition with single family and multi-family housing. It also is adjacent, as Joe mentioned, to Fuller Park and Chaparral Elementary School. Schools and parks. That's where you want to put houses. That's where you want to put people. A lot of them. Foxcroft apartments are already annexed, as Joe mentioned, and zoned for high density residential. The apartments will offer a 3,000 square foot clubhouse with community room, fitness rooms, and a kitchenette, plus a swimming pool and I'm going to show you a couple of renderings

that for -- some of these were in your package. It shows you some of the apartments and the pool and other views of the apartments. Now, we have -- we are asking for a conditional use permit for that. We did not do design review on this particular application. So, we will be coming back for design review, as Joe mentioned. We will be looking at our palette of colors. So, this plan shows the different types of lots. This is a color-coded map showing the different housing types. The blue lots -- the grayish blue lots -- and they are the larger lots -- are the existing homes that are out on this Pine Avenue, which, really, is just a dirt road right now, it's not even a dedicated right of way at all. They will remain as part of the plat. The peach colored lots, the ones south of Pine, are single family detached homes. They will face Pine and they will have garages in the back and this makes for a really nice streetscape as you are going down Pine and that's one of those homes. Again, there are some yellow lots on the north side. These are the two unit townhomes that Joe had mentioned. I will show you what they look like. And these are two story townhomes. There you go. And the tan lots are the ones that are just standard single family detached homes and there is an example of one of those. Even though we are within walking distance of Fuller Park -- and Fuller Park -- if you haven't been out there it's incredible. Twenty-three acres, picnic shelters, restrooms, playgrounds, three baseball fields, volleyball court and there is even a pond to go fishing. We also want to have a couple of intimate spaces within the subdivision of Foxcroft for our residents to recreate and gather. So, here is something showing those amenities. You will see the gazebo, Pergola Park. You see a circle around the clubhouse and fitness facilities. In the apartment complex, the playground area, and, of course, we have community pathways around the entire project. Here is a picture of our -- I call it Pergola Park, because that's a cute pergola. Opportunity for people to gather in that location in the north part of the project. And, then, we have the playground that's in the south part. Again, they are -- the playground equipment and larger over in Fuller Park, but sometimes you got little ones and you just want to be able to walk across the street and this provides that opportunity with some seating around the park, so the kids can play. Again, a little more intimate setting for just the residents of that neighborhood. We do have extensive connectivity within the project. We are constructing, as Joe mentioned, several regional pathways. The ones on the north boundary, the pathway along Ten Mile Creek, and along the south boundary, which is next to the railroad track. This is in addition to all those yellow marked up sidewalks that you see throughout the project and, unfortunately, we didn't show, because every one of those apartment buildings also has sidewalks in front of it, too. So, there is lots of ways for residents to move around in a pedestrian way. Now, the way I look at it with the connections that we have here, you can get your steps in. We also appreciate the fact that we do have a path -- there is a pathway that runs along the Mile High Pines, along their west border, that we can access and get into the commercial areas pretty easily to support them in a pedestrian way, which is very nice. And, of course, we also have the easy access up to the school and to the park. I can stand for questions. But first let me say how much I appreciate, again, the staff working with us on these conditions. We are in agreement with all the conditions and we very respectfully request your recommendation of approval to City Council for the annexation and rezone, the preliminary plat, and the CUP for the apartments as conditioned in the March 1st memo and I will stand for some questions.

Seal: Thank you. Do we have any questions for the applicant?

Grove: Mr. Chair?

Seal: Go ahead, Commissioner Grove.

Grove: Yes. I have a question on the southern parcels. Are -- and how the access to those lots will work. Are those indicated as driveways? I was a little -- I couldn't really tell what those were intended as.

