

Seal: Second.

McCarvel: It has been moved and seconded to close public hearing on H-2021-073. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Cassinelli: Madam Chair?

McCarvel: Mr. Cassinelli.

Cassinelli: I like it. That's all I have to say.

McCarvel: You want to move forward with a motion?

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I need to get this on the record. So, I live on that corner and I -- it's been only a matter of time before a coffee shop was coming in there. I kept thinking they would put it on the other side of the Rite Aid, but this is actually a pretty good location. So, I think it makes sense. It gets a pretty busy area and it's on the right side of the street, so -- I think it works.

McCarvel: You care to give your preferred order?

Yearsley: Sure. Madam Chair, after considering all staff, applicant, and public testimony, I move to approve File No. H-2021-0073 as presented in the staff report for the hearing date of December 22nd, 2021, with no modifications.

Seal: Second.

McCarvel: It has been moved and seconded to approve File No. H-2021-0073. All those in favor say aye. Opposed? Motion carries. Thank you.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

5. Public Hearing for Woodcrest Townhomes (H-2021-0082) by Andrew Newell of Blaine A. Womer Civil Engineering, Located at 1789 N. Hickory Way

- A. Request: Preliminary Plat consisting of 19 building lots and 4 common lots (including 1 lot for a private street) on 1.97 acres of land in the proposed R-15 zoning district.

McCarvel: See if we can get through the next two just as quick. Moving on to -- I would like to open H-2021-0082, Woodcrest Townhomes, and we will begin 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. The Commission heard the associated comp plan map amendment and rezone requests on this property back in June and July and recommended approval of these applications to City Council. At the Council hearing Council directed the applicant to submit a preliminary plat application to be heard concurrently with the map amendment and rezone request. So, the preliminary plat is before you tonight. The site consists of 1.97 acres of land. It's zoned L-O, Limited Office, and it's located at 1789 North Hickory Way. The property was annexed in 1992 as part of the Angel Park Subdivision. There is no development agreement on the property. The Comprehensive Plan future land use map designation is currently commercial. A preliminary plat is proposed consisting of 19 building lots and four common lots, including one lot for a private street on 1.97 acres of land in the proposed R-15 zoning district. Proposed lots range in size from 3,789 to 2,000 square feet, with an average lot size of 2,701 square feet. The proposed gross density is 9.64 units per acre. The subdivision is proposed to develop in one phase. Access is proposed via a private street from North Hickory Way, a collector street. Street buffer landscaping and a sidewalk exist along Hickory Way. Because this site is below five acres in size, minimum open space and site amenity standards do not apply. No written testimony has been received on this application. Staff is recommending approval with the conditions in the report. Staff will stand for any questions.

McCarvel: Would the applicant like to come forward?

Womer: Good evening, Madam Chair, Members of the Commission. My name is Blaine Womer of Womer Engineering. We are located at 4355 West Emerald in Boise. We are representing the owner -- or the developer on the project and we appreciate the fact that we are here again after you approved our change of zone and the comp plan change and we are bringing this preliminary plat to you, which is substantially the same as the Comprehensive Plan that we showed you when we were processing the previous applications. Sonya did a good job of explaining where we are and the chronology and how we got here. I would like to make three quick points that -- of things pertaining to the -- the map during the preparation of the preliminary plat and that was we did take the neighbors and the City Council's concerns into account with respect to the four unit massing versus three unit massing on the northwest corner -- or northwest portion of the site where we are adjacent to the existing residential. We did change that to a three unit massing for that. Also we provided in this application a conceptual landscape plan that addresses some of the boundary conditions there to soften the boundary, if you will, between the neighbors and our proposed development and, finally, we -- parking was an issue during the City Council meeting and we had a parking study done and we provided an additional 20 spaces, which is -- far exceeds which -- the minimum parking that is required for the development. So, those are the three things we did to try to enhance the development to address the neighborhood concerns and City Council concerns at the meeting. So, we are here tonight -- well, I might add, too, we also are in total agreement

with the staff report and conditions of approval. So, just here tonight to answer any questions you might have.

McCarvel: Okay. Any questions for staff or the applicant?

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Can you just repeat the change that you made to -- on that -- I guess it's the northwest corner that abuts the residential?

Womer: Well, yes, it's actually along the northwest property line, because we have some -- that -- those are our closest neighbors -- residential neighbors and the concern we heard, both from Council, again, and the neighbors was that we had a four unit attached -- it has a massed four unit townhome and instead of four we reduced it to three. So, we reduced the mass that -- that they would see there.

