

Meridian Planning and Zoning Meeting

December 19, 2024.

Meeting of the Meridian Planning and Zoning Commission of December 19, 2024, was called to order at 6:00 p.m. by Chairman Maria Lorcher.

Members Present: Commissioner Maria Lorcher, Commissioner Andrew Seal, Commissioner Brian Garrett, Commissioner and Matthew Sandoval.

Members Absent: Commissioner Patrick Grace, Commissioner Jared Smith and Commissioner Sam Rust.

Others Present: Tina Lomeli, Kurt Starman, Bill Parsons, Sonya Allen, Linda Ritter, Nick Napoli and Dean Willis.

ROLL-CALL ATTENDANCE

<u> X </u> Brian Garrett	<u> X </u> Andrew Seal
<u> X </u> Matthew Sandoval	<u> </u> Patrick Grace
<u> </u> Sam Rust	<u> </u> Jared Smith
<u> X </u> Maria Lorcher - Chairman	

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

ADOPTION OF AGENDA

Lorcher: The first item on the agenda is the adoption of the agenda. Please note Item 2, Jackson Food Stores, will be opened for the sole purpose of continuance. So, if there is anybody here to testify on this application we will not be taking public testimony this evening. Could I get a motion to adopt tonight's agenda?

Seal: So moved.

Garrett: Second.

Lorcher: It's been moved and seconded to adopt the agenda. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

CONSENT AGENDA [Action Item]

1. Approve Minutes of the December 5, 2024 Planning and Zoning Commission Meeting

Lorcher: The next item on the agenda is the Consent Agenda, which will include to approve the meeting of the December 5th Planning and Zoning meeting. Could I get a motion to accept the Consent Agenda as presented?

Seal: So moved.

Sandoval: Second.

Lorcher: It's been moved and seconded to adopt the Consent Agenda. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Lorcher: At this time I would briefly like to explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and our Unified Development Code. After staff has made their presentation the applicant will come forward and present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant is finished we will open the floor to public testimony. Each person will be called only once during the public testimony. The clerk will call the names individually of those who have signed up on our website in advance to testify. You may come to the microphones in Chambers or you will be unmuted on Zoom. Please state your name and address for the record. You will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting it will be displayed on screen and our clerk will help you run the presentation. If you have established you are speaking on the behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf you will have up to ten minutes. After all -- after all those who have signed up in advance have spoken we will invite any others who wish to testify. A little gun shy here. If you wish to speak on a topic you may come forward in Chambers or if on Zoom press the raise hand button on the Zoom app or if you are listening on a phone, please, press star nine and wait for your name to be called. If you are listening on multiple devices, such as a computer and a phone, please be sure to mute those devices so we do not experience feedback and we can hear you clearly. When you are finished if the Commission does not have any

questions for you you will return to your seat in Chambers or be muted on Zoom and no longer have the ability to speak. And please remember we will not call on you a second time. After all the testimony has been heard the applicant will be given another ten minutes to respond. When the applicant has finished responding to questions and concerns we will close the public hearing and the Commissioners will have the opportunity to discuss and hopefully make final decisions or recommendations to City Council as needed.

ACTION ITEMS

2. Public Hearing for Jackson's Food Stores Ten Mile and Overland (H-2024-0054) by KM Engineering, located at 2275 S. Ten Mile Rd.

- A. Request: Annexation of 5.24 acres of land with a C-C zoning district.
- B. Request: Preliminary Plat consisting of two (2) building lots on 4.88 acres of land in the C-C zoning district.
- C. Request: Conditional Use Permit to extend the business hours of operation in the C-C zoning district (when abutting a residential use and district) from 6:00am to 11:00pm to 12:00am seven (7) days a week for the convenience store and 24 hours per day, seven (7) days a week, for the fuel facility.

Lorcher: So, with that in mind I would like to open the public hearing for Item 2024-0054 for Jackson Food Service for a request for annexation, preliminary plat and a conditional use permit, but they have asked for a continuance. Madam Clerk, what date are we looking for for a continuance?

Lomeli: Thank you, Madam Chair. I think they are looking at January 16th.

Lorcher: So, may I get a motion to continue the application for January 16th, 2025?

Seal: So -- so moved. Sorry. Didn't have my microphone on.

Lorcher: All right. Let's do the second again. Do I have a second?

Garrett: Second.

Lorcher: Okay. It's been moved and seconded to -- to continue application 2024-0054 to January 16th. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

3. Public Hearing for Fairview Drive-through (H-2024-0049) by Ethan Mansfield, Hawkins Company, located at 4300 E. Fairview Ave.

- A. Request: Conditional Use Permit for a drive-through facility for a coffee shop that is within three hundred (300) feet of another drive-through facility and an existing residence.
- B. Request: Modified Development Agreement to create a new Development Agreement to establish the hours of operations to begin service of the coffee shop at 5:00 am and approve new concept plans.

Lorcher: The next item on the agenda is Hawkins Companies request for a conditional use permit for a drive-thru and a modified development agreement at 4300 East Fairview. We will begin with the staff report.

Ritter: Good evening, Commissioners. Linda Ritter with the Planning Department. So, tonight we are here for a request for a conditional use permit and a development agreement modification for a 1,843 square foot quick lube oil change facility and drive-thru coffee shop that is within 300 feet of another drive-thru facility and an existing residence. The development agreement modification is to establish new hours of operation for the coffee shop to begin at 5:00 a.m. So -- oops. So, this application we are looking at -- it is viewed as a restaurant. It requires one parking space for every 250 square feet of gross floor. So, right now they are required to have seven parking spaces. With this layout the applicant is proposing 17 parking spaces, which exceeds the number of parking spaces required for this. In reviewing the site plan staff has talked with the applicant and we feel that this layout is -- we don't feel that it's sufficient and we feel that moving the employee parking from the north side of the property to the south side of the property would provide for better flow for the drive-thru for the coffee shop and the lube shop and there would not be the interference for any queuing in there and so we are asking the applicant to work with staff to come up with a better layout 15 days prior to the Council hearing as you are the recommending body and the final decision will be made by City Council. The layout -- the building itself works, we are just trying to do a better layout for the drive-thru so that there is no interference with the queuing. There will be -- they are required to do a 25 foot landscape buffer, because they are adjacent to residential property here. The applicant did state that they did meet with this property owner, who had no issues with the proposal going in at this location, but the applicant is asking for a buffer reduction to include a Council waiver or exception to add the trash enclosure within the 25 foot buffer. We would like for the applicant to work with the existing property owner to the west, because their trash enclosure already is within the landscape buffer and we would like them to try to extend that trash enclosure so that we are not -- we are minimizing the impact to the landscape buffer. The applicant will be working with Republic Services to see if this is a good location so that they can get in and out of there with the extension of the trash enclosure. So, we will have all of that worked out before we get to City Council. Otherwise, they meet their landscape requirement for this application. So, this is a picture of the existing trash