Suggs: Yeah. Thanks. Those are on the very bottom of the property. I mean against the railroad track. Those are shared common lots that are -- well, excuse me. They are single family homes that have a common driveway, so because we have such an odd shaped lot there, there wasn't any way to really get a street to wrap around, so they will access to the cul-de-sac and you will see several of those were there -- the lots on the very southern border will take their access to a common driveway and you will see that as they are shared there. So, those are single family, they are not multiple family lots, and they are pretty good size lots. They just have to share that common driveway and they are -- they are popular all over town when you have these odd shapes and that's a little bit about why we have to design this way and why we design for residential is because of the odd shape of this property. Does that help? Is that what you are talking about, Commissioner?

Grove: It is. Thank you. And if I can get one other question. Is there future plans for the three existing residential lots to be developed in the future or are those intended to stay as is in perpetuity?

Suggs: Well, it's hard to say. They are going to be part of the plat. They will be zoned R-8. We were asked by the staff to take a look at how the two on the south side, since they are larger, how they might redevelop and we wanted to make sure that there would be a possibility of doing that by making sure that we didn't landlock them and -- do you have that, Joe? Do you want me to see if I can -- I think I have it down here on -- way down. There it is. We did develop a little sketch. Now, this is not going to be property that we own after the property is finished, so it will belong to the people who actually sold the property to the developer and so this was just showing that those two homes could redevelop their property in the future, meet the zoning code. It is a condition of approval that we expect that they will build something similar to this. Again, we won't be in control of those, but we do think that really what the city wants to know is that we weren't setting up these guys to have an issue if they chose to redevelop. Again, we can't even tell these -- this drawing saves the homes and we don't know if they won't even do that. So, right now they are planning on living there. So, that -- and we have planned to provide the access that they need to get to the public streets. So, they will be larger lots -- and I think we used to do this back when we were doing other developments that had -- next to RUT, those five acre lots, sometimes we had to come up with a -- kind of a conceptual plan for doing future development. We really couldn't hold it to -- hold that -- someone to that, but we did want to know that the city wasn't letting someone approve something that

would keep that property from developing. So, I think that's really what this is all about, just to give a concept of that.

Grove: Thank you.

Seal: Any other questions for the applicant? I have one myself, actually. On the -- and you can just leave this up. Where the driveway is for that kind of southwest -- the bigger property, is there a reason that -- that Lot 11 isn't slid to the left to kind of close that off, instead of having a driveway in between two houses there?

Suggs: Because that's where the owner wanted to be able to access. So, that's Mr. Johnson, who has that southern larger lot, and he needed to have that access at a certain location, so that he could access his garage and get through his property and so we ended up having a driveway there and we added a lot there, because you can add a lot there and somebody can live there. It would force 12 -- we would love to develop that as well, but it wasn't large enough and didn't have the right configuration to put a house on it.

Seal: Okay. Thank you. Any other questions? Okay. Let's go ahead and open it up for public testimony. Madam Clerk, do we have anybody signed up? I'm guessing we do.

Weatherly: We had two people sign up, none of which indicated a wish to testify however.

Seal: Okay. If anybody in chambers would like to speak on this you can raise your hand, have you come up. Oh, we have got somebody online.

Weatherly: Jane, one moment, please. Jane, you should have the ability to unmute yourself and speak when you are ready to provide your name and address.

Byam: Okay. Are you looking for Jane Byam?

Weatherly: Yes. That's correct.

Byam: I got disconnected there for a minute, so -- I am -- my name is Jane Byam and I live at 6050 El Gato Lane, Meridian, Idaho.

Seal: Okay. Thank you. Go ahead.

Byam: Should I use my camera or not? I'm -- I have got that capability or you just want to hear me.

Seal: That's up to you. We don't have to -- we don't have to see you, we can just hear you if that's okay.

Byam: So, I would like to start my remarks with asking a question about the future land use map and current zoning on that northeast parcel where the apartments are going.

Several residents in -- in our neighborhood were involved in paying attention to participating in surveys and things when it came to the future land use map and protection of our neighborhood and the rural atmosphere that we have here and on the future land use map that parcel is designated as medium density, just like the other two parcels that are currently RUT within the county designation. I recognize that in 2005 that north -- northeast parcel was annexed into the city and zoned at the time R-15, but could you, please, explain to me why on the future land use map the city designated the use as being medium density, not high density?