Cassinelli: Okay. Thank you.

McCarvel: Any other questions? Okay. Thank you.

Womer: Okay. Thank you.

McCarvel: Madam Clerk, do we have anyone signed in that wishes to testify on this application?

Weatherly: Madam Chair, we have one signed in, a Dave McDonald.

McDonald: Madam Chair, Commissioners, Dave McDonald. 2579 East Grapewood. I'm one of those adjoining neighbors and you heard comments and I'm -- I appreciate the creativity that you guys bring to these -- even the small projects and that Mr. Womer has addressed with a four unit thing. There was one key component that is still a lingering issue. It doesn't feel like it's baked. It needs a little more baking time for me and that was the issue addressing parking on the collector and as -- as well as some questions I think Mr. Womer can clarify, because in a proposed landscape plan, which I think is the simpler issue, it's proposed for Skyrocket and Junipers to be right on top of those -- that utility easement between my property and -- and this development. There is a ton of utilities that run along that line there, the Nampa-Meridian Irrigation. All of our high speed internet -- it's all in there and they put Skyrocket and Junipers on the top of those. They grow very quickly. It might become an -- an access easement issue. You know, that's one thing that I want to point out. I'm not sure if the microphone is cutting out. The second issue --

McCarvel: You have to get close to it.

McDonald: Yeah. I will have to scootch down. The second issue -- and I appreciate your comments and similar -- similar issues. I have been watching the City Council and Planning and Zoning for weeks now and the one that stood out on Tuesday just this week are some of the same issues about parking. We are noticing people are having more and more -- and -- and sometimes doubling up in -- in a single unit, which is creating the demand for parking and how -- how can we address the issue with parking that really benefits the townhomes and not the adjacent restaurant as much. That's -- I'm a guy that's a big proponent of human factors and usability and common comments that came from Tuesday was backing -- backing out onto a common drive is a safety concern. That exists here. I would like to see comments from you and from -- from the developer on a possible solution to that. The other issue that stood out to me that also exists here is these parking spaces, according to the narrative that was presented, was intended to be shared for the adjacent businesses and the townhomes and to Louie's Restaurant is going to be a very heavy consumer of these 17 parking spaces that are in the common drive aisles and it seems like it's more easily accessed -- the path of least resistance for the Louie's Restaurant and the adjacent businesses for the 17 parking stalls. I think part of the solution may reside within the original concept plan, which I couldn't find anywhere in any of that documentation where the original three home -- three -- three unit townhome parking area was accessed from the -- the private drive. Now, if there is a reason why that had to be removed because of, you know, where the driveways -- but it still would isolate the parking to the townhomes and make the path of least resistance to those 17 parking stalls. Maybe they have to reduce the number of parking stalls by a few to accommodate, but I would like to see parking stalls interior to the townhomes and the path of least resistance to most of parking for the townhomes and not the restaurant.

McCarvel: Okay. Thank you.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: You were talking about the utilities. On what street were you saying they had all the utilities with the landscaping?

McDonald: So, the adjoining border that goes along the property line by -- by my property in the northwest border --

Yearsley: Okay.

McDonald: That's loaded -- that's loaded with every utility you can think of.

Yearsley: Okay.

McDonald: So --

Yearsley: Because it appears -- oh. Okay. Thank you.

McDonald: Yeah.

McCarvel: I understand that's our only sign up, but is there anyone else in the room or online that wishes to testify on this application? Okay. Sir.

Evans: Hello. My name -- my name is Jerry Evans. 2059 North Justin Way. And I have some concerns about the traffic off of Fairview, as that road enters into -- either on Hickory or into the new entrance that they are going to be creating for this development and there has already been in the past the new subdivision that was added just to the north of the church parking lot and the business added to the south of the church and nothing was ever done since then to increase the traffic flow in and out of the area and right now as you are coming from Eagle Road it's three lanes as you are going west on Fairview and, then, it bottlenecks down to two lanes right before it gets to the -- to commuter section at Hickory and I would like to propose that somehow that we could get that third lane continued all way down to the intersection and maybe even past the intersection, so that would lessen the -- you know, the impact on the other two lanes that are transiting the area going into Meridian and I think that that would help smooth things out a little.

McCarvel: Okay.