enclosure and as you can see here on this picture it does intrude into the existing landscape buffer. We would just like to have that extended, so that both of the businesses can utilize that area for their trash enclosure. So, they did provide building elevations. These are conceptual. They will have to go through design review and certificate of zoning compliance before the building -- before they apply for their building permit. For their -- again their development agreement modification is only for the hours of operation for the coffee shop. Currently the DA states that business can only operate between 7:00 a.m. to 7:00 p.m. They are in the C-G, which allows for a business to operate between 6:00 a.m. and 11:00 p.m. But the DA is what regulates what happens on this site, so they just want to change it. The applicant is asking for the closing hour to be 7:00 p.m. Since it is there they would like to make that change. Again, this is the location of where the proposal is. These are the residential units behind here. This is the property owner. Their house is right here. They did talk to that property owner. The city did receive about six -- five to six comments on this application asking the city to oppose this development. They don't like the -- an oil change and fast food in that location due to the proximity of the residential neighborhood. They said that this proposal will be too noisy for the neighborhood as it is scheduled to open at 5:00 a.m. and last into the evening and the other noisy hectic operation starting at 5:00 a.m. and lasting into the evening auto repair machinery and drive-thru speakers, air pollution, high traffic, idling vehicles, two businesses within -- with drive-thru operations can cause potential traffic problems because they share a common parking lot and ingress-egress and the reduction of residential property values. Another one was in agreement with one of the comments and the last one to oppose the application would like less going on in the area where she lives. Again there are several ways for this -- for people to get in. Access will come in off of Fairview to access this property. There is a -- there are two existing drive-outs already on the -- when the bank went in they added the drive-out for this portion on the south side. They will be adding a drive-out on the north side of the property and people -- they can't go across here, so most people will likely come out this way or either come out front and access Fairview or they will go up and take this road, hit the roundabout and come out on Records. So, there are several ways for people to get out of this development. So, staff is recommending approval of this development with our conditions and at this time I will stand for any questions you may have.

Lorcher: Would the applicant like to come forward? Hi.

Mansfield: Hello, Madam Chair. Nice to see you.

Lorcher: Nice to see you.

Mansfield: I have a presentation if you don't have any questions for staff.

Lorcher: Not yet, but we will -- let's hear your presentation. If you could just state your name and address for the record.

Mansfield: Excellent. Thank you. I'm going to wait for Linda to pull it up. My name is Ethan Mansfield, Hawkins Companies, 855 West Broad Street, Boise, Idaho. 83702. I

don't have much to add above Linda's presentation. I think she did a great job reviewing the project. I think it's pretty straightforward. We agree with the conditions in the staff report. I would like to just clarify the hours very quickly. The hours of the coffee user will be 5:00 a.m. to 7:00 p.m. The hours of the oil change user will be 8:00 a.m. to 7:00 p.m. and this -- this is consistent with the other -- for the coffee user. They have several other locations in Meridian. This is consistent with those other locations. This will be the first of this oil change user in Meridian, but this is standard operating hours for all of their other locations across the United States.

Lorcher: Okay.

Mansfield: And, then, I would like to just say that we do have representatives from Oil Changers online tonight if you would like to ask questions about operations, environmental safety, the machinery that they use, which is common like household drills, like electric drills like you might use in your garage and, then, also to clarify access, we would be taking access primarily from Fairview. The site plan is set up to kind of facilitate the access on and off of Fairview, not to be using Venture as much, although that is absolutely an option. I just wanted to clarify that that's kind of the intention was to utilize the Fairview just so that there wasn't as much traffic on Venture or any of the -- you know, kind of lesser -- or like lower traffic roadways and I think that's all I have got. Thank you very much.

Lorcher: So, before you walk away -- Commissioners, do we have any questions for the applicant?

Seal: Yeah. I mean I will ask on the -- I mean the 5:00 a.m. to 7:00 p.m. for the coffee shop is that absolutely necessary? Because this -- I mean even though it's quite a ways away from the houses that are there it is right up against a residential, which is not common for the rest of the -- or rest of the locations.

Mansfield: Yeah. So, that's a great question Commissioner Seal. We did take a look at the other locations of Human Bean within Meridian. These are them. Two of them are in the C-G zone. One of them is in Old Town -- in Old Town zone. The Old Town is actually much closer to a residential neighbor than we are. We are about 277 feet from -- the building is 277 feet. Not the property boundary, but the building itself from the nearest residential structure and this one is -- if I remember correctly -- about one hundred, one fifty, so all of these are open at 5:00 a.m. and they close at 7:00 p.m. Monday through Friday and, then, on Saturday and Sunday they open at 6:00 a.m., so that is consistent with the other operations of every Human Bean in the Treasure Valley, so that's why we are asking for it here. We feel that the -- any potential impact can be mitigated by -- you know, as far as light by the landscape buffer and as far as noise there is a noise ordinance and there are noise requirements that speakers don't -- can't be heard off property. So, that's taken care of in other areas of the code and, obviously, we are committed to meeting those -- that code. So, you could stand at the back fence and not hear the speaker.

Lorcher: Did you -- do you agree with the request to move the parking stalls to the north side of the property -- south side -- they are in the south side now; right? Oh, they are on the north. So, to -- are you amiable to move the parking to the south side of the property?

Mansfield: It is a little bit confusing because the site plan was turned sideways and that -- yeah. And that's just the way it was -- it was produced that way. So, we have been working with staff on a solution to remove them from the -- the north side. We have a couple different solutions that it sounds like we are working through with staff and they have been really great to work with on this. Our current iteration does not include them on the -- on the south side, but includes additional on the -- on the east side to meet parking requirements, but we have been working through that and kind of, you know, sharing our needs and so -- the city's needs and I think we have been making great progress. So, we are committed to continuing to work on that.

Lorcher: Okay. Commissioners, any other questions before public testimony?

Sandoval: Madam Chair?

Lorcher: Commissioner Sandoval.

Sandoval: This might be a question for staff. So, the CUP for a drive-thru being within 300 feet, is that for the existing drive-thru that's on the site plan to the left, that bank, or is it because there is two drive-thrus in this plan?

Ritter: Commissioner Sandoval, so the -- the old place is not a drive-thru. So, that's not considered a drive-thru.

Sandoval: Okay.

Ritter: The coffee shop is a drive-thru, but it is for the bank that is to the -- on the east side and for the residence that is adjacent to this.

Sandoval: Perfect. Thank you.

Lorcher: All right.

Ritter: And also -- sorry. Also this particular property -- the development agreement requires a CUP for any use on this property.

Lorcher: Thank you.

Mansfield: Thank you very much.

Lorcher: Madam Clerk, do we have anyone signed up for testimony?

Lomeli: Madam Chair, we had a Jack sign up, but it looks like they might have crossed their name out. That's the only name on this list.

Lorcher: You are good? Okay. Is there anybody in Chambers that would like to testify? I see you nudging. No? You are good? Okay. And anybody online? Did I already ask that question?

Lomeli: Madam Chair, no one has signed up online and no one has their hand raised.

Lorcher: All right. Then I will take a motion to close the public hearing.

Seal: So moved.

Sandoval: Second.

Lorcher: Oh. Wait. Sorry. Stop. Did you have anything else to add? You are good? All right. I will take that motion and the second to close the public hearing. All those in favor say aye. Any opposed? Motion carries. Thank you. Sorry about that.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: Okay. What do we think about Human Bean and the Oil Changer? Is that the name of the --

Seal: Madam Chair?

