

ACTION ITEMS

3. Public Hearing continued from July 21, 2022 for Lavender Place Subdivision (H-2022-0036) by Breckon Land Design, Located at 2160 E. Lake Hazel Rd.

A. Request: Preliminary Plat consisting of four (4) single-family attached building lots and 26 single-family townhome lots on approximately 3.79 acres of land in the R-40 zoning district.

B. Request: Conditional Use Permit to construct the requested 26 townhome lots within the R-40 zoning district.

Seal: With all that, at this time I would like to continue the public hearing for Lavender Place Subdivision, H-2022-0036, and we will begin with the staff report.

Dodson: Thank you, Mr. Chair, Members of the Commission. Good evening. First one before us tonight -- I actually want to go ahead and share my screen -- is Lavender Place Subdivision preliminary plat and conditional use permit. Amongst a private street application, as well as three alternative compliance requests. It's simple, but yet complicated, so bear with me. The site consists of approximately 3.8 acres, zoned R-40, located 2160 East Lake Hazel, directly north of Discovery Park here east of -- what is that? East of Locust Grove. The application is for a preliminary plat consisting of four single family attached building lots and 26 single family townhome lots on 3.8 acres. A conditional use permit to construct the townhome lots within the R-40 zoning district and, as I noted, the private street application for access and three alternative compliance requests for common drive standards, private street standards and off-street parking. Lavender Place is -- was annexed into the city in 2020 as part of Lavender Heights. Part of the -- as part of this annexation the subject site was approved with the R-40 zoning district. The applicant is proposing the project to be largely alley loaded, with all but two of the proposed units fronting on green space to comply with the private street applicability standards. Subsequently multiple detached sidewalks are included for added pedestrian connectivity through the site. With the proposed plat of 30 residential units and the requested land use of alley loaded single family attached and townhome units, the applicant is -- is introducing a new housing type to the overall Lavender Heights Subdivision. In addition, the proposed placement and site design offer great connectivity to the nearby Discovery Park, which is directly to the south across Lake Hazel. It also has great access to the remaining open space and amenities within Lavender Heights to the north. According to the submitted conceptual elevations, which is here, and the applicant also has more in their presentation, the applicant is proposing to construct these homes with similar style and materials as the detached single family in the Lavender Heights Subdivision to the north. These facts make staff more like -- staff supports the project in terms of the Comprehensive Plan, as well as to be compliant with the previous approvals. The project does comply with all UDC requirements, except for those related to alternative compliance requests. The applicant is requesting alternative compliance to the private street standard that prohibits a common drive from taking access from the