Seal: Joe -- Joe, do you want to take a stab at that?

Dodson: I can, but usually we let the public testimony go first.

Seal: Okay. I was going to say if you --

Dodson: If she has another comment we can hear that and, then, if nobody else wants to answer, then, I will gladly answer that.

Byam: Okay. So, should I continue with my -- with my other remarks --

Seal: Yes.

Byam: -- and, then, we will come back to that? Okay. Thank you. So, being on El Gato, which is, essentially, directly across from Pine, we -- we have seen increased traffic on our quiet agricultural street over the past few years. When the school was being proposed, the Aviator Charter School was being proposed to the city, originally that property there was going to be high density, but when the school was approved that was changed to mixed -- mixed employment, I believe, and I know that a parcel of that property is now going back to high density. At the time a traffic study was done by Charter -- or by Compass Charter and said that at peak times there were only 200 cars coming down Black Cat. Well, anybody who lives on our street can tell you that there is certainly more than 200 cars going down Black Cat and so traffic is a concern at the time that school lets out and starts in the morning. People can't get out onto Black Cat because of traffic stopping to turn into the school. Having Pine extended, which we -- you know, everyone knew that it was eventual. Having Pine extended is going to cause even more problems there. I recognize the gentleman earlier said that most people will head west to Ten Mile if they are wanting to go to the freeway, but if anybody that's going to live in these homes or in the apartments have children that are going to be going to the charter school, they are going to be heading west and it's going to make that intersection there at Pine and Black Cat or El Gato and Black Cat that much more difficult and so that is a major concern for me and -- and I believe other people have expressed that in writing to the city. Another concern for me is that in the Comprehensive Plan it does make allowance for keeping areas of rural homes and agricultural properties and as time goes on and just really in just the last few years we are seeing more and more farmland becoming high density or medium density subdivisions. So, I am concerned about the fact that the applicant is requesting -- or going with the maximum density for the medium density area, rather than

giving -- giving those homes a little bit larger lots and leading to, you know, less congestion when it comes to people. We are seeing that rural atmosphere that used to exist here in Meridian disappearing very quickly. The Comprehensive Plan states housing introduction -- introduction communities for housing should be available for all income groups, with a diverse mix, including rural, modular, townhomes, apartments workforce housing, large lot subdivisions and single family homes. We are -- we are seeing a lot of cookie cutter homes crammed into small spaces with, you know, like ten feet or less in between homes and so the rural atmosphere is disappearing very quickly. Residential land uses, the purpose of this designation is to provide for a variety of housing. There is several things in the Comprehensive Plan that emphasize the need for maintaining some of that rural atmosphere and --

Seal: Ma'am, you will need to wrap up --

Byam: Okay.

Seal: -- your three minutes is up.

Byam: Okay. So, I -- I just wanted to -- wanted to express my concern for increased traffic coming to the intersection of Pine and Black Cat, which when it's -- when traffic is backed up on Black Cat there is the potential of people come -- going down El Gato, instead of waiting to get to the traffic light at Franklin and that causes a hazard on our street and so that -- that's a major concern for us is that increased traffic with Pine going through, especially if it's not going to be a controlled intersection. So, those -- that -- those are all the comments I have. Thank you.

Seal: Thank you, ma'am. Okay. Do we have anybody else that wishes to testify? Joe, do you want to go ahead and explain the zoning slash -- because it does get a little bit confusing in there.