Lorcher: Commissioner Seal.

Seal: I always like to see things come through a little bit more complete. I would -- I agree with staff's recommendation to move the parking. So, if they can work through that before it gets to City Council I don't see an issue with it, so -- you know, I have got to say after In-N-Out I'm a little gun shy on drive-thrus in this area, so -- you know, I -- I don't think -- yeah. I don't think that we are going to have the volume there, so -- as we have -- we have seen with and continue to see at the In-N-Out very close to this. But I think it's far enough away from that -- that the traffic patterns in here are probably going to be pretty close to what they are forecasting on it. So, I don't have any big issues with it, so -- I mean it's -- it's another expansion of kind of that -- that -- that small grouping of houses that's back there, so -- I mean that's -- kind of sad to see some of that disappearing and getting encroached on, but all of this is an accepted use for this plot right here, so I don't necessarily have any issues with it.

Lorcher: Yes. And we are the recommending body to City Council because of the development agreement modification. Commissioner Garrett or Sandoval, do you have any comments?

Garrett: No, I don't.

Sandoval: Yeah. Madam Chair. So, as far as it being -- I mean the only issue I would see is looking at it from the position of there is another drive-thru adjacent to it and it's a bank and this is a coffee shop. So, I don't really think that there is any issues -- nothing that I have with it certainly.

Lorcher: Yeah. I guess the only thing that I would say in regard to the trash enclosure -- the trash enclosure right now is on the -- at the back of the property, which is -- abuts up to the residential and I don't know if you have ever heard of those big cans, you know, blasting back and forth when they are -- where they are doing their shake. It would be nice to see that actually moved away from the residential a little bit more. But if -- they are working with staff to find the best spot, because there is already one existing there. So, that's a detail that they can work out. All right.

Seal: Madam Chair?

Lorcher: Commissioner Seal.

Seal: After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2024-0049 as presented in the staff report for the hearing date of December 19th, 2024, with no modifications.

Sandoval: Second.

Lorcher: It's been moved and seconded to approve File No. H-2024-0049. All those in favor say aye. Any opposed? Oh. Sorry. Are any opposed? Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

4. Public Hearing for Apex Zenith (H-2024-0052) by Brighton Corporation, generally located at the southeast corner of S. Meridian Rd. and E. Lake Hazel Rd.

- A. Request: Rezone of 71.44 acres of land from R-4 (Low to Medium Density Residential) to C-G (General Retail and Service Commercial District) zoning district.
- B. Request: Annexation of 77.71 acres of land from RUT zoning in Ada County to C-G (19.19 acres) and R-15 (58.52 acres) zoning districts.
- C. Request: Modified Development Agreement to replace the current Development Agreement (#2016-007072) to include a general concept plan and transportation network in a new Development Agreement.

Lorcher: The next application we have is from Brighton Corporation, requests a rezone and annexation and a modified development agreement for Apex Zenith near South Meridian and East Lake Hazel Roads and we will start with the staff report.

Napoli Good evening, Madam Chair and Members of the Commission. The next item on the agenda is the annexation, rezone and development agreement modification for Apex Zenith. The applicant is requesting to rezone 71.7 acres from R-4 to C-G, annex 77.71 acres with the C-G and R-15 zoning districts and a development agreement modification to develop the subject property with a mixed-use development consisting of approximately 446,000 square feet of commercial, 100,000 square feet of office slash employment and residential uses. The site consists of 149.41 acres of land, generally located in the southwest corner of Meridian Road and Lake -- East Lake Hazel Road. As shown on the screen, the current zoning is R-4 and RUT in Ada county and the FLUM designation is mixed-use regional on the western portion and medium to high density residential on the eastern portion. The annexation exhibit for the C-G portion. This is showing the -- the float for C-G across the Lake Hazel frontage and the R-15 is on the right side. And this is the rezone exhibit for that western portion of the site from R-4 to C-G. The two parcels fronting South Meridian Road were annexed in 2015 with the south Meridian annexation. These properties were given the placeholder zoning of R-4 until further -- until future development. Due to these properties being in the mixed-use regional, the request to rezone to C-G is consistent with the Comprehensive Plan. The applicant has submitted a high level concept plan for the entire development. Phase one focuses on commercial, retail and medical office slash employment uses, while phase two includes commercial and residential components. The concept plan proposes the float of the mixed-use regional designation into the medium high density area along the East -- East Lake Hazel frontage, covering approximately 19 acres. However, the concept plan lacks specific detail and does not -- does not demonstrate compliance with essential mixed-use development -- development elements. Staff has expressed concerns with this approach as it may result in critical mixed-use components being overlooked. To address these concerns staff has -- has outlined a path forward by incorporating provisions in the development agreement requiring comp plan elements during phase two. While staff is amenable to deferring key mixed-use elements, a comprehensive -- a comprehensive master concept plan for the entire development is essential. This plan ensures the alignment with the Comprehensive Plan and supports the justification of the float of the mixed-use regional along the East Lake Hazel frontage. The applicant has acknowledged the importance of these elements, but intends to provide the details for these elements during phase two with the future -- with phase two of the -- with the future DA amendment. The Planning and Zoning Commission and City Council shall determine if deferring these elements is appropriate at this time. Key elements requiring consideration include plazas connecting commercial and residential uses, active and shared open spaces, a mix of at least three distinct land uses, eight foot parkways with on-street parking and bulb outs, functional integration of uses, purposeful open space design and design integration. The applicant is requesting the approval to obtain three building permits during phase one, which includes the float -- which includes floating the C-G portion along East Lake Hazel Road for employment uses. Additionally, they plan to reconfigure the property

through a future property boundary adjustment. This adjustment would allow the construction of two identified -- would allow the construction on the identified parcels before the remaining property is subdivided as part of phase two. For mixed-use developments at least 40 percent of building frontage must be occupied for building -- by building facades per the UDC. The current concept plan shows no building frontage along Meridian Road. To satisfy the 40 percent requirement for phase one the applicant should relocate the building to the Meridian Road frontage. Staff recommends sliding the building to the west and positioning it along this road. However, after discussing with the applicant they would like to defer the 40 percent building frontage to phase two with the remainder of the entitlements. Qualified open space and amenities will be determined with future development agreement modification for phase two. The landscape plan will be evaluated with the submission of the certificate of zoning compliance. However, staff is recommending the landscape buffer improvements be included within phase one of the development. While that plan is not creating a formal subdivision at this time, staff believes installing all landscape buffers fronting Meridian Road, East Lake Hazel Road, Prevail Avenue and Aristocrat Drive will be important for the compliance with the Comprehensive Plan and UDC. Access is proposed from five different access points across the development. Three access points are off Meridian Road and two of them are off of East Lake Hazel Road. The three access points off Meridian Road include the half mile collector, a quarter mile street and a quarter mile and eighth mile street or a private drive aisle. Staff is supportive of the half mile access, but is not in support of the two additional right-in, right-out access as they do not meet UDC standards. However, ITD has approved all three accesses, with the quarter mile being a full signalized access and the other two being restricted to right-in, right-out. With ITD's approval the City Council may grant access waivers for the other two access points. Additionally, the applicant has been coordinating with ITD on a STAR's agreement to address transportation improvements along State Highway 69 and accesses along its frontage. Staff is supportive of this approach and is recommending the applicant enter into a STAR's agreement with ITD prior to commencing with the development of phase two. The applicant has also entered into a completed cooperative development agreement with ACHD to fully build Lake Hazel to five lanes between Meridian Road and Apex. With the construction in 2024 both the quarter mile collector Prevail and eighth -- eighth mile right-in, right-out driveway to -- to East Lake Hazel Road were designed, approved and constructed. The applicant is seeking Council waiver -- Council waiver for the additional access point to East Lake Hazel Road. Staff does not support the eighth mile right-in, right-out to Lake Hazel Road in accord with UDC. However, this may see Council waiver. On the screen are the DA provisions that staff is recommending with this. There is quite a few. There is two different slides, so let me know if you want to take a look at them again. Staff is recommending approval and has received written testimony from the applicant Amanda McNutt proposing changes to two of the DA provisions shown right here and I will stand for questions at this time.