private street. Also requesting alternative compliance to the off-street parking standards for the parking pad requirement for three and four bedroom homes and alternative compliance to the common drive standards requiring no more than three lots off of one side of the common drive. The staff and director have approved these requests, but have offered an alternative solution to the requested off-street parking alternative request. Per the submitted parking exhibit, the applicant is proposing to alternative comply with the off-street parking standards by providing 18 parking spaces that will be designated for each specific unit as color-coded here. Each of the proposed units is shown with a two car tuck-under garage, providing the required off-street parking for two-bedroom homes and meets the requirement of a two car garage for a three bedroom and four bedroom unit. However, due to the odd shape of the parcel that creates the constrained building area, the applicant has proposed private streets and an alley loaded project that does not readily allow for the required 20 by 20 foot parking pad for each unit that contains three or four bedrooms. The applicant placed the parking spaces directly across the private street from each unit to minimize the distance that future homeowners would have to traverse to access their designated parking spaces. In addition to the 18 parking spaces designated, the applicant shows seven additional guest parking spaces, which might be a little hard to see, but there is three here -- one, two, three -- three here and one here, which would be seven total. Note that parking is prohibited on the private street, as well as along Lake Hazel to the south and South Bloomerang to the west. So, there is no available on-street parking surrounding this development, unless they parked within the local street here, which would be very illogical. Staff does find that the applicant's proposed alternative as shown here is one option of meeting the intent of the off-street parking requirements when accounting for the required density of the development agreement, which has a minimum of 30 units, as well as the site constraints and limited access for the site. However, upon further review staff is recommending a modification to this request. Staff recommends one parking space is allocated for each three or four bedroom unit, instead of the two. So, basically, take the colored dots and cut them in half. This would allow the applicant to increase the number of guest spaces from seven to 16, which makes for more flexibility -- flexibility in their use for future residents and guests of the community. It is difficult to predict the number of cars that each unit will produce, so staff finds that this is a more prudent solution to offer additional spaces for the entire development and not just the units with more bedrooms. There are multiple ways to do this due to the site constraints. One of them would be for Commission or Council to recommend that no three or four bedroom units are allowed. Basically limit the number of bedrooms with the plat to two-bedroom units only. Commission and Council -- Commission can make that recommendation. Council would have to agree to that. Staff's other recommended site design revision is regard to adding a micro path lot to the -- to the development to further north-south connection through the project. So, staff recommended adding a micro path connection here, which would require this building -- it can shift ten feet or a mix of this building slightly shifting to the west and this one shifting to the east in order to accommodate a five foot micro path lot and two and a half feet of landscaping on each side. This would allow the applicant to add an additional sidewalk segment around -- or sorry. I would include adding an additional sidewalk segment by the plaza as well. So, basically, connect these sidewalks here and here -- and this is for the purpose of increasing the north-south connectivity through the site, because this is

great and it's a great connection, but it just stops and, then, there is no real sidewalk or pedestrian connection for residents to get to the arterial sidewalk or the collector sidewalk, which would, then, allow them easier access to Discovery Park. So, that's why staff is recommending this. Staff does also have concerns with the placement and design of the driveways for Lots 32 and 33, which would be these ones here. Due to the design of the private street, both of these driveways are deeper than five feet, which is the minimum garage setback for an alley loaded product, but are not 20 feet deep to accommodate an actual off-street parking space. So, staff is concerned that these substandard driveways will encourage residents to park, but would also inherently inhibit safe vehicular movement around this curve near the entrance of the site. There was no written testimony as of about 4:00 p.m. today. Staff does recommend approval per the conditions in the staff report and I will stand for any questions.

Seal: All right. Thank you very much. Would the applicant like to come forward at this time? Good evening. Just need your name and address for the record and the floor is all yours.

Breckon: Jon Breckon. Breckon Land Design. 6661 North Glenwood Street, Garden City. I have prepared a -- a short presentation that's very similar to Joe's and like to thank Joe. He's always a pleasure to work with and we have worked judiciously on this project to get to where we are today. It is a difficult site due to the shape and -- and some of the site constraints. With that I will -- I will proceed. Next slide, please. So, this is just general overview, kind of reiterating Lavender Heights Subdivision, which you may be familiar with, and Lavender Place, which is on that Lake Hazel frontage. The triangular shaped property -- it's between Lake Hazel and the canal on the north. Next slide. This is a -- this is an overview of Lavender Heights and the subdivision that's in the works on the north side and you can see the canal kind of wraps the property and bisects Lavender Place from the -- the rest of the development. There is also -- there is a -- a ten foot wide regional pathway that parallels that path or the waterway and also cuts through the north side of Lavender Place and that was one of the things we are trying to integrate into this design. Next slide, please. So, here is a bit of a zoomed in view. Our goal is to maximize the density and -- and -- and meet the original intent and goals of the project and what this design shows is that these -- these dwelling units front to the exterior on pathways on all sides and so you can see -- you know, we have got that regional pathway along the north and the -- the -- the entry -- the pedestrian entry to those units have a shared sidewalk that exits out onto that pathway. It's a similar situation on the west side on the Bloomerang frontage, as well as on the south side, Lake Hazel frontage, we have the same -- same design with the front door facing the green space and so that's made things very efficient for us and allows for minimizing the vehicular access into the site with, essentially, an alley load type of -- of design. Here is -- it kind of reiterates the building design and elevation. All of the units will be two-story and, then, there is a mix of two to three bedroom units, trying -- there again trying to maximize that density. Well, this is, essentially, the same thing I just talked about -- FLUM designation that's -- that is that frontage on the green space where the door -- front door faces the green space and this is a good slide, too. It kind of shows part of our site constraint, you know, is -- is that -- that Farr Lateral, that irrigation ditch on the north, which is an amenity in itself, but it is a