Dodson: Yes, sir. Like I said last time, we are going to have to start an education series for Meridian on zoning versus comp plan. I will let the applicant speak to some of the other comments that she made, but as long -- for the Comprehensive Plan conversation, the -- as I noted in my presentation, the future land use designations are not parcel specific, unless -- unless the parcel only has one designation on it. However, when we work with projects we take in -- you know, and you are subdividing, now all these parcel lines are moving and you got to take into account all of the different designations on there to some degree, as I did in my analysis. But, then, again, you don't have to adhere to both or all three or four they are having. For example, there is properties off Overland that have half of the property is -- shows commercial and half of the property is residential. You are not going to develop the site as both more than likely, you will choose one. In this case there was mixed use community and also medium density residential and they are opting to go with the medium density residential designation and that can fit with the Comprehensive Plan. With the density that's the bigger conversation. They are meeting the density for the overall project, which is how we look at gross density. The medium density residential is, again, three to eight dwelling units per acre. The density is not tied

to the zoning. R-15 zoning does not equal 15 dwelling units per acre as it used to. It did prior to the new comp plan 2018, formally approved late last year. It used to mean so many dwelling units per acre maximum. That is not true anymore. It is only -- density is always tied to the future land use now, which is in this case three to eight dwelling units per acre. The R-15 zoning -- or any zoning that they request, it has more to do with the dimensional standards and the allowed uses within that zone. They could have requested R-40, which does not mean 40 units per acre, it just means that there is no minimum lot size. That's a higher height limit. That's pretty much the only differences. R-15 has a minimum lot size of 2,000 square feet and a maximum height I believe of 45 or 50 feet, roughly. So, there is -- that's the biggest difference between the comp plan and the zoning. But they are meeting their density per the Comprehensive Plan and if you have more questions regarding that you can review my staff report and I did more in-depth analysis than that. I hope that answered your question, ma'am.

Seal Thank you, Joe. Appreciate that. Would the applicant -- excuse me. Would the applicant like to come forward and close.

Suggs: Thank you again -- thank you, again, Commissioners and Mr. Seal. I do want to respond to a couple of the questions from Ms. Byam on El Gato Lane. If you know where that is, that's on the other side of Black Cat. So, that's about a half mile away. So, just kind of to show where it is. But I understand her concern, because that seemed to be the concern of many of the people who live -- who live on Pine Avenue on the west side of Ten Mile Creek and how they have kind of enjoyed living in -- on a dead end and so their traffic really is just the people that live there and the construction guys, who are building all those nice houses that are right there now, so -- so, yes, there -- I think there is some concern about the Black Cat and Pine, but we are imagining what it could be and I do think that one of the things that the neighbors likely will do when the projects are all completed and the traffic is all done -- and that could be several years from now -- is keep in touch with ACHD, because as a person who is in my neighborhood association in the east end of Boise, we spent a lot of time with ACHD asking them to do studies on some of our streets, especially our cut-through streets. So, we want to make sure that, you know, everyone has a safe access. That is not something this particular project can do. We are pretty far removed from that, but I do recommend that Ms. Byam -- Byam and her neighbors kind of keep in touch with ACHD, because there may be a need for additional studies when the project is completed. I mean we are just imagining it's going to be a lot worse, so -- and I do agree with Joe, there are some people now that are going to want to go east and this is the way to do that, instead of going out to Black Cat down Franklin and coming back -- to Black Cat and down to Franklin. I do -- I think I need to address the fact that I do think the Comprehensive Plan -- and this is one of the things that makes the Comprehensive Plan interesting for some of us. It does say things about maintaining rural lots, but we are in a very highly urbanized area right here. We are very -- we are on Ten Mile Road, which has access to the freeway, which is being improved -- of course it's already been improved with five lanes, curb, gutter, sidewalk, which is nice and bike lanes and we are close to the school and we are close to a park and, again, these are the places where you want to put in the lots that serve the most people. So, we want to get people closer to these recreation opportunities and to the schools, so that kids can walk and I --