Lorcher: So -- so what -- what two agreement provisions are they opposed to? Is it on here?

Napoli: Yes. So, the existing agreement -- so, that's the existing. So, that's the one that we proposed as staff and they are -- their proposed is their change -- how they would like it to change as far as with that. So, the two existing ones are as staff proposed and the two ones that say proposed is how -- how the applicant would like those to change. Essentially they are wanting to defer some of the landscape buffer installations to different points throughout the phases. So, some would be installed with phase one and part of -- others would be installed with phase one and, then, some would be deferred until there was actually a future final plat and, then, the second one is that they would like the bulb outs to be removed from the DA.

Lorcher: Okay. Thank you. Would the applicant like to come forward?

Wardle: Commissioners, good evening. My name is Jon Wardle. My address is 2929 West Navigator Drive, Meridian, Idaho. 83642. I'm going to share my screen here. Make sure you can see that.

Lorcher: There it is.

Wardle: Okay. Perfect. Just close one thing here. Appreciate the opportunity to be here tonight and talk about this current application before you. Just zooming in very closely and I will zoom back out and, then, we will come back into it. We are talking about the hundred and -- about 150 acres -- just a little bit less than 150 acres on the corner of Meridian Road, State Highway 69 and Lake Hazel. Half of this property was brought into the city back in 2016 through a development agreement and I will get into that in just a second. As you know and as the other projects that we have brought before you, this is a -- part of our Pinnacle community. It sometimes comes up as Apex, but it is Pinnacle and Zenith is what's in the red box here, but previously before the city we received approvals for Northwest, Southeast, Vertex, Farr West, Phenomenal and we actually have another application in to the city called Cadence and so we have been bringing a number of different components, not just a -- a standalone of this or a standalone of that, but we have been looking at many different land uses and services needed in the area and because of the location of Zenith on the corner of Meridian Road and Lake Hazel this really starts to bring some of those regional uses which are desired by the city and -- and by the residents as well. Just want to highlight a couple things that we -- that have been done already. We entered into a number of cooperative development agreements with ACHD and in one of those actually the City of Meridian was involved in it as well. The first one we did was Lake Hazel, Locust Grove roundabout and, then, we did Lake Hazel from Locust Grove to Recreation and that was -- the city was involved in that one as well, as it allowed them to start phase two of Discovery Park. The third one was three-quarters of a mile from -- of Lake Hazel from Locust Grove over to Meridian Road. That roadway was just finished. It was just opened and so we have a five lane roadway now going from Meridian Road almost all the way to Eagle Road. ACHD currently has Eagle Road shut down and they are building that out as a five lane. There will be an intersection -- lighted intersection at Lake Hazel and they are building five lanes up to Amity Road, which will be complete next fall. In addition to those roadway improvements, we brought Gem Prep into the

community. Meridian Library District just opened in October and we have the So-Me Amphitheater, which will open in summer of '25. At the bottom of the screen that shows you the full mile of the build out. Google Earth just actually just updated their mapping -- or the aerial and so we were able to capture that. But that shows you what has been built as part of a couple of different cooperative development agreements. The city's Comprehensive Plan currently designates the area as both mixed-use regional, which is kind of shown in brown and, then, medium to high density, which is the yellow with some dots on it. We are not proposing any changes to the future land use map, but trying to create a plan that fits within the current context of the city's Comprehensive Plan. Back in 2016 the city did a large annexation in this part of the community. Part of that was to start the extension of sewer. So, in 2016 there were several thousand acres that were annexed and zoned. If you see -- as their R-4 on here, those -- those properties were generally brought in as kind of a holding zone with the idea that they -- they would transition to a -- a more comp plan specific designation when those projects came forward. Just like we have done on the rest of Pinnacle, that was originally brought into all R-4 and as you can see there is land uses -- or new zones that are upon there. So, this is a continuation of that prior annexation that happened in 2016, which kind of created a holding zone. So, before the Commission tonight there is a couple of items. One is a rezone of the part of the property which is directly adjacent to Meridian Road, which is about 71.7 acres. And, then, there is an additional 77 acres that needs to be annexed and brought into the city. Then based on your recommendation City Council will look at those, enter into a new development agreement specific to this 150 acres and will also review the waivers of access to Lake Hazel and Meridian Road and, finally, we will be doing some adjustments on the parcel so that applications can move forward on some of the land uses. This is the concept plan that we provided to staff. What's important here is this is also the basis for the discussions we have had with both ITD and ACHD on transportation. The land uses which are represented here have been built into the TIS's, which have been -- which are in process of being reviewed by both those agencies. We actually have had bi-monthly conversations with ITD specifically because State Highway 69 is their corridor and they are looking at long range plans there and we are trying to merge into those plans and see how we can facilitate some improvements on that corridor as they continue to work through their plans. So, this represents two different colors. You kind of have the salmon color, which is a C-G zone, which takes in all of the area along Meridian Road and, then, we also have a little bit of floating across Lake Hazel. That parcel up there that says medical office, it's actually bisected by the Rawson Lateral. The Rawson actually is slightly elevated and so there is really not a direct connection to the peace to the north and south, but we just carried the -- the C-G across that completely and, then, the rest of it is in compliance with the city's Comprehensive Plan of medium to high density. We are also showing here some roadway improvements and I'm going to get into that a little bit more, but we have already made -- with Lake Hazel improvements we have made the -- the intersection for Prevail, which is a quarter mile east of Meridian Road and the -- there is an eighth mile curb return there as well and we have made along that entire corridor a number of different curb returns in compliance with ACHD's plans and to try to make those work. We have also worked with ITD. If you see where Aristocrat here is, just south of Aristocrat on that corner against Meridian Road that's actually Kuna. It's in