-- it takes up a large square footage of the site and that triangular shape was -- was part of our challenge. So, this slide identifies those -- those similar options. We got to the ten foot regional pathway and, then, we are proposing a -- a plaza picnic space as an amended -- added amenity that ties into that pedestrian way and, then, noted that Discovery Park is to the south and trying to allow for that pedestrian connection and use as additional amenity. This is -- shows that -- that parking and I should probably go ahead and say, you know, I have read through the staff report and we -- we are in agreement with Joe's recommendations and are -- would -- are willing to comply with the conditions of approval, be that -- you know, I guess it was -- but the parking modification to allow for more visitor parking was one of those items. You know, right now on this plan what they are showing there is the same thing where we have got two parking stalls for each of the three bedroom units and -- you know, but switching that to allow for more visitor parking, that's fine with us. So, this identifies that all -- that -- that corner there and I think we have a solution. I don't see that as an issue. We are glad to make that modification, as well as extending the pathway in between the units on the south to allow for that pedestrian connectivity and extending the sidewalk on the south as -- as Joe had mentioned. We have worked very closely with -- with Joe, as well as the fire marshal, to come up with this design and make sure we are -- we are meeting all of the needs of the city, allow for adequate emergency vehicle access. I think I just spoke to that. That -- that's the -- this is actually the -- the old multi-family concept that was used when we started the project two years ago. But that -- that's there -- is there if we need to discuss it. Stand for questions.

Seal: Okay. Anybody have any questions for the applicant or staff?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Staff expressed an idea of possibly changing the three bedroom units to all two bedroom units. Is that something that you and staff considered in regard to establishing more parking?

Breckon: We had considered that. We -- we had talked through that option. You know, one of the big goals was to try to maximize density here as -- you know. And originally it was slated to be multi-family and so this is -- is kind of where we landed on that point to try to provide a mix of -- of housing option, as well as maximize that density and provide adequate parking. All the units do have two car garages, but, then, you know, per the code the -- the three bedroom units need to have additional parking available and due to the alley load concept that we have here where, you know, the -- the garage side fronts that private lane, they do not have a traditional 20 foot driveway in front of the garage.

Lorcher: Okay. One other question on Bloomer -- Bloomerang Avenue, is that lighted at Lake Hazel? Is that a -- a street -- a signal or is it just a -- a turn in; do you know?

Breckon: I don't know off the top of my head. Joe, so you know?

Lorcher: Is there a signal?

Dodson: Mr. Chair, it is not lighted. No. It is a -- there is a right-hand turn lane off of Lake Hazel, though, into this -- onto that collector road.

Lorcher: So, for the safety of the community of Lavender Place to be able to access the park across the street, what would be the way to be able to access that park safely?

Breckon: That's a great question. I know that Lake Hazel is slated for road frontage improvements by ACHD. Due to the -- the timing of the project those have not been installed at this time. I do know that that ten foot wide regional pathway that comes through there -- you can see on this overall plan extends to the east and I anticipate that it -- it continues on and that there would be a crosswalk at that location to allow that crossing.

Dodson: Mr. Chair?

Seal: Go ahead.

Dodson: Yeah. This -- this is a great question, Commissioner Lorcher. This came up at the original hearing for Lavender Heights. The other collector road -- so, we kind of have one at the quarter mile and, then, on the south side is going to be one at the half mile, directly east of the fire station lot, which is right here, that is where the anticipated crossing for the multi-use pathway would be located. Not at the Bloomerang one.