I have spent some time talking to a property manager that manages apartments of this size and even larger and she talked a little bit about the fact that in this location where you are near a school, she said I will almost guarantee you you are going to have a lot of young children with single parents, because they have to go to work and they want to be a place where the kids can get to school without having to be bused or -- so, you will see a lot of that. She was really very specific about it, so -- but, again, just to -- just to share that I believe we are in a very -- more urban area of Meridian and we think that reserving -- setting aside land for rural, we do have the natural Ten Mile Creek, we have the pathways, we are leaving that as natural as possible and, again, we are close to a park that's open space. And I think we have a really good mix of homes. I think Jane mentioned that she thought that there should be a mix of homes and I think we do, we have the attached single family, we have the alley loaded or rear loaded single family and we have the standard single family and we have multi-family apartments and that's all within like our 35 acres. So, we think that that's a really nice mix of opportunities for people who want to live near Fuller Park, near Ten Mile, you have got lots of choices. So, I will stand for other questions if there is some more questions from the Commissioners. Again, I very respectfully request -- because we have done such good work with the staff, we are -- we are ready to get approved, move on to City Council as conditioned and -- and there are quite a few conditions and there are things we have to do, so -- but we appreciate the staff understanding how this will flow and we are doing all the extra things we can to make sure that we provide a really good opportunity for the city.

Seal: Okay. Thank you. Are there any other --

Holland: Mr. Chair?

Seal: Commissioner Holland, go ahead.

Holland: Hi, Jane. I have a one follow-up question. So, I'm sorry I missed -- if I missed this, but Lots 29 through 31 that are up on that northern section of it there where Aleppo comes in, there is Lot No. 28 to the north of it, is that the drive aisle access for those three lots?

Suggs: You are talking about along the north --

Holland: I was having a hard time understanding just from looking --

Suggs: You are here; right? You are talking these? Can you see my screen?

Holland: Sorry. Let me flip back --

Suggs: Oh, to the south.

Holland: So, down farther -- farther to the south. Right above where Pine comes through.

Suggs: Where Pine --

Holland: So, in that northern quadrant right above where Pine is.

Suggs: Okay.

Holland: As you are coming into that loop there is kind of that yellow --

Suggs: Oh, yeah.

Holland: -- triangular --

Suggs: Oh. Yeah. Yeah.

Holland: Those three lots there.

Suggs: Yes. That's a driveway to service the -- yeah. That's a driveway. They will actually be front-loaded, those three larger lot -- those three -- and that's a funny shaped lot for a driveway. But yes. I'm going to see if I can point to that. So, yes, there will be a fence along Pine at this location. These will not the -- face the street. This will be a fence and they will be front loaded and this is the driveway right here. That makes -- is that -- I think that's what you're talking about. Right?

Holland: Yeah. It was just trying to figure out how those lots had access, if it was off of -- I was hoping it wasn't off of Pine, I was hoping it was off that drive aisle there.

Suggs: Yes. It is off the drive aisle. And similarly on the north side of that same little loop you see a couple of houses with a -- with a driveway that they are accessed off of, too, and just below that is a pathway that carries you through. So, there is an opportunity. And, then, not shown very well, but along the boundary between the apartments and the single family in that north part, there is a pathway that runs all the way from the regional pathway on the north all the way down to Pine Street. So, there is a nice connectivity there, too. But you -- you have -- you have caught onto the fact that, yes, we have a couple -- so we have these lots that have common driveways and they are not accessing Pine, because that's a collector and we have the front-on housing, but they are not going to have their accesses, so that's the -- south of Pine. Those vehicles will be accessed from the south and they will not be connect -- driveway connections to Pine. We are trying to eliminate that -- that -- those turning movements.

Holland: So, one more follow-up question just to confirm. So, that drive aisle -- that lot that connects over to the east there, is that a drive aisle that -- it's going to be open between the apartments and that residential for people to go between?

Suggs: The -- the lot will be and that particular -- the one on the south that you mentioned -- oh. Okay. Keep on going. Are you doing that, Joe? Okay. I'm trying to get to a plat.

Seal: Yeah. I was going to say, you had it there. That --

Suggs: Okay. Well, that -- you can see -- yes. On the three that -- that kind of backup to Pine, there will be a fence. So, people will not be walking there, because it's a driveway. On the north where there are two lots that -- that -- there are two lots that service -- you see there is one that's landscaped, that will be an opening in the fence, so people can cross over. Right there. And the -- and the gray area is going to be the drive aisle. So, we are trying to make sure that people aren't walking down somebody's driveway. So, there will be a fence along the pathway that runs between the multi-family and the single family. Is that -- I think that's what you are asking; right, Lisa?