their area of impact. We have worked with the city of Kuna, with ITD, on Aristocrat and its full access as a collector roadway. A couple graphics really here -- really quickly here is we are requesting a rezone of the R-4 to C-G and a little bit of the area and the annexation to C-G and the balance of the area in white to R-15 and this kind of shows you how those will work together. So, our first step is we -- as you read through the application and you read through the staff report is kind of a step one, step two, is that we are initiating the -- the process so that we can commence with some regional -- I should say commercial uses, as well as medical uses. We have had conversations with different users and they are ready to go and so we are trying to accommodate them through this first step, which would allow for this rezone process, the annexation process happen and that was also the request for the building permits with these as well, so we could commence those and the work could go forward and those are represented here in red. The area that's represented in yellow, which is the balance of the property, is what we call the second step. We need to bring back to this Commission a preliminary plat. We are -- we are already delineating where roadways are going to go, but there is some uses in -- within those areas that are not as of yet known. But we can go in from day one, get the roadways built and, then, bring back to this Commission the second step, which would bring preliminary plat applications and detailed development applications as noted by staff. Just zooming in really quickly here, here are the completed Lake Hazel Road approvals. The quarter mile, which is Prevail, that intersection is in and, then, also the eighth mile just to the west of that. These are in. We have also completed the sidewalks, which are ten foot sidewalks on each side of the road and have installed the landscaping in this corridor. So, we are -- we don't always have that opportunity, but we felt like here was a chance and ACHD was able to work with us to get those things done sooner than later and we expedited that as much as possible. So, what are we going to do from day one? So, as I mentioned we have some opportunities to move forward with some building permits. In order to get those building permits we need to have some site improvements done. Along Lake Hazel where you see the red asterisk we actually have utilities to that location. Sewer and water is -- everything is there. We built that with the improvements into Lake Hazel and so we want to commence as quickly as possible and we are showing here June of 2025 the blue section and the green section. Those improvements and infrastructure would occur as quickly as we could so that those building permits could -- could start. Then right after that we kind of split the plans apart so that we can get approvals and get sign off on utilities with the blue and the green and, then, we would also complete the orange roadways, which would be the balance of Prevail, Aspire and Aristocrat. We are still working with the highway district and ITD on signalization and timing of those, but ITD has indicated that their -- their long range plans now do accommodate for signals at the half mile. When we designed the quarter mile we also designed that with ACHD in tow and all the conduits in place for the future signalization as well and so our hope is that we would be putting those signals in with our first -- with these orange roads, so that when any uses were open or prior to the certificate of occupancy this complete roadway infrastructure here would be done with this project and that's where we are committing to do up front. They are just slightly -- the nuance here is it's one project that we have kind of broken up into an A and B, just so we can get these things moving and get them done prior to certificate of occupancy.

Commissioner Lorcher had asked -- and I will just kind of get into this really quickly, but here is really the two modifications we are asking for from the staff report and we do concur with the staff report. We had spent a lot of time with them. We came in early to discuss the project. We have had a number of conversations. Nick and Bill have been very open to listening and -- and talking through situations with us. Part of this is timing of landscaping of -- of the buffers. We are -- we are fully committed -- and let me just go to -- we provided an exhibit of what we want to do from the very beginning and we are showing the green buffers along Lake Hazel and Meridian Road and also along Prevail and Aspire. So, all that work and even down to Aristocrat would be part of our initial work. The part that's in question would be this area in blue. That would -- that's going to come back to the city in the future for a preliminary plat or a preliminary plat and, then, ultimately final plats, but there are some details that we still need to work through on that buffer. We are committed to it. We are not avoiding it. It just -- it really needs to be more specific to when that phase of development happens, not at the very beginning before we really have access to any of those buffers or there is any improvements there. So, that's the request. That's the modification that we are asking for is that the condition be amended and that this exhibit, which we provided to staff, be part of the record and, then, the other question was regarding on-street parking and bulb outs. If you have driven into Pinnacle, the northwest in particular, we have a lot of on-street parking and bulb outs. We are not adverse to those. In fact, we believe that they provide a very good opportunity to provide calming and other things like that. But we had to work with ACHD on the location of those and where those would be. So, we are just a little concerned about a blanket statement of bulb outs and on-street parking without, you know, specific clarity as to what that would be. Are we committed to moving that direction? Yes, but we are just asking that that condition be stricken at this point as we come back to the Commission in the future. So, in summary, we are asking the Commission tonight for basically first step approval for the annexation and rezoning process that would allow the C-G and R-15 to move forward, which would, then, allow us to submit plans for roadway work and infrastructure and, then, we will be back on phase two on those areas that we talked about with more detailed planning and address the issues that staff has identified. Design integration. Mixed-use. We have already started that process. This we are showing you a mixed-use project already. But there is a little bit more detail that needs to be in place and we can get there. If you recall when we did Ten Mile Crossing initially those design guidelines are not part of that. We brought those in at a later date and, in fact, it ended up being about a 77 or 80 page document, which was, then, adopted by development agreement. We are committed to doing that here. It just -- we are not ready to do that at this point in time. But when we come back for step two we will be coming back with the same set of design guidelines and I think if you have questions regarding how that's worked I think staff could explain that process and why that's important and we believe it's important as well, because as you look at Ten Mile and the way it's built out, there is a cohesiveness. It didn't start out with design guidelines, but we were able to establish a theme and we got there. So, that's our -- that is our goal here as well. So, with that I stand for any questions you might have tonight.

Lorcher: Can you bring up the slide that had the -- the salmon color and where you had the big box stores or medical -- where you -- where you have the annexation. That one. So, all of the land that we are talking about for annexation and rezone are currently under your control; correct?

Wardle: Yes. There is one property. You can kind of see it there.

Lorcher: The little hold out there?

Wardle: A little hold out. That's the Davises and the Davises are here tonight and they can speak to that as well, but we have spent a lot of time talking with them on how we integrate with them. But everything else you see there is under our control.

Lorcher: And you also mentioned that south of the Aristocrat is the city of Kuna; correct?

Wardle: It doesn't -- Madam Chair, sorry, I'm a little informal there. This piece right here is the city of Kuna. You can kind of see this line here --

Lorcher: Uh-huh.

Wardle: -- to the right of that line is the City of Meridian.

Lorcher: Oh. Okay. So --

Wardle: So, there -- there is just a little piece here. If you kind of come through south Meridian there is like this jagged tooth kind of diagonal. That's kind of where this happens here. But this piece here goes to Kuna and, then, to the right is the City of Meridian.

Lorcher: One more question. What -- what is there now? Is it empty land or is there development?

Wardle: Madam Chair, are you asking specifically about the property adjacent to Meridian Road?

Lorcher: South of Aristocrat.

Wardle: So, there is two things. Let me see. All right. This is a pretty good exhibit.

Lorcher: Yeah. So, right now it looks like it's undeveloped; correct?

Wardle: It's undeveloped. There is a property owner there on -- I'm going to say -- I might have my number wrong, but let's call it 20 acres. They have an approval for self storage.

Lorcher: Okay.

Wardle: South of that is the lineman college.

Lorcher: Oh. Okay.

Wardle: And, then, just -- there is a five acre property here. Those -- that's owned by the Wesleys and we have communicated with them on Aristocrat and how that's going to be, but -- so there would be storage here and, then, the Wesley's property and, then, our property. So, there is a -- a little house here with some outbuildings and things that the Wesleys own, but the rest of it is currently kind of undeveloped.

Lorcher: Okay. Thank you. Commissioners, do we have any questions for Mr. Wardle?

Seal: Madam Chair?

Lorcher: Commissioner Seal.

Seal: On the -- specifically on the condition -- the 4A.1L, instead of striking that language altogether would you be comfortable with something that is a -- such as verbiage, instead of striking it all together, so there is the expectation -- because if you are committed to doing some kind of mitigation like that something such as I think is --

Wardle: Yes.