Evans: And that was all I have.

McCarvel: Thank you. Anyone else wish to testify? Okay. Would the applicant like to come back.

Womer: Madam Chair, Members of the Commission, Blaine Womer again, Womer Engineering. Yes, regard to -- with regard to a couple of things that were brought up, the -- the -- the skyrocketing junipers that are proposed there, again, are -- we are trying to do some kind of landscape softening there at the border, which we thought that the adjacent neighbors would prefer and certainly we are not going to plant those in the middle of an easement. So, whatever offset we need to do to make that work that's what we will do to avoid any conflict with existing utilities and we are aware of the existing utilities that are out there. Second, with regard to parking, that was -- the City Council required that we provide a parking study, because they wanted to see how the interaction between the commercial and the proposed residential would work and it was two fold. It was, number one, let's see how the existing parking lot for the commercial, Louie's Restaurant, the bank and the commercial around there is working and what they found out through interviews -- they didn't just use numbers, they went out there and actually talked to the -- the biggest traffic generator out there, which was Louie's Restaurant, and they determined what their peak times were for the restaurant operation and they went out there and they actually did count two different times to make sure they were getting accurate counts and what they found was the parking lot, which has a cross-lot parking agreements, so everybody can park everywhere and utilize the entire parking lot of the commercial center, what they found was that the parking lot is only being utilized at it's peak 55 percent of the total parking. So, there is -- the center is significantly over parked and, then, the second part of the study was to evaluate what the impact of the townhome

project would be and I know -- I'm not going to get into the weeds of the study, because I know it's in your report, but I do want to mention a couple important things and that is the townhome project is -- generates a need for 27 parking spaces, but when you take the garages and you take the -- the parking in front of the garages and you add the spaces we have added, you come up with a total of 82 parking spaces provided by the townhome project alone and it only needs 27. So, even if you assume that everybody is going to be like everybody else and they are not going to park two cars in a two car garage and you can take 24 of those spaces away, you still have -- we are substantially overparked with the townhome project. So, the likelihood that any of that would bleed over into Hickory parking just isn't going to happen, because the parking is -- is beyond sufficient for this particular project. So, when you add those two things up, you are -- you are overparking the commercial already and, then, there is no -- there is not going to be any bleed over from the townhome project, because of what we are providing on site, I think it's pretty clear that -- that the parking is not going to be an issue. So, I hope that addresses those two issues to the Commission's satisfaction, but I'm still ready to stand for any questions.

McCarvel: Okay. Any questions for the applicant or staff? Okay.

Womer: Thank you.

McCarvel: Could I get a motion to close the public hearing on H-2021-0082?

Seal: So moved.

Cassinelli: Second.

Yearsley: Second.

McCarvel: It's been moved and seconded to close the public hearing on H-2021-0082. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: And I apologize, we are -- it looks like we also have H-2021-0015 addressed in this application. Yeah. I looked at the parking study that they did and I -- I tend to agree, I think part of the parking problem with Louie's is they all want to park at the front door, instead of around the side and that will probably take care of itself once that dirt lot is no longer there and they will actually use the parking spots and I think they have addressed what Council has directed.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: I kind of -- I tend to agree. I also think that these are probably going to cater to a little quieter community maybe where we are -- and on the off occasion, you know,

there is a Super Bowl party or a Christmas party or something, there is -- there will be -- there is plenty of parking there. I think -- I don't think it's going to be as bad. So, I'm -- I like the final outcome. I like that they have downsized those -- those units from four to three.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: No one else has any comments, I will make a motion.

Allen: Madam Chair? May I clarify something real quick? You mentioned another file number. There is actually only one file application file number before you tonight --

McCarvel: Okay.

Allen: -- and that is the one on your agenda, H-2021-0082. The other file number is one you have already acted on.

McCarvel: Okay. That's what I -- I wondered how did I miss that, but I glanced over at the staff report and it's still listed on there. Okay. So, just addressing H-2021-0082.

Yearsley: Okay. After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2021-0082 as presented in the staff report for the hearing date of December 2nd, 2021, with no modifications.

Grove: Second.

McCarvel: It has been moved and seconded to recommend approval of H-2021-0082. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

6. Public Hearing for Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.

- A. Request: Annexation of 25.76 acres of land with a C-G zoning district.
- B. Request: A Preliminary Plat consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land.
- C. Request: A Conditional Use Permit for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G