Holland: Yeah. That makes sense. And thanks, Jane. I appreciate you clarifying.

Seal: Okay. Are there any other questions? I have one question that I would like to pose. So, the attached single family that's there, I think they are the ally-loaded ones, they do have a driveway or is that not correct? Do all of them have a driveway?

Suggs: They each have a driveway and they are not attached, they are actually detached single families.

Seal: Okay. Oh. Okay.

Suggs: So, yeah. And they each have a driveway, two car garage in the back, and they will have a little bit of a -- about a 20 foot apron that you have to -- have to park there, too. So, yeah, those are detached. Because you are getting the driveway in the back, those houses are all 36 foot wide lots, I think, and they are 26 foot wide houses. So, they are just wide enough to put a garage in the back, but since you don't have the garage up front they are really cute, because -- I mean I would prefer one if I could find one that I could afford.

Seal: Okay.

Suggs: I like the alley load look. I mean I guess it's -- it just makes for a really nice streetscape. You can't tell on this -- and we didn't blow it up enough for you to see, but we went in and had to change this -- we had to actually drop a lot. We had 13 and now we have 12, I think, and we -- because a couple of lots we had made less than 4,000 square feet, which is your requirement for that R-8 zone, and so we dropped a lot there, which was -- you know, we don't like to do that, but we did, and so now when you come out your front door towards Pine you will go a little -- kind of -- you will have connecting sidewalks -- two at a time and they will come out. So, you won't have a sidewalk every 20 feet, you will have one sidewalk every like 40 feet, so -- and it's really cute. I think we have done that in a couple of other projects, too, and we really like the look of the fact that, you know, you can get to the homes, but you don't have all those little sidewalks coming along Pine. Our landscape architect is really good at doing the connections.

Seal: All right. Thank you.

Suggs: Thank you.

Seal: Do we have any other questions? Commissioner Grove.

Grove: Mr. Chair, I have a question real quick.

Seal: Go ahead.

Grove: Jane, for the amenities for the apartment section, is there a play structure of any kind or is it primarily the clubhouse, fitness center, pool, for the amenities there?

Suggs: That is what we are planning right now is the clubhouse with amenities in the clubhouse and the pool and, of course, all the walking areas. We do have some green spaces. A couple of those are being used as drainage facilities, but we do have some just open areas. So, if you want to throw a frisbee you can. So, I guess in some of the areas like -- oh, gosh, I can't seem to find this very well. There we go. There is some just open areas here and here. This is a drainage area, but you could still probably have -- have some recreation in it if you just wanted to run around a little bit. Again, we were -- we were not putting in a lot of recreation, because we are so close to Fuller Park. I mean you can actually just -- I mean it's a stone's throw. You can walk down the pathway and get to Fuller Park and you are right there with all of those amenities. So, we had not been -- we have done what we were asked to do for the number of units, as Joe mentioned, that -- we had talked about a few others, but at this point we have not proposed any additional amenities over and above what were required by the code.

Grove: Would a tot lot fit in any of those open green spaces in that R-15 section?

Suggs: We could probably make something fit. We did talk -- I did talk to Joe a little bit about maybe some of these areas -- what we find are people with dogs and we might need to turn one of these little areas here -- which we think this would be a -- probably a good space for it -- into a dog park. I think that's something Joe said that he's finding that in apartment complexes people have dogs and, of course, we have a pathway -- again, taking -- you can walk your dogs on the path. But we could do that. I have found from talking to the other property management person that I have been dealing with, it -- either that or maybe at one of these locations near this -- a regional pathway along the north side we could put in a bicycle air pump and you can hang tools with it. You have to be kind of careful so they don't walk away, but there is a way that you can do that. I think I have seen those at some places along pathways in Boise. I haven't seen them along the regional pathways. So, we might choose to do that. We think that because we are close enough and with bike lanes to the Ten Mile interchange and all of that, maybe if you are willing and we are willing to put in maybe a bicycle station along the regional pathway along the north that would be adjacent to the -- the apartments we think it would be well used. Does that sound good, Commissioner? Add a bike station?