Seal: Okay. That's agreeable? Thanks.

Lorcher: Okay. I think we are good for right now. We will --

Garrett: I have a -- excuse me.

Lorcher: Oh. Sorry.

Garrett: There was mentioned the STAR agreement that you had worked out.

Wardle: Madam Chair, Commissioner Garrett, not worked out yet.

Garrett: Oh.

Wardle: We have -- we have had a number of conversations with ITD about Highway 69. There is -- there is an opportunity, but we don't have those details worked out as of yet, but making other improvements in that corridor and so we are -- we are committed to continuing to work towards that. We have -- we have looked at different scenarios as what could happen. ITD is kind of an interesting position as well as they are looking at their own plans and they have other developments coming along and there has been

commitments made by other developers. We are just trying to identify what could occur on the corridor. So, no, we have not. We are working towards that, but based on our conversations with ITD we feel like there is a very good path to continue those conversations.

Seal: Madam Chair, quick --

Lorcher: Commissioner Seal.

Seal: -- quick question. So, is -- without naming a business that's going to go in there, can you say what the businesses that are going in there would be similar to or the vision that you have for that?

Wardle: Madam Chair, Commissioner Seal, I cannot. I can tell you that we have had conversations with retailers and with medical users and those would be similar to what have already been built in the City of Meridian.

Seal: Okay. And -- Madam Chair. The reason I asked that is I have -- the majority of people that I talk to that are south of the freeway are just like put in a Target, put in a Walmart in south of the freeway. We always have to drive north to get to it. So, it's a very big ask in that area.

Wardle: Madam Chair, Commissioner Seal, you are correct that there are some needed services -- retail services that would include grocery and, you know, everyday use things needed south of Overland Road for that matter --

Seal: Uh-huh.

Wardle: -- and I can just tell you that we are committed to help moving that along and that's kind of the impetus of why these applications are before you and the improvements that we want to make, so that those things can happen sooner than later, so --

Seal: Okay. Thank you.

Wardle: Thank you.

Lorcher: Any other questions for Mr. Wardle before you open the public testimony? Okay. I think we are good now.

Wardle: Thank you.

Lorcher: Thanks. Madam Clerk, do we have anyone signed up to testify?

Lomeli: Thank you, Madam Chair. We have a John -- no last name that signed up online and I don't see a John on Zoom.

Lorcher: I don't either. Okay.

Lomeli: Next person we have is Jack Davis. Good evening.

Davis: Chair, Commissioners --

Lorcher: Can you state your name and address for the record, please?

Davis: Jack Davis. I reside at 7000 South Meridian Road. The owner of the holdout property that's illustrated on the map.

Lorcher: Okay.

Davis: I signed up and not knowing exactly what the buffer requirements were on -- on step two of Jon's proposal -- Mr. Wardle's proposal and we met prior to the hearing. He has addressed my concerns and that's -- that's really all I have to -- to state right now.

Lorcher: Okay. Thank you very much. Madam Clerk?

Lomeli: Madam Chair, Cheryl Davis. Did you want to testify? Okay. That's okay.

Lorcher: Okay.

Lomeli: No one else has signed up.

Lorcher: Anybody else in Chambers? Mr. Wardle, do you have anything else to add?

Wardle: For the record Jon Wardle with Brighton. I just wanted to state that with the Davises -- I would not consider them a holdout. We have met with them in their house. We have talked about how we would surround them, opportunities to create buffers and things like that, and that commitment is fully in place and so I just -- he said hold out and I just wanted to make sure that I -- I feel like there is -- there is no adversary between either one of us, but we -- they are good people and we will continue to work with them. Again, I just wanted to -- I just conclude with, again, we ask for your recommendation to the City Council for the rezone of the property that's already been annexed and also the annexation request in these applications as well and look forward to continuing to add to the Pinnacle community and bring services that are needed south of the freeway.

Lorcher: Okay. Thank you very much.

Wardle: Thank you.

Lorcher: Can I get a motion to close the public hearing, please?

Sandoval: So moved.

Garrett: Second.

Lorcher: It's been moved and seconded to close the public hearing. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: So, I understand staff's concerns with the roads going along Meridian Road, whether they are right-in, right-out or however that works, because it does not follow the UDC and as far as access is concerned I would think the less you would have on Meridian Road would be better, because that's a pretty fast moving highway. So, having more access on Lake Hazel, but -- so, I understand that part of it and the bulb outs for parking is something that can be addressed with ACHD, but I think the concern was the timing of it. Phase one or phase two. Other than that it seems like we have been -- or Brighton working with this particular area -- these square miles has -- has been building up to this point and it really is the devils are in the details I think for a little bit of it. Overall, you know, it fits in with the area. If it's going to provide services to the south side of the freeway, so they don't always -- so that the community doesn't always have to come north would be in the best interest of the community. I guess I would just have to kind of go through again of the things that are being concerned as far as phasing is concerned. Any other -- I would have to look back, but any other comments about -- about this application?

Seal: Madam Chair?

Lorcher: Commissioner Seal.

Seal: I think you are on point there. It -- I mean it's -- it's a big piece of land. It's going to bring in hopefully something that kind of the communities they are asking for as far as kind of bringing more business south of Overland for easier access there and I mean being right off Meridian Road it's -- to me that's a -- that's the place you want to have it, so with the Lake Hazel improvements that are there and, you know, the amount of residents that are developing there, too, I think it's -- you know, I personally think that it's going to be a good fit for the area. So, as far as the modifications that the applicant is asking for, I don't have any issues with 4A.1H, which is the buffer, especially since he has worked -- you know, already talked to the landowner there to kind of -- you know, basically let them know what they are committed to and -- and work with them in order to provide what's going to be necessary there. I don't see them going way out of spec with this.

Lorcher: Right.

Seal: I think that, you know, the idea is to get this development in as quickly and as efficiently as they can. So, I think the buffer discussion is probably one of just -- I hate to see them build something out just have to rebuild it --

Lorcher: Right.

Seal: -- depending on what goes in there. So, really don't have any issues with that. I would like to -- instead of striking all the language altogether for 4A.1L, I would just rather put in the terminology such as the bulb outs and -- and that, so if -- if -- if I make the motion I will throw that in there.

Lorcher: I think you might, because you got all the language. Commissioner Garrett, do you -- do you have any other comments in regards to this proposal?

Garrett: I do. I -- I happen to live about a mile and a half down from this proposal down Lake Hazel and I compliment you on your other work today. It seems to be doing very well and I'm -- I'm a user of that new library, so that's great and I also like the idea of services having to not drive into the -- as far as I have to do now. So, I -- I'm in favor of this development as you have described it. Thank you.

Lorcher: Commissioner Sandoval.

Sandoval: Madam Chair, yeah, I see the landscape buffer issue from both sides, but I tend to agree with your comments that it doesn't make sense to ask a developer to build out a landscape buffer and, then, potentially add cost to go rip it out or to do something else to it. That doesn't really make sense. Same with the bulb outs; right? I think we can defer to ACHD and let them work it out. As far as the commercial next to the residential, I think that's a good idea to bring something in the neighborhood, so -- and almost more importantly is -- as far as with the -- with the Davis residence, working with them and having their support it's really hard to be anything but in favor of this.