Seal: Any follow up? Good. And I will state the question a little more plainly. I guess how disruptive is it going to be if we recommend to make all these two bedrooms? Because in my mind -- I mean a compromise to me isn't -- we are going to let you go without parking by minimizing the amount of parking that you have to provide. The parking's necessary. We have seen that it's necessary. Every time we try and make any concessions like this it turns into problems and, you know, unfortunately -- and, again, I sympathize for this piece -- you know, I will call it in-fill. These -- these lots -- they are tough. They are really tough. And -- and I -- I like what you have done here. That said, you know, I mean the parking is going to be an issue here and I -- especially the one parking spot that you have in the hammerhead there. That one, it would be nice to see that one go away for sure, to have this limited to two bedrooms. I'm a member of an HOA and kind of rules like this that are self governed, you know, oh, that's my parking spot, not your parking spot, that's just -- neighbors are going to turn against neighbors in that as well. So, personally, I would like to see just the two bedrooms in there, so I -- you know, hopefully it still pencils out for you I guess is the question.

Breckon: Mr. Chair, our preference certainly would be to stick with the three bedrooms. Maybe we could work with staff to -- to look at the -- what that differential is. I understand your sentiment on the parking. However, I would also reiterate that we have worked quite diligently with staff to make sure that we do meet and provide adequate parking for all

these -- these units. We could maybe take another look at it if we could at least have some three bedrooms in there. I guess if -- if -- I guess the question would -- would be, you know, we are meeting -- we are meeting the -- the code requirements at this point, what -- what are we going to hold ourselves to if we are going to modify that? Is there a certain number that we need to hit or -- you know, if -- if we are meeting the -- the letter of the code what -- what -- what differential there would -- would be appropriate?

Seal: Okay. Yeah. I understand that. I mean -- and it sounds like you guys have done significant amount of work with staff and -- I mean to be honest with staff recommending just one parking spot as a concession, that's -- I -- I tend to try and support staff in -- in the decisions they make, so they are infinitely more wise than I am in a lot of ways. That said, this one just -- it's a tough one for me personally, so --

Breckon: Maybe also to just note that each one of these units does have a two car garage and a majority of them are two bedroom already.

Seal: Understood: As far as the -- like trash services and things like that, how do you envision that happening? That was another big one that I had here is like how are you going to get a trash truck in there and how does everybody have a trash can out there on trash day?

Breckon: Well, the -- the roll-away trash units would be -- would fit into the garage and, then, that is part of the reasoning to have that five foot apron in front of the garages there. It is a very efficient design.

Seal: Okay. All right. Anybody else have questions?

Wheeler: Mr. Chair?

Seal: Go ahead.

Wheeler: Hello, Jon. Got a question for you concerning the -- that -- I think it's lot number one, which would be up in the very top left corner right when you come in through the main bend -- yeah, come right down. So, I guess right below that where the lot would be for the dwelling. Okay. Then I'm doing the wrong one. Sorry. Go to your left. I'm sorry. Go to your left and it's that one right there. Yeah. There we go. Thank you. Thank you. Thanks for your help. On -- on that one right there that's the only one -- are those two -- those -- those units there or that building there is the only concern on my side is just seeing people entering and exiting there, because of all of the -- all the traffic that's going to be back towards there maybe wanting to exit. Are you guys fine with like putting up signs that would say like no trailer parkings, no on-street parking? I mean just extra signage, just to ensure that when people go buy toys with the -- the great RV financing that's out there and they start stacking them up in these things, because that's what's going to happen, there -- that's going to be a tight tight squeeze right there, so -- because most of the -- most of these garages will be used for storage and, then, somewhere these people are going to try to park their vehicles. There is also some --