Grove: I'm just kind of going off of the comment that you made earlier in your initial presentation about the tot lot for the alley-loaded project and seeing the difference between the alley-loaded project on the south and, then, the R-15 in terms of how that's described.

Suggs: Okay. I'm not -- I didn't quite follow that. Tell me -- say that again another way.

Grove: You said how nice it is for that little playground area for people to walk across and be able to have that without having to go somewhere else and so just curious if that applied to the -- how that applied or did not apply to the R-15 section.

Suggs: Possibly. We just think that we have enough amenities there with the swimming pool, the plaza that's around the pool, and the areas that are inside the clubhouse and with all the other open spaces we feel like that's sufficient amenities.

Grove: Thank you.

Suggs: I'm not -- I'm not offering that up right away. I'm just thinking there are other things that -- instead of another tot lot there that might be more usable, like the bicycle station than a tot lot, since things are closer. And, then, it's -- again, one is on the other side of Pine, which is a collector and one is directly accessible to the -- to the playground at Fuller Park without crossing a street.

Seal: Okay. Do we have any other questions? Nobody come off mute. All right. Can I get a motion to close the public hearing for item number H-2020-0113, Foxcroft Subdivision.

Lorcher: I will motion that.

Holland: Second.

Seal: Okay. It's been moved and seconded to close the public hearing on item number H-2020-0113. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: All right. Who wants to start out?

Lorcher: Chairman, I will start out.

Seal: Go ahead, Commissioner Lorcher.

Lorcher: My primary residence is at Black Cat and Cherry, so I'm very familiar with this and I did have a house on Parkside Creek, which I was on for a park back in the way back days when it was a dirt path and farmland all over the place and the pond was little and it's gotten a lot bigger and it's beautiful. It's wonderful that the City of Meridian has taken over Fuller Park. They have done great things with their amenities and it was only a matter of time before developers come in to be able to take advantage of some of these green spaces that we already have in our community and build houses around them. I empathize with the homeowners on El Gato. I also have a small farm off of McDermott and Ustick and I do use El Gato to get through to Pine and if Pine kept going through I

would probably do that to avoid Cherry Lane or Franklin. So, those traffic concerns are real and it's going to happen, but it's not necessarily the developer's fault, it's -- as our community grows we all look for different ways to get to where we need to go. It sounds like this particular developer is doing everything that the city is asking them to do. They are following the rules, they are following the code, even though some of our old timers really kind of lament about losing some of our farm space, it is part of -- of what's happening. So, you know, they have addressed the concerns of the city. They are following the rules and it would be a great place to live to be able to access that park.

Seal: Okay. Thank you. Anyone else? Commissioner Holland, you are off mute I see.

Holland: I don't know that I was ready to talk either, but -- I mean is it exactly what I would draw on a map if I had this site plan, maybe not. But I don't know that I have any huge opposition to it. I think that -- I appreciate the pathways. I appreciate that they did provide a little bit more green space than required and they have worked closely with staff. I think that the roadway issue with Pine, even though it might seem like you are going to get more traffic on Pine going through, it could actually alleviate some of the issues that we are having at Black Cat and Pine, because people will be able to head towards the east to get Ten Mile to get towards the freeway. I -- I'm very familiar with this area, too, and I know that -- I know that that can be a really busy road, but I think this could potentially help offload some of those traffic challenges. So, I don't know that it will be necessarily used as a speedway to go through, but I think it could potentially help with some of those challenges in the future. That's all I got for now.