Seal: Madam Chair, if we could have staff bring up the graphic that has the actual two points on there. So, I will try and make a motion here real quick.

Lorcher: Is that what you wanted to see?

Seal: Yeah. Madam Chair?

Lorcher: Commissioner Seal.

Seal: After considering all staff, applicant and public testimony, I move to recommend approval of file H-2024-0052 as presented in the staff report for the hearing date of December 19th, 2024, with the following modifications: That 4A.1H be modified to state install landscape buffers as shown in the -- in the exhibit and to add the words such as to not make on-street parking and the bulb outs mandatory.

Sandoval: Second.

Lorcher: It's been moved and seconded to approve -- to recommend to City Council the annexation and modified development agreement for Apex Zenith. All those in favor say aye. Any opposed? Motion carries. Thank you.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: We good to go for one more?

Seal: Oh, yeah.

5. Public Hearing for Lennon Pointe Subdivision (H-2024-0060) by Rodney Evans + Partners, LLC., located at SE Corner of N. Linder Rd. and W. Ustick Rd.

- A. Request: Preliminary Plat consisting of 41 single-family/townhome residential building lots, one (1) multi-family residential building lots, one (1) commercial building lot and Seven (7) common lots on 8.80 acres of land in the R-15 and C-C zoning districts with some private streets.

Lorcher: Okay. The next application is by Rodney Evans and Partners, requests a preliminary plat for the Lennon Pointe Subdivision near Linder and Ustick Roads and we will start with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. The next application before you is a request for a preliminary plat. This site consists of 8.8 acres of land. It's zoned R-15 and C-C and it's located at 1515 West Ustick Road at the southeast corner of North Linder Road and West Ustick Road. This property was annexed back in 2022 with a development agreement and approval was granted at that time for a preliminary plat and a conditional use permit for a multi-family residential development both of which have since expired. The development agreement requires future development to be generally consistent with the previously approved plans, including the preliminary plat and conceptual building elevations, as well as a site plan. Comprehensive Plan future land use map designation for this property is mixed-use community. A new preliminary plat is proposed consisting of 41 building lots for the development of three single family residential detached units, 30 single family residential attached units and eight townhome units. One multi-family residential building lot for 18 apartment units and one commercial building lot for two building pads and seven common lots on 8.8 acres of land in the R-15 and C-C zoning districts. The proposed plat generally complies with the previous plat included in the development agreement as required. One phase of development is proposed. Access is proposed by one full access via North Linder Road, an arterial street, along the project's west boundary, which may be restricted to a right-in, right-out if warranted by ACHD in the future. And one access from West Ustick Road, an arterial street, which is restricted to right-in, right-out. Access is also proposed via the extension and connection of West Pebblestone Drive at the east boundary of the site and North Zion Park Avenue at the southern boundary

of the site. Both existing local streets stubbed to this property. The public street will provide access to lots on the eastern portion of the site and a private street loop is proposed for addressing purposes and for access to the lots on the western portion of the site. So, I will just show you real quick here. This is the public street coming in and, then, the private street is proposed right around here and loops back to that public street. The development incorporates a MEW in the design as required by the UDC for approval of private streets and single family developments. The director has approved the proposed private streets. The maintenance agreement for the private streets is required to include all lots within the development, all of which are required to pay their proportionate share toward maintenance of the private streets. Ingress-egress easements are required for all lots in the development to use the private streets and the driveways in the commercial and multi-family residential portions of the development, as well as the single family. Seven foot wide attached sidewalks exist along Linder and Ustick Roads. A 25 foot wide street buffer is required along both of these streets. There are two major waterways across the site, the Creason Lateral and the Kellogg Lateral. The Kellogg Lateral is being rerouted to the southwest corner of the site near the Creason Lateral. A ten foot wide multi-use pathway is proposed to extend from the southern boundary along the Creason Lateral to the sidewalk along Linder Road in accord with the pathways master plan. A minimum of 15 percent qualified open space is required to be provided for the single family residential and the townhome portions of the development. Based on 6.96 acres, a minimum of 1.05 acres is required to be provided. 1.33 acres or 19.07 percent is proposed, consisting of linear open space, open grassy areas exceeding 5,000 square feet in area, 50 percent of the arterial street buffers along Linder and Ustick Roads and storm water retention facilities. A plaza area. All of which meet and exceed UDC standards. Qualified site amenities are also required to be provided based on the area of the development. A minimum of two site amenity points are required to be provided. The applicant is proposing a dog park with a dog wash station for two points, two dog waste stations, one point. A tot lot with commercial grade play equipment. One point. A short segment of use pathway, internal pedestrian bicycle circulation system with landscaping and bicycle storage exceeding the minimum standards by several points. Future development is required to comply with the conceptual building elevations and site plan included in the development agreement. Final design of all single family residential attached and townhome structures, as well as the commercial and multi-family structures is required to comply with the design standards in the Architectural Standards Manual. A conditional use permit is required for the multi-family development prior to development. Written testimony has been received from the applicant Ben Semple. He has submitted a letter in agreement with the staff report. Staff is recommending approval with a request for an additional condition to be added requiring an ingress-egress easement to be depicted on the plat across Lots 2 and 3, Block 1, the commercial and the multi-family residential lots, granting access to all lots in the subdivision. The applicant is in agreement with this added condition. Staff will stand for any questions.

Lorcher: Would the applicant like to come forward?

Semple: Good evening, Madam Chair. Ben Semple with Rodney Evans and Partners. 1450 West Bannock Street, Boise, Idaho. 83702. Yeah. I want to thank Sonya and the rest of the staff for helping get through this. It's kind of an interesting situation where we had actually obtained a final plat approval and there was some missing information about -- we got a final plat approved about four months before the preliminary plat expired, so when the preliminary plat expired everything else fell in line, so we are back here. The submitted -- oh, first of all, we are in agreement with the staff report and all conditions of approval. We have already actually made all of the adjustments. I mean there is a few that we still need to make based on new UDC standards for a couple of the little spots, but we have adjusted a lot of this plat based on the previous when we came back for the final plat. So, we feel very good about this project and we will return -- as Sonya stated we will return for a CUP and design review on the multi-family structure or structures. Nine units in each building. They all have garages. The owner and developer of this project is planning to hold those for his income. So, he is -- his intent is to make it more of a high end and a luxury apartment setup. So, you know, with this area being a transition from this busy intersection into single family to the east and south we are trying to push single family. All of the -- the homes on the southern half of this are single family. They are townhomes connected. But there are fee simple lots, so they will allow home ownership. All of them have two car garages, as well as driveways that are minimum of 20 feet deep behind the sidewalk. With the amenities we are providing we did a little bit of a reorientation of the multi-use pathway along the Creason Lateral. Worked with the Parks Department and the pathways managers here at the city to make sure we have got a less kind of curving situation going on. It was -- it was a little disconnected before. We have two plazas, one in the southern portion that you can see down by that multi-use pathway and that has seating. It will have some pedestrian level lighting in it. That's also the access to the dog park. Currently this is shown at about a 4,000 square foot dog park and looking at the conditions of approval we will increase that size to 5,000 to meet the UDC standard and, then, there is a plaza to the east of the retail building that is closest to the residential, so that will be publicly accessible as well. That's kind of the main crossing from that center MEW area over to that commercial retail. We did have some really great conversations with ACHD regarding the public street and the extension of those two public streets that's up to this property. Met with the neighbors for the resubmittal of this and we have already adjusted some stuff. Again previously the eastern side initially had some access front door pathways along the east side, so between the existing and the new. We have taken that away, so all of the homes on the east side -- they have a backyard against a backyard to the east and so all pedestrian traffic will stay, you know, to the west of that. You know, again, really looking forward to getting this project restarted, so it can get built out, as well as improving the connectivity here by the connection of -- there is currently a multi-use pathway that stops at the southern boundary. Really doesn't have any way to get anywhere else, so by connecting this it will allow people to move from those residential areas all the way up to that corner to access services. And the Creason Lateral will be piped through the site. So, that's the -- the relocation of that will include a piping of it, which is why we have this common driveway and kind of larger landscape area at that southeast corner. That's where it's picked up, it's brought west and, then, it angles through the site through that open space area. I think that's kind of