Breckon: Mr. Chairman, Commissioner Wheeler, yes, signage -- signage would be welcome to reiterate the necessity to park appropriately and, you know, I guess that's -- that's -- this sort of housing style is not appropriate for, you know, RV parking or the folks that have extra toys, let's say, and they are very efficient, they are geared towards, you know, maybe a starter home for a young couple, a two-bedroom unit or, you know, someone who has an active lifestyle and travels a lot or maybe an older couple, that sort of thing, that, you know, doesn't want a lot of yard maintenance, doesn't have a lot of stuff and, you know, doesn't require a three or four car garage with -- with RV parking and so all those items should be clear at the -- at the time of purchase.

Wheeler: I would -- I would hope so, but people have a way of just expanding stuff and that's where it's kind of like -- just to make sure that that doesn't happen; right? I mean it just -- it just happens, you know, once they get settled and that's why I'm kind of with -- with the staff's recommendation, too, on just making it two -- two bedrooms through there, because I just know it's going to get throughout the whole area, because I'm just -- it just seems that that's going to just cause more and more congestion, and more stuff, more and more space is being taken up.

Breckon: Mr. Chairman, Commissioner Wheeler, I -- I -- I understand and, you know, there, again, with like -- we have worked with staff diligently to provide parking and to maximize this space. You know, this -- this -- we are seeing more and more of this housing style and these efficient designs throughout the valley, whether it's a multi-family or single unit design such as this, there is -- there is definitely a need for this type of building and it is apparent that the folks that are producing these are -- are on board with that. There is quite a few you see -- we -- actually, we have been seeing a lot more of this design in in-fill projects in Boise and I don't anticipate that it's going to be an issue. We could certainly work with staff to adjust the parking a little bit further and -- and try to meet that percentage that we are -- we are looking to accomplish.

Wheeler: Very good. Thank you.

Dodson: Mr. Chair?

Seal: Go right ahead.

Dodson: Thank you. I just wanted to clarify two things. One, the private street has to be signed no parking fire lane per fire code. So, we will definitely be good on that. That's going to be per our Fire Joe, so it will be good there. I had another point and I just spaced. Oh. The comment about the two bedroom versus -- limiting the two-bedroom. I did not include that as a recommendation as a condition. I included it in the text and the analysis of my staff report. So, if that is something that Commission is going to do, that would be a new condition. Welcome.

Seal: Thanks, Joe. Anybody else? All right. Thank you very much, sir. All right. At this time we will take public testimony. Is there anybody signed up?

Hall: Is it on now? Okay. Mr. Chair, there is nobody signed up online or in person.

Seal: All right. Nobody raising their hand out there. I don't see anybody raising their hand online. Anybody in Chambers? Oh. Go ahead and come on up. Give us your name and address for the record.

Merrill: My name is Taylor Merrill. I'm with the Westpark Company. We are the developer of Lavender Heights.

Seal: Your address, please.

Merrill: My address is P.O. Box 344, Meridian, Idaho. 83680.

Seal: Thank you, sir. Go ahead.

Merrill: We appreciate the opportunity to have this presentation and -- and, again, working with Joe and staff, it's been kind of a -- I think it was one of your first projects, Joe, when we -- when we broke ground on this thing and it went from 90 lots to 191 lots over to -- to satisfy some density. This particular lot was 48 units. We had eight -- eight -- what is that, eight six-plexes, something like that initially, and have -- and -- and we have gone through the formal conditional use process. I think we had to modify the development agreement in order to get to this point to shave it down and to make that parking work. We think it's really important to have a mixed-use. In working through the design group on this, we have five products in Lavender Heights and kind of some large perimeter lots. We have got some single family traditional stuff. We have got an alley load product in there and we also have a courtyard product in there to achieve or to fit the many lifestyles, if you will, or the demands of homes, so to speak. When we refer to two and three bedrooms, it's important to us to have that mix and we worked hard on that mix. We worked really hard on that mix to accommodate and to shift and wiggle that parking in. It was important to us, you know, to have the presentation or the functionality of this development, particularly in this component, and -- and to come from kind of maybe a multi-family or into this -- we are excited about this project and I -- I would just like to stress that, you know -- I mean these aren't three car facilities, so to speak. You know, this is going to be a couple. This is going to be maybe a younger group. And we really need to preserve that third bedroom -- it's an office application, guys, is really what it is. It's that third amenity, so to speak. And our mix of it -- I don't know exactly what that number is, whether it's two to one or half and half. I -- I don't recall that off the top of my head. But I thought we worked well on the mix and we would really appeal to -- to -- to -- to maintain the -- the -- the report -- or the recommendations that the staff has to keep that mix in there. We don't think it will be a burden. We looked at the -- you know, again, working with -- with Joe and the fire department and all that to make this work. Jon brought up that one shot, but what did we have on this, eight, nine reiterations of it to get to this and we are excited about this little plat. It works well. The -- the flow in it and the private streets. So, again, I appreciate your -- your interest in this and what you guys are doing up there. It's really exciting in the -- in the whole of what we see going on in south Meridian right now. But I would ask that we support staff's recommendation and keep

that mix in there for us, so we can have that application, and I think we have thought through that parking concern, that would -- that would later -- or -- or, you know, with that -- that flow.

Seal: Okay.

Merrill: Thank you.

Seal: Thank you very much, sir. Appreciate it. All right. Anybody else in Chambers would like to come up? No? All right. I was going to say -- would the applicant like to come back up and say anything else? If not, you can signify no. Signify no. Okay. Thank you very much, sir. I appreciate that. So, at this time can I get a motion to go ahead and close the public hearing for Item No. H-2022-0036?

Lorcher: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2022-0036, Lavender Place Subdivision. All in favor say aye. No opposed, so the motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Okay. Who wants to go first?

Lorcher: Mr. Chair, I will.

Seal: Go ahead, Commissioner Lorcher.

Lorcher: Well, I agree with Joe. This is simple, but complicated.

Seal: Oh, you are out of time.

Lorcher: Like you said, in-fill is really challenging and it's gone through several different versions until the applicant came up to this one and clearly the other versions did not suit this site. So, the townhomes I think are a great idea. I love the idea of the houses facing the -- the waterway and the multi-use. The third or fourth bedroom that's actually proposed in here could invite families to come in here. I'm concerned about safety going across the street to Discovery Park and some of the other amenities and I think developers and -- when we put together these applications we have good intentions that everybody's going to follow the rules and -- but this really doesn't invite any guests to their homes. There is nowhere to park. They can't park in the street. If they are going to park in the subdivision they have to go -- it looks like a quarter mile to the -- maybe north and you can't park on any of the streets and -- and if all those are assigned parking, I think it's going to end up being a little bit of a cluster. So, if you were advertising a two bedroom plus a den that would be different than advertising three or four bedrooms, because you

are inviting people to have people in capacity in those rooms and we know that most two car families -- or families have 2.5 cars, some have one, some have three, some have four, some have less and to Commissioner Wheeler's point, people accumulate stuff and there is no requirement that they have to park their cars in their garage. So, this could be a perfect storm for some challenges for a very small space for this community. So, I do support the two-bedroom units going down -- or the three bedroom units going down to the three parking spaces, but I'm not sure if that's going to be enough to make this work the way it is. That's my thought.

Seal: Okay. Yeah. I'm similar. I mean I -- I really like the product. I know -- I mean I know a young man that would love to live in one of these things, so -- because housing prices are just out of reach for most people at this point and that -- in that he would likely not be able to live in it alone, he would have to carry some kind of roommate in order to make the payment. So, I mean right there just having two or three bedrooms opens up to that scenario for sure. So, I mean if every one of them has a car, then, you have a three or four bedroom, that's three or four cars. So, depending on how tight they want to live in there, so that's one of the scenarios. The other scenario is, you know, the Super Bowl Sunday type of thing where a couple people in here decide they are going to throw a party, there is just nowhere to park, other than the designated spots. So, you know, I mean if -- if we want to keep a three bedroom scenario in there, instead of a four bedroom, that would to me make it more palatable. Cap it at, you know, no more -- not to say that you can't have them all three bedroom, but keep the two bedrooms two bedroom and, then, make a cap on three bedrooms and, then, as Joe recommended go down to the one space. That to me is palatable I guess is the word for it. Then you have the designated spaces. I am concerned about those first two units, just the safety of getting in and out of them, you know, because it is a private drive and all that. So, maybe even the one at the end of that, limit that to two bedrooms just to keep the minimum amount of people that you can on that shared driveway. I'm not a big fan of shared driveways anywhere to begin with and, then, possibly eliminate the parking spot that's in the hammerhead. You know, depending on what's parked in there, somebody does a -- you know, a wild job of parking in there and the next thing you know the fire truck can't get turned around, so they get to play bumper cars to get themselves in where they need to be, but that's my thoughts on it. I -- I really do like the product. I think it's something that's needed, you know, and it is -- it does have a starter home type of feel to it. It is something that I think is needed in the Meridian area for sure. It just -- that's a lot of stuff to put on a little tiny lot. So, we are -- we need to make sure that, you know, we are not allowing something in. That's going to come back and -- and have people beat up on us, because, you know, people are more than happy to come in here and beat up on everybody when things don't work out and when parking isn't enough or when the streets aren't wide enough or when people can't put their trash cans out, so those are things that we have heard over and over and over when people come in and testify. So, we -- you know, we can substantiate the -- you know, the way that we talk about these things for sure, so -- sorry, I have rambled on for a while, so if -- if the other Commissioners would like to jump in, please, feel free. Commissioner Wheeler, go ahead.

Wheeler: I like in-fill projects a lot, because it takes use of the -- the land that's there that everybody jumps over. Plus it also stretches the creativity of developers and the city and able to use something like this. So, to me I'm -- I'm a big fan of -- of this product type right here and especially next to a park. That's going to be fantastic once they figure out how to get across it and everything like that in a safe -- in a safe way. But to be able to have that right across the street for what you are seeing is different families or whatever their mixes might be, but, man, to be able to have that to go run to during these summer nights is great. I'm just with what the other Commissioners have said and the Chairman have said about the -- just the -- the -- the traffic flow in here. I'm not a big fan of three bedroom units in here, because that just is going to be an extra car. I like the idea of two spaces per those units that we see -- the way that they are colored out. I just have -- I just know that the garages are going to get filled up and the cars are going to go somewhere and, then, that's when it's going to get just a little bit tougher and more difficult for traffic in there, more for safety purposes than it is just for commuter traffic, and I also understand that the developer has got to get an ROI and a -- and a return that's commensurate with risk. So, trying to balance all of that and also to make this something that's going to be good and long term for the city, I just -- I -- it's -- it's just really hard for me to think about adding in three bedrooms in here.

Seal: Thank you. Commissioner Stoddard, do you have anything?

Stoddard: No. I agree, actually, with all three of your comments. I think the parking is definitely an issue and -- and I agree about people filling their garages and that's the biggest problem I see with it. It's just the access and the parking.

Seal: Okay. With that we are --

Lorcher: Mr. Chairman?

Seal: Yep.

Lorcher: Chairman, do we want to ask the applicant if they want to work with staff a little bit more for a continuance or would they want to just take it to City Council?

Parsons: Mr. Chair, Members of the Commission, that's -- that's what I was going to suggest. Keep in mind you guys are a recommending body here. So, again, if you like staff's conditions of approval you can make that recommendation forward -- take that forward with City Council and the applicant will have a chance to have the same discussion with them and convince them to do something different. So, don't feel like you have to try to solve the problem tonight. Again, staff -- it sounds like you want to support staff, you want to make the project right and we commend you for doing that, because we know Council doesn't want to have issues either, but if you feel like you just can't get there certainly you can make a recommendation going forward and they can take it up with City Council.

Seal: Okay. Well, I'm -- I'm -- I mean what I'm hearing is two bedrooms. That's -- I mean I'm probably the only one on tonight -- and I don't get -- I don't get to make a motion. The one good thing about sitting here to do this. So, I think if it's going to -- I mean if you want to go back and work with staff, it's -- if we are going to allow a continuance, then, there has to be an appetite for more than just two bedrooms. If not, I would say make your recommendations, let it go forward to City Council and they will chew on it. That's -- that's where I'm at. I don't -- I don't want to have them have a continuance for something that -- you know, if they are going to work with staff, staff's already said that they are willing to concede the -- the parking spots. We have kind of -- the feedback that I have heard so far is that that's -- that's too much, you know, and I'm on that same page. I think that's conceding too much in order to make this fit. So, if it goes back to staff to work on it, I think we have to have a stomach for more than two bedroom. If that's okay with everybody, then, we can go through the motions.

Lorcher: Mr. Chair, do we want to ask the applicant if they have a preference?

Seal: We need to reopen the public hearing, so -- if you would like to do that I will -- I will take a -- take a motion on that.

Lorcher: I motion to open the public hearing, so the applicant may speak.

Seal: For -- oh, do I have a second?

Lorcher: For -- oh, my gosh. For Lavender Place Subdivision, Item No. H-2022-0036.

Seal: Do I have a second? Okay. Then --

Wheeler: Mr. Chairman?

Seal: Yep. Go ahead.

Wheeler: I think -- Commissioner Lorcher, I think we can kind of discuss that through and, then, let them just go ahead and approach that to City Council and talk about it and be able to work out maybe some of our recommendation before they speak with City Council, as sort of a thought on that one, because that's what I'm hearing from -- from staff on that, that we are just recommending and, then, they can work out those details with staff and then -- or with Council and, then, they can make those modifications on that if need be.

Lorcher: Okay.

Wheeler: So -- what was the modification that needed to be done for the parking?

Seal: The parking -- the -- well, that's --

Wheeler: The visitor parking? Was that the one that had the -- the guest parking, those three -- two spots that was there at the hammerhead?

Seal: That was -- I would recommend they do away with the -- any of the parking in the hammerhead, so -- I mean it's already hard enough to get in and out of there, so that's -- me personally I would like to see something like that, but, again, I don't make a motion. The -- I mean, really, what needs -- really, what it comes down to to me is the -- the three and four bedroom units and the parking that's associated with that. Like Joe said, he didn't recommend that they make it only two bedroom or three bedroom, only that that was something they could -- could be done if we decided to go that route. So, really, that needs to be in the motion, whatever it needs. You know, I would recommend that that's in the motion that is made.

Wheeler: I'm ready to make a motion, if you -- if you guys are good, unless you wanted to, Commissioner Lorcher, or -- okay. All right.

Seal: Go right ahead.

Wheeler: Okay. After considering all staff, applicant, and public testimony, I move that we recommend approval for the City Council of File No. H-2022-0036, as presented in the staff report for the hearing date of August 4th, 2022, with the following modifications: That there is no parking in what is known as the hammerhead and that no units greater than two bedrooms be allowed.

Seal: Is there a second?

Stoddard: Second.

Seal: Okay. It's been moved and seconded to approve Item No. H-2022-0036 with the aforementioned modifications. All those in favor say aye. Any opposed? Okay. No opposed, motion carries. Thank you very much. Appreciate it. Always interesting to work through those.

Starman: Mr. Chairman? I'm sorry, can I just seek clarification? Commissioner Lorcher, were you a yea or nay?

Lorcher: Oh. I will say yea.

Starman: Yea. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.