Seal: Okay. Thanks.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: I would echo what's been said so far, especially with Commissioner Holland, and this might not be the exact layout that I would have gone with if I were, you know, thinking about it, but I don't have any strong objections other than I would like to see some additional amenity, you know, tot lot or something for the R-15 section. I do really like the amount of pathways that are in this project. It is very similar to the -- the project to the southeast of the pathway that it had and I think having all of those pathways between the two developments is going to be a big benefit for this -- this new development that's coming in and I think that -- that Pine needs to open up. It's going to create better access for everybody and it should help alleviate some of the pressure that is, you know, over on Pine and Black Cat and it's also one of those things where we don't get some of the improvements on Black Cat, you know, until 2031, until there is more rooftops that necessitate it to be bumped up sooner and so that's, you know, chicken and egg situation with some of the development for improvements on roads. So, I'm -- I'm mostly in favor of this project.

Seal: Okay. Thank you. And I will just chime in here. I don't have any major reservations about it either. I do -- having the driveway through to two properties there, that -- I see that becoming an issue when things try to redevelop on those lots or even an issue as having that a drive -- drive aisle between the two lots. So, I think it's going to limit that -- what they can there and how they can do things there or pose problems in the future. I do agree that, you know, some kind of tot lot or play structure up in that multi-family is to me going to be a little bit more relevant than -- than where it's at down south. Not that I would like to see that one go way, but an additional one, you know, play structure something like that just to let kids run around. Even, you know, kind of rock structures or something like that. Something for kids to play on and -- would be great to see there. But, yeah, I do like the pathways and all that, the way that they have constructed that, incorporated the creek into it and everything is very nice. So, I think it's going to be nice if it gets approved. Commissioner Yearsley?

Yearsley: Yeah. I wanted to -- I -- I think for most parts it's a fairly good layout. I do echo the idea of having an additional amenity for the R-15. You know, I -- in all my years I have been on the Commission I have never heard anyone come in and say I have got too many amenities in my subdivision. Typically everything is underbuilt, overutilized. In our subdivision that we have, the same thing, it's just -- you never have enough and so I think it is warranted for another amenity within the tot lot -- or in the R-15 area. The rest of it looks reasonable and makes more sense and so I would be in favor of that with that -- with that addition.

Seal: Okay. Do we have any other commentary or would somebody like to make a go at a motion here? Anybody?

Holland: I could probably take a stab. I was trying to let somebody else do it this time though.

Grove: I was getting my notes. I can -- I can do it if you would like.

Holland: Go for it, Commissioner Grove. I will let you do it.

Grove: Okay.

Seal: Commissioner Grove.

Grove: All right. Let's see. Make sure I got the right number. All right. Oh, no, I don't.

Dodson: Mr. Chair?

Seal: Go ahead, Joe.

Dodson: Just real quick, Commissioner Grove. On this one, because there was a staff memo following the staff report, just be sure to include any recommendation that it also

includes those revisions within the memo, dated March 1st. In addition to those in the staff report. Just so we cover all of our bases.

Grove: I can't find the right piece of paper, so I'm just going to take a wild stab at this.

Yearsley: I can take a stab at it.

Grove: You want to do it? Thanks.

Yearsley: Yes.

Grove: Thanks.

Yearsley: So, Mr. Chairman, after considering all staff, applicant and public testimony, I move to recommend --

Seal: Commissioner Yearsley, I can't -- we are having trouble hearing you.

Yearsley: Sorry. I'm looking on -- talking into one computer and looking at the screen on the other.

Seal: Understood.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2020-0113 as presented for the hearing date of March 4th, 2021, with the following modifications: That we add the -- to include the revisions in the staff memo dated March 1st, 2021, and that in the R-15 area an additional amenity, such as a tot lot, shall be included into that phase.

Grove: Second.

Seal: Okay. It's been moved and seconded to recommend approval of item number H-2020-0113, Foxcroft Subdivision, with the aforementioned modifications. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

- 5. Public Hearing for Movado Mixed Use (H-2020-0123) by FlexSpace, LLC, Located on the South Side of E. Overland Rd. Between S. Eagle Road and S. Cloverdale Rd.**
 - A. Request: Conditional Use Permit for a multi-family development consisting of 66 attached units (56 units on 4225 E. Overland and 10 units on Parcel S1121121011) on 6.8 acres of land in the C-G zoning district