all I have. Again, I think Sonya did a great job presenting the project for me and I would stand for any questions you may have.

Lorcher: The northwest corner of your parcel all the way at the top on the left-hand side, do you have control of that? Is that one of your retail buildings or is that not part of this application?

Semple: Madam Chair, yes, so the -- all buildings on this site -- this entire corner is held by one developer, my client. So, he plans to develop all the residential. He has been having some conversations with some users about the commercial retail spaces. Obviously, we would come back with a formalized application for design review and CZC once he has a user to build that out.

Lorcher: Got you. Commissioners, do we have any questions for the applicant at this time? Okay. Thank you very much.

Semple: Thank you.

Lorcher: Madam Clerk, do we have anybody signed up to testify?

Lomeli: Thank you, Madam Chair. We have David and Marie Childers. Okay. That's great. Okay.

Lorcher: Okay. Thank you.

Lomeli: Next is Joy Furlipa.

Lorcher: Hi.

Furlipa: Hi, Madam Chair. My name is Joy Furlipa. I reside at 1375 West Santiago Street. I'm part of the Tetherow Crossing HOA across the way from where this actually is. I just have some clarification that I wanted on the Ustick side of the road, because we already have issues with traffic blocking the intersections in and out of our neighborhood and so I'm wondering -- I didn't know that they noted it is going to be -- if I -- can I touch the mouse? Is it okay if I touch it?

Lorcher: I'm not sure if it will work, but you -- you can --

Furlipa: I will just say on the -- the added entrance that they are doing for right turn only, if that's right turn only, what I want to know is if they are going to put in like painted lines to like not block, because similar to my streets we have the entrance into West Santiago from Ustick, it will be blocked during the work hours.

Lorcher: So, like the square that says, you know, give the space, so that you can't go there.

Furlipa: Correct.

Lorcher: Okay.

Furlipa: So, I don't know if it's something that would be viable there or for the others that are in the neighborhood that's adjacent to put in a painted block, because I know during the just work commute hours it tends to be really chaotic to get out if you have to turn -- turn left at all.

Lorcher: Okay. We can definitely ask the -- the applicant for that. Were there other concerns?

Furlipa: That is all.

Lorcher: Okay. Thank you very much.

Furlipa: Thank you.

Lorcher: Madam Clerk?

Lomeli: Madam Chair, we have Guy Speek. Sorry. Okay.

Lorcher: Okay.

Lomeli: No one else has signed up.

Lorcher: Anyone on Zoom?

Lomeli: Madam Chair, no.

Lorcher: Would the applicant like to come forward and address the concerns?

Semple: Madam Chair, again Ben Semple with Rodney Evans Partners for the record. So, part of what we have to do for the right-in, right-out onto Ustick -- ACHD is requiring us to install candles, so that there cannot be a left-hand turn out of that entrance. The one on to Linder, ACHD is allowing us a full access for now, because there is an EMT station right across the street, they just wanted to -- I guess restricting any movements from their driveway they were concerned about putting anything out in the Linder right of way there. They did reserve the right to close that to a right-in, right-out in the future if it's warranted. But ultimately -- and I think I understand the question. The -- across that drive aisle was the question is there is going to be a crosswalk that you don't block or something.

Lorcher: I think in her subdivision it's challenging to get in and out, so by having the painted square where people don't queue up all the way up the street, you have to leave that so they can come in and out.

Semple: Madam Chair, I think I understand. So, the parking lots that access the back of the multi-family buildings, I'm sure we will put some signage that says don't block this intersection and same thing with the rest of these roads. I mean they will be signed. There is -- there is some on-street parking, but we will make sure -- this has to comply with all the fire department access, so --

Lorcher: Her concern was Ustick Road.

Semple: Yeah. I mean I don't -- there will be the ability to turn right into the development and turn right out onto Ustick, but other than the -- what we are putting out in the right of way to prevent cars from trying to turn left, I think that will help, because people understand they just -- there will be signage that says right-out only.

Lorcher: Okay. Any other comments that you would like to make before we close the public hearing?

Semple: I don't think so. I appreciate your time.

Lorcher: Yeah. If you could just talk to Joy before you leave that would be great and make sure that everybody's good with it.

Semple: Yes.

Lorcher: Thanks. Can I get a motion to close the public hearing?

Seal: So moved.

Sandoval: Second.

Lorcher: It's been moved and seconded to close the public hearing for Lennon Pointe Subdivision. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: This was an application that came before us actually several times and it looks like that their development agreement or something had expired, so they were required to comply with new UDC codes and things like that, which I think they have done a good job with.

Seal: Madam Chair?

Lorcher: Commissioner Seal.

Seal: Yeah. This seems to be a more complete application on what we have seen on it before, so I like some of the modifications that have been made. The only thing I still kind of question is just the three lots on the common driveway. Seems to be a little bit

out of place, but in trying to maximize the -- the usage there I understand there is not much you can do about that, so I am glad they moved the dog park out of that area, so --

Lorcher: Yeah. I think they are limited with the lateral and the topography as well. Commissioner Garrett or Commissioner Sandoval, do you have any other comments?

Garrett: No, ma'am.

Lorcher: So, with that, after considering all staff, applicant and public testimony, I move to recommend File No. H-2024-0060 to City Council as presented the staff report for hearing date of December 19th, 2024.

Sandoval: Second.

Seal: Madam -- Madam Chair, staff asked for the additional ingress-egress as well to be added as a modification.

Lorcher: And to consider the ingress-egress on Lot 2 and 3, Block 1.

Sandoval: Second.

Lorcher: It's been moved and seconded to approve Lennon Pointe Subdivision with the one modification for ingress-egress. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: I will take one more motion.

Seal: Madam Chair?

Lorcher: Commissioner Seal.

Seal: Move we adjourn.

Lorcher: I need a second.

Sandoval: Second.

Garrett: Second.

Lorcher: It's been moved and seconded to adjourn. All those in favor say aye. Any opposed? Thank you very much and happy holidays.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

MEETING ADJOURNED AT 7:22 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

MARIA LORCHER - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK