

Meridian Planning and Zoning Meeting

October 6, 2022.

Meeting of the Meridian Planning and Zoning Commission of October 6, 2022, was called to order at 6:02 p.m. by Vice-Chairman Maria Lorcher.

Members Present: Commissioner Steven Yearsley, Commissioner Patrick Grace, Commissioner Maria Lorcher and Commissioner Nate Wheeler.

Members Absent: Chairman Andrew Seal and Commissioner Mandi Stoddard.

Others Present: Joy Hall, Kurt Starman, Bill Parsons, Joe Dodson, and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Nate Wheeler	<input checked="" type="checkbox"/> Maria Lorcher
<input type="checkbox"/> Mandi Stoddard	<input type="checkbox"/> (Vacant)
<input checked="" type="checkbox"/> Steven Yearsley	<input checked="" type="checkbox"/> Patrick Grace
<input type="checkbox"/> Andrew Seal - Chairman	

Lorcher: Good evening. Welcome to the Planning and Zoning Commission meeting for October 6th, 2022. At this time I would like to call the meeting to order. The Commissioners who are present for this meeting are in City Hall and on Zoom. We also have staff from the city attorney, the city clerk's office, and the City 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 we cannot take questions until the public testimony -- testimony portion. 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 this stream on the city's YouTube channel. You can access -- access it at [meridiancity.org/live](https://www.youtube.com/watch?v=meridiancityorg/live). With that let's begin with roll call. Madam Clerk.

ADOPTION OF AGENDA

Lorcher: The next step of the meeting is the adoption of the agenda. The first item on the agenda is the adoption of the agenda. Items No. 3, Prariefire Subdivision, file number 2022-0053, and Item No. 8, Sessions Parkway, Item No. H-2022-0046, will be open for the sole purpose so they will be -- for a continuance. Item No. 4, Creek View Park, file number H-2022-0022, will be open for the sole purpose of withdrawing the application. So, if there is anybody here tonight specifically for Prariefire Subdivision, Sessions Parkway or Creek View Park, we will not be taking testimony on those items this evening. Could I get a motion to adopt the agenda?

Grace: Madam Chair, so moved.

Wheeler: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the September 15, 2022 Planning and Zoning Commission Meeting**
- 2. Findings of Fact, Conclusions of Law for Brightstar Overland (H-2022-0061) by Hatch Design Architecture, located at 2940 E. Overland Rd.**

Lorcher: Next is the Consent Agenda. We have two items on the Consent Agenda, to approve the minutes of September 15th of 2022 and Findings of Facts, Conclusions of Law of Brightstar on Overland, file number H-2022-0061. Could I get a motion to accept the Consent Agenda as presented?

Grave: So moved.

Wheeler: Second.

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

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Lorcher: I would like to take a moment 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 items adhere to the Comprehensive Plan and the Unified Development Code. After staff has made their presentation, the applicant will come forward to present their case and respond to staff's comments and they will have 15 minutes to do so. After the applicant has finished we will open the floor to public testimony. Each person will be called only once during public testimony. The clerk will call the names individually for those who signed up on our website or in advance to testify. If you are on Zoom you will be unmuted and, then, you can have your testimony or you can come to the kiosk here at the microphones in Chambers. 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 the screen and our clerk will run the presentation. If you have an -- if you have established that you are speaking on behalf of a larger group, like an HOA, where others from your group will allow you to speak on their behalf, you will have up to ten minutes. After all those who have signed

up in advance have spoken, we will invite any others who may wish to testify. If you wish to speak on a topic you may come forward in Chambers or if in Zoom, please, 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, make sure to mute those extra devices so we do not experience feedback and we can hear you clearly. When you have finished, if the Commission does not have any other questions, 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 come back and 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 a final decision or recommendation to City Council as needed.

ACTION ITEMS

3. Public Hearing for Prariefire Subdivision (H-2022-0053) by Patrick Connor, located at 3539 N Locust Grove Rd., near the northwest corner of E. Ustick Rd. and N. Locust Grove Rd.

- A. Request: Annexation and Zoning of 3.16 acres of land from RUT in Ada County to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 22 building lots and 1 common lot.

Lorcher: So, with that in mind I would like to open the public hearing for the following item. Item No. 3, Prariefire Subdivision, file number H-2022-0053, for a continuance for November 3rd. Is that correct?

Dodson: Madam Chair, that is correct per our outline, yeah. Apparently there was a noticing error, so the applicant's requesting continuance to November 3rd.

Lorcher: So may I have a motion to a continuance for Prariefire Subdivision?

Grace: Madam Chair, I would move that we continue file H-2022-0053 to our next scheduled meeting on November 3rd.

Lorcher: Do I have a second?

Yearsley: Second.

Hall: May I ask whose voice that was?

Yearsley: That was Commissioner Yearsley.

Hall: Thank you.

Lorcher: It's been moved and seconded to continue Item No. 3, H-2022-0053, to November 3rd. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

- 4. Public Hearing for Creek View Park (H-2022-0022) by HLE Engineering, Inc., located at 942 S. Wells Street and 2920 E. Freeway Drive, approximately a quarter mile west of Eagle Rd. directly north of the I84 Interstate on-ramp from Eagle Rd.**
- A. Request: Annexation and Zoning of approximately 10.35 acres of land from RUT to the requested C-G zoning district.
 - B. Request: Rezone of approximately 6 acres from the L-O zoning district to the C-G zoning district.
 - C. Request: Conditional Use Permit for a multi-family project consisting of 28 units on approximately 2.85 acres of land within the 6-acre parcel in the existing L-O zoning districts.

Lorcher: Item No. 4, Creek View Park. This is a motion to -- or opening to move to accept the withdrawal of the application. Do I have a motion to approve the withdrawal?

Grace: Madam Chair, I move to approve the withdrawal of the application for Item No. H-2022-0022.

Wheeler: Second.

Lorcher: All those in favor? Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

- 8. Public Hearing for Sessions Parkway (H-2022-0046) by KM Engineering, LLP. located at 2700 N. Eagle Rd.**
- A. Request: Development Agreement Modification on the existing Development Agreement (Inst.#104129529) to remove the subject property from the agreement in order to enter into a new Development Agreement for the proposed project.
 - B. Request: Preliminary Plat consisting of 5 building lots on 5.32 acres of land in the C-G zoning district with a request for City Council approval of an access via N. Eagle Rd./SH-55.

Lorcher: Item No. 8, Sessions Parkway. Opening the public hearing to offer that for a continuance to November 17th. Is there a motion to -- to be able to offer a continuance?

Grace: Madam Chair, I move that the Commission continue file number H-2022-0046 to our -- would that be our November 3rd meeting? No?

Lorcher: 17th.

Grace: 17th. I'm sorry. You said that. I make that motion to continue that file to our November 17th meeting.

Lorcher: All those in favor? Oh, excuse me. Second?

Wheeler: Second.

Lorcher: And, then, all those in favor? Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

5. Public Hearing for Slatestone Subdivision (H-2022-0039) by T-O Engineers, located at 2707 S. Stoddard Rd.

- A. Request: Annexation and Zoning of 5.04 acres of land with a request for the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 15 single-family building lots and 4 common lots on 4.85 acres in the requested R-8 zoning district.

Lorcher: All right. We will continue forward with Item No. 5, Slatestone -- Slatestone Subdivision for an annexation, zoning and preliminary plat. We will begin with the staff report.

Dodson: Thank you, Madam Chair, Members of the Commission. Good evening. I will be your guide tonight for all three projects that we are hearing tonight. So, the first one is Slatestone Subdivision. It consists of 4.85 acres of land, currently zoned RUT in the county. It's located at 2707 South Stoddard, near the mid-mile mark on Stoddard between Victory and Overland. It is located in the medium density residential future land use designation, which allows residential uses at a gross density of three to eight dwelling units per acre. The request for annexation tonight is for 5.04 acres, with the request for the R-8 zoning district. Also includes the preliminary plat consisting of 15 single family building lots and four common lots on the noted 4.85 acres within the requested R-8 zoning. The subject site is abutted on the east side by Stoddard Road, which is a public collector street. Abutting to the north and west as an existing R-8 development, Fall Creek Subdivision, and to the south is a county residential -- two county residential lots that are not yet annexed into the city. The subject property, again, is designated as MDR, medium density residential. The proposal for 15 lots on the 4.85 acres constitutes a gross density

just over three units to the acre, so near the very bottom of the allowable density. I would like to note the plat and landscape plan in my -- in my presentation are not the latest. I was at a conference today, so I did not get to re-upload those plans that the applicant sent recently, but I'm sure that they will have those revised plans for us tonight. The -- the lots shown in the new one -- I did take a look prior to the hearing tonight -- and they still comply with all UDC dimensional standards, which include lot size, their overall dimensions, as well as their required street frontage for the R-8 zoning district. The minimum building lot size proposed, excluding the one lot remaining for the existing home, is approximately 6,100 square feet, which exceeds the 4,000 square foot minimum for the R-8 zoning district. The proposed use of detached single family is permitted in the R-8 zone. The applicant has noted that development is expected to develop in two phases, with an intent to keep the existing home and an outbuilding and some pasture within phase two. Phase one is proposed with 12 lots and both common driveways, whereas phase two is proposed with the remaining three building lots. So, the remaining three, if you can see my cursor, is these three right here. There is one at -- are the remaining lots, as well as the new local street. Access is proposed via this new local street, West Scoria Court, and it will connect directly to South Stoddard Road, an existing collector along the east boundary. Access to all of the homes are proposed through this local street that ends in a cul-de-sac per ACHD standards and has two common driveways off of it. Lot 14 common drive, which is this one on the southeast corner, originally did not meet -- I should say it met I think the intent of our common driveway standards, but it did not -- as you can tell it creates a sidewalk gap here. So, I -- staff had some concerns there and it also did not extend 20 feet into the property at the very end of the cul -- common driveway, sorry, for Lot 16. Therefore, staff did include a condition of approval that the applicant continue the curb, gutter, and five foot sidewalk along the public road across the common driveway, as well as extend the common drive further to the south at least 20 feet consistent with UDC standards. Staff also has concerns with the proposed micro path and sidewalk connections shown on this plan, but the applicant did remove those in their latest plan, so I will just skip over that. The size of the property is just below the five acre minimum that would require qualified open space per code. With R-8 zoning that would have been 15 percent minimum qualified open space. I did not find that prudent to require that as Bear Creek Park is approximately a quarter mile to the northeast. However, I did voice concerns with the originally proposed open space for this development, which was just this micro path area along the west of this lot and the along the perimeter here and that was the original open space proposed. I had a desire to create an area where people can congregate and/or kids can play within the development. In response the applicant did include additional open space and two park benches along the northern micro path that they included here. So, this area here. I do find that the latest revision creates more active open space as the walking paths are repeatedly noted as a -- as a use amenity within subdivisions. However, much of this area would not qualify as linear open space per our new open space code, because they are not 20 feet wide. However -- well, because of that staff did recommend all of the proposed linear open space be at least 20 feet wide to comply with those standards, despite us not requiring the minimum qualified open space. The plat and landscape plan that I did see that was revised I do not believe addresses that issue. But the applicant can clarify that. An alternative to this open space that staff proposed was to replace one of the lots within the

subdivision entirely and -- and basically get rid of the micro path lots and just replace the building lot with a common open space lot for more active recreation and use. Should Commission or Council prefer that over the linear open space, staff recommends that it be one of the central lots, so that there is equitable access. So, Lots 2, 4 or 10. And -- and as well include an amenity within it. Staff prefers this option over the micro paths, but did not specifically recommend it as a condition of approval. As of this morning when I wrote the outline there was not public testimony for this and staff does recommend approval per my conditions in my staff report and I will stand for any questions.

Lorcher: Do any of the Commissioners have questions for staff?

Wheeler: No, Madam Chair.

Lorcher: Would the applicant like to come forward? Please state your name and address for the record.

Yzaguirre: Becky Yzaguirre. 2471 South Titanium Place, Meridian, Idaho. 83642. Does it show on --

Hall: It's on the big screen over there.

Yzaguirre: All right. Oh, I pushed some buttons. There we go. Good. All right. So, good evening. I'm here to present to you a wonderful housing development called Slatestone Subdivision. Slatestone Subdivision -- it's conveniently -- is located directly off Stoddard Road between Overland and Victory. It's conveniently located .3 miles or 1,600 feet from Bear Creek Park, Victory Middle School, and Roaring Springs Park, Wahooz, a family fun zone, and many other commercial and retail businesses are just a mile away, making Slatestone a desirable housing location. This 4.85 acre property is currently located in Ada county with an existing zoning designation of RUT. We are requesting to annex this parcel into the City of Meridian with a desired zoning designation of R-8. We are proposing 15 residential lots, two common lots and two shared driveway lots. The minimum lot size will be 6,998 square feet, with an average lot size of 9,583 square feet. This project will be developed into two phases. The first phase having 12 residential lots, two common drives and two common lots. The second phase will include the existing single family home and two new buildable lots. As stated in the staff report, as a part of phase one we will connect the existing home to city water and sewer and in phase two we will demo the stables in Lot 7. As you can see this project is currently located in Ada county with a zoning designation of RUT. The project is just outside the city limits surrounded by R-8 and R-4 in the county just to the south. This is more or less an in-fill project that will help add connectivity, extend city infrastructure and help expand EMS services. This area has a future land use map designation of R-8, medium density residential, and is surrounded by R-8 to the north, south and west. The proposed development plans to match the existing R-8 developments to the north and west. The proposed R-8 lot sizes would provide a nice balance and mix between the larger lots to the south and the smaller lots to the east. This development will comply with the goals of the Comprehensive Plan to grow the city as a premier place to work, live, and play. The

location of this development allows this concept to become a reality as it is so close to everything, schools, parks and businesses. This development will also enhance the quality and character of the surrounding community by incorporating articulation and visual -- visual interest in the exterior of the home via porches, pop outs and building material types. There is a letter in your staff report from Ada county fully supporting the annexation of this property into the City of Meridian. The letter cites goal number 2.2F in the Ada county comp plan stating that it encourages residential development to occur at urban densities within areas of the city impact where public facilities are available. The application also is compatible with the future land map -- land use map of Meridian Comprehensive Plan as adopted by Ada county, which designates the site as medium density residential, which is primarily intended for single family homes at densities of three to eight dwelling units per acre. ACHD is also supportive of this project and has written that this proposal meets the district's policies and should be approved as proposed. So, Stoddard Road is expected to see significant improvements in the coming years that include the widening of the roadway to accommodate three traffic lanes, a bike lane and the continuation of a five foot wide attached sidewalk to match the existing on Stoddard. According to ACHD this construction is expected to occur after 2023. We are hoping that we can time our construction with that of ACHD, that way we aren't causing more inconveniences to the neighbors. In the staff report there is a condition requiring that the development have a ten foot wide multi-path fronting Stoddard. This slide highlights the existing five foot wide sidewalks that are surround -- that surround the development to the north, east and south and west. Nowhere in this area is there a ten foot wide pathway, including the park and school. So, there would be 332 feet of a ten foot wide pathway that would, then, connect to an existing five foot pathway. It doesn't make sense. It would make more sense to have the pathway on the east side of Stoddard where there is already an existing pathway from Victory on up to Overland. We ask that the condition get revised to match the existing pathway widths on Stoddard, so that the development can blend in nicely with the existing developments. Now on to landscaping. This development is designed to be visually pleasing and purposeful. With Bear Creek Park and Victory Middle School being so close, we decided to create a nice walking loop around the development that would provide a variety of recreating options for folks living in the development. We are planning to have a five foot walking path around the perimeter of the development. Then located on the north side of the cul-de-sac will be a 3,000 square foot grassy area with two park benches and shade trees throughout. This plan was a result of back and forth conversations and iterations with planning staff and the design team. We also kept neighbors in mind by adding additional buffers to the north and south, as that was brought up in the neighborhood meeting. This strategically planned open space meets the request from both the city and the neighbors. The landscaping we have proposed will consist of water wise plants using the selected trees and shrubs that are more suited for the Idaho weather, thus requiring less water to maintain. Here are the major types of shrubs that we have proposed. As you can see we are going for a soft, yet sophisticated feel. There will be a total of 20 -- 20 trees with a mix of three tree species, the Norway Maple, Spring Snow Crabapple and the American Linden. There will be four types of fencing products in this development. The perimeter fencing will consist of -- of a six foot wide -- a six foot tall white vinyl fence. Then we will have open vision fencing mainly located around the back of lots bordering the pathway. There will

be three railed fencing along the south perimeter and a six foot tall driftwood color vinyl fence that will face Stoddard and the entry. Slatestone Subdivision will be a positive addition to the City of Meridian and the residents currently living in the area. This subdivision will enhance connectivity, provide quality and character to the community by using high end building materials, advanced landscape design and techniques and collaboration with staff and the surrounding neighbors. This development will also help -- help add economic stability for businesses in the area. We believe this development will create a more livable community that promotes health, happiness and prosperity. All right. I'm going to turn it over to Grant, who is on our design team, and he's going to address comment number four in the staff report, which states prior to the Commission hearing the applicant shall verify the location of the irrigation ditch along the south boundary to determine if its on -- if it's on the subject property. If said ditch is proven to be on the subject property the applicant shall revise relevant plans to depict the ditch as piped or prior to -- prior to the City Council. So, I'm going to turn it over to Grant. He is going to talk about irrigation.

Brookover: Grant Brookover. 332 North Broadmoor Way, Nampa, Idaho.

Lorcher: Thank you.

Brookover: I would like to first address the location of the -- of the existing drainage ditch. That ditch exists along the south boundary -- just trying to find the pointer real quick. It exists along the south boundary of the property. It -- oh, there we are. It exists along the south boundary of the property to collect drainage from the flood irrigation of the neighbors to the south. That drainage flows towards the -- the project's boundary and, then, is conveyed by that irrigation ditch right along -- right along the -- the property boundary to an eight inch PVC pipe that, then, takes the drainage to the borrow ditch along Stoddard Road. Our proposed solution is to take the -- the drainage from the neighbors into our irrigation waste ditch or waste pipe, rather, and, then, convey it that way and, then, exit the property along Stoddard Road.

Yzaguirre: Thanks, Grant. All right. So, as you can see we have been thoughtful with its design and have made it a point to work with staff and the neighbors to come up with a design that would work for the city and the community. We thank you so much for your time and we hope we can make this development a part of the Meridian community. And I will stand for questions.

Lorcher: Thank you. Commissioners, do we have any questions for the applicant?

Grace: Madam Chair, a question.

Lorcher: Commissioner Grace.

Grace: So, thank you for coming, Becky. Can you just comment on -- do you think that the -- I guess the proposed linear space is adequate open space?

Yzaguirre: Yes. So, we did fix the linear open space and we made it 20 foot wide on the landscape plan to -- to comply to code.

Grace: Yeah. I think I probably know the answer, but as it relates to staff's alternative recommendation do you have an opinion on which one you would prefer?

Yzaguirre: As to --

Grace: Well, staff had proposed possibly as an alternative that one of the lots be replaced with --

Yzaguirre: Uh-huh.

Grace: -- so I was just wondering --

Yzaguirre: Yeah. Yeah.

Grace: I think I probably know how you feel, but --

Yzaguirre: Yeah. Yeah. Obviously we don't want to get rid of a lot and so what we had done is we just had made that linear open space match code. We made it 20 feet wide. And I believe that's what you were asking for, Joe. Yeah. Cool. So -- so, yeah.

Grace: Madam Chair, a follow up, but unrelated question if I could.

Lorcher: Commissioner Grace.

Grace: Can you -- and also can you clarify -- are you recommending, then, that the pathway on the east side of Stoddard be widened to ten feet and to keep the pathway on the west side that would connect to the school area at five feet?

Yzaguirre: Right. Let me go back to that slide if I may. I'm -- I'm sure you are referring to this?

Grace: I am. Thanks.

Yzaguirre: That mouse is kind of hard to find, huh. Oh, there we are. It was there. Well -- yeah. So, we are wanting to just connect up -- so, as you can see on the North Stoddard Road diagram there, the subject property is to the south on that diagram right there and so to the north of that it's just -- it's all five foot sidewalk and so what -- what the city -- or staff is requesting is that we -- thank you -- put a ten foot wide multi-path there and it doesn't make sense to put a ten foot wide multi-path there when the existing to the north is a five foot wide path -- sidewalk and so it would just -- it would have this massive ten foot wide and, then, funnel back into a -- a five foot pathway. We would only -- I mean the length of the property is only 332 feet and -- and to -- to second the point on the west side of Stoddard -- so, on that south side diagram of Stoddard, there -- there -- there isn't

a sidewalk and it's all county owned. All of those properties are in the county. And -- and so there -- there isn't a sidewalk there. It makes more sense if you were to put a ten foot wide multi-path to put it on the east side of Stoddard, because it does connect from Victory on up to Overland. So, that -- that's our reasoning. It just doesn't -- our development would look a little wonky with a ten foot wide pathway and, then, it funneling back to an existing five foot sidewalk.

Grace: Okay. Thank you.

Dodson: Madam Chair, to further that point, I don't disagree with the applicant's thought process there. It's a condition of approval per our pathways coordinator, because the west side of Stoddard is shown as an alternative location for the ten foot pathway because the east side, all the way from Victory to Overland, is only constructed as a five foot, even though it's noted as the preferred location for the pathway. Most of the time -- very rarely have I seen -- and -- and they have confirmed this -- that we will repurpose a five foot sidewalk and make it ten feet, because my understanding is they can't just build next to it, they would have to tear the entire thing up and pour it as a ten foot pathway and so that typically just doesn't happen because of cost associated with that. Frankly, a bit of an oversight by the city at some point as those developments came in, right, that we didn't get that ten foot pathway that we want as a safe path -- pathway to schools, but I do understand the applicant's perspective there. It was a condition from pathways, so I included it. Commission and Council can strike that condition or -- basically just strike it, because they are proposing five foot and that would still comply with code to have a five foot detached sidewalk along a collector street, so you don't necessarily have to modify the condition, you could strike it all together if you would like.

Lorcher: Is it in there already? As far as approval for the five foot pathway or are you asking us to note that -- that -- to take that to City Council?

Dodson: As a -- as the Commission you can recommend that that be stricken and, then, I will note that as being stricken out in the staff report if you would like that. If you want to keep my condition in there and we will have the same conversation at Council. That's Commission's choice. I'm just saying as you guys make your motions.

Lorcher: Okay. Thank you. Commissioners, any other questions for the applicant?

Yearsley: Madam Chair, this is Steven Yearsley.

Lorcher: Commissioner -- Commissioner Yearsley.

Yearsley: So, help me understand why the two phases. It just doesn't seem to make sense this small of a subdivision to do two phases. It sounds like the property owner wants to keep his pasture and -- and the question I have is how long is that second phase going to happen? Is that going to be ten, 15 years down the road? I -- I'm -- I'm struggling with those two phases, to be honest with you.

Yzaguirre: Yeah. Yeah. So, we are going to build that first phase -- build that first phase out. The -- the two lots, Lot 7 and, then, the one just -- just next to it, those two lots are basically going to be reserved right now because we want to -- we want to keep -- the owner has some horses and they are old and so they are probably not going to last much longer, so without putting the horses down prematurely they want to keep them as -- as long as they can. So, they wanted to keep those horse stables there for their horses -- for their -- their elderly horses and, then, as far as it being 15 or so years down the road, we would just comply with code, because I don't -- we -- you have to develop within a certain time frame for the phasing. I'm not sure what that time frame is off the top of my head.

Dodson: That is correct, Madam Chair. It would be two years. The preliminary plat is good for two years. You have to submit a final plat within that time frame. But because it was only two phases, this second this would have to be at least submitted to us for final plat signature within that two year time frame. Madam Chair?

Yearsley: Thank you.

Lorcher: Thanks. Go ahead.

Dodson: To further that point -- I mean not agreeing or disagreeing with the phasing at all, but that stable would be located on a lot not associated with the principal structure. So, if they did this all -- and I understand the thought of just -- just why not build it all now or subdivide it -- that stable couldn't resume -- or couldn't remain because you can't have an accessory structure with no primary structure on the lot. So, that stable would be located on Lot 7 by itself, so it couldn't remain, which defeats the purpose of what the applicant is trying to do, so I -- previous conversations with them that is why they phased it is -- is to keep that stable there, not necessarily to delay development.

Lorcher: So, the -- the remaining house -- and, obviously, the stable belongs to them. Do they plan to sell the house to you for redevelopment or are they going to --

Yzaguirre: No.

Lorcher: -- plan to stay there?

Yzaguirre: No. Actually, the plan is they eventually want to develop that for their daughter. Their daughter I understand is 18 and nowhere -- she's not in a place of her own and so they are kind of waiting for her to get a little more mature. A little older.

Lorcher: Commissioners, any other questions for the applicant? All right. Thank you very much. At this time we will take public testimony. Madam Clerk, is there anyone signed up to testify?

Hall: There is no one online signed up, but we do have a Leona Raines signed up to speak.

Lorcher: Hi. Please state your name and address for the record.

Raines: Leona Raines. 2833 South Stoddard. I live right next door to the -- the project. Our driveway, as it stands now -- not -- I hate not having a way to show people what I'm talking about, but it doesn't matter. Where we -- where our home stands, where the south part -- where we will have now five homes going up our driveway.

Lorcher: So, you are at the bottom of this -- of the North Stoddard Road picture, you are that driveway there?

Raines: Yes. So, we are going to have five roads -- five homes coming up our driveway. And I just had a couple quick questions. You addressed one of them, which was the -- sorry. Sorry. The -- I'm sorry, I'm having -- I'm nervous.

Hall: Ma'am, could you, please, speak into the microphone?

Raines: Sure. He addressed one of the issues already, which was our concern about the irrigation ditch. So, that -- from what I understand it's going to be on the property going down the property line; correct?

Lorcher: I believe that's what they said, yes.

Raines: Okay. And, then, I appreciate the fact that they are happy that it's a good thing for Victory school, but at this point the people on the other side of me, which you can't see, their kid was transferred to another school, because there is no room in that school for him and they live on the street. So, I guess they will find room for these people maybe. I don't know. We are sad, because there is R-4 across the street. We would like to see R-4, but that's, obviously, not to the benefit of the contractor. But it was -- in the community meeting it was mentioned about the two story and the one stories and our concern, because we are going to have someone right by our house here, this -- I can't see what that lot number is right here. Can we just make sure we don't have a two story looking right down in our backyard and it -- maybe this should be at the city meeting. This is just transfer -- maybe I'm at the wrong meeting. Is this just the proposition of turning this to city from county?

Lorcher: So, our obligation is to approve the rezoning of it.

Raines: Okay. So, this is just a zoning thing at this point, so the contractor is back behind us; is that correct? Okay. So, then, I can ask them questions regarding all this. Okay. That's all. Thank you.

Lorcher: Thank you.

Starman: Madam Chair, I just want to clarify for the audience member, particularly the person that just spoke. So, just for clarity, there are several items before the Commission tonight and, then, this will be a recommendation to the City Council, but it's more than just

zoning. So, the Commission tonight is looking at multiple topics. One is the annexation and zoning of the property and the second is a preliminary plat, which is the -- the map that's up on the screen now. So, all those issues are before the Commission this evening, but the Commission is a recommending body and they will make a recommendation to the City Council, which will hear this topic at a subsequent date.

Lorcher: Madam Clerk? Would the applicant like to come back and make any comments?

Yzaguirre: All right. So, yes, we are -- we -- to answer two of your -- one of two of your questions, yes, we are taking all the irrigation and putting it on our -- on our property and, then, the second one we have provided enough landscape buffer to -- to help buffer that. We can also add additional landscaping if need be and we can definitely work with the homeowner to figure that out.

Lorcher: Okay. Commissioners, any other questions?

Grace: Madam Chair, I was curious prior to the public testimony, so I might as well just ask the question. Sometimes I see in these proposals an estimated effect on the schools. Do you have that information at all?

Yzaguirre: I don't. I don't -- I don't have that, but I assume that we only -- we are not proposing a large development, so the effect is going to be rather minimal.

Grace: Thank you.

Dodson: Madam Chair?

Lorcher: Joe.

Dodson: To Becky's point, West Ada did not provide a letter, because of the size of the property -- or the size of the -- the number of units proposed. So, they did not propose a letter. But, typically, they -- they do adjust their ratio -- their student generation rate, but typically it's about .7. So, 70 percent of 15, you know, you are going to get approximately ten kids is what they are going to -- I did that math on the fly, so excuse me, but roughly ten, 11 kids is what they would have proposed or assumed. I'm sorry. It's been a long week.

Lorcher: I do have a question about the shared driveway. So, we -- we see these -- I don't want to say often, but on occasion. The challenge is is that the way these shared driveways are when it comes to utilities for, you know, garbage or snow removal or just being good neighbors, having this shared driveway and you are proposing one, two, three units and I assume that the driveway for the existing house is also on that shared driveway; is that correct?

Yzaguirre: That is correct.

Lorcher: So, have -- did you discuss the advantages and disadvantages of this shared driveway and how it's going to impact the -- the people who choose to purchase these lots?

Dodson: Madam Chair, yeah, we -- we always have those discussions with applicants and -- and note that Commission tends not to like common drives and for those noted reasons, trash collection being one of them, thankfully on this the -- the one on the southeast is only two lots and, then, also, thankfully, for the one on the west, Lot 8, this one here, there is an area here with no driveways where everybody could potentially put all their trash carts in any of the cul-de-sacs, which is typically better than some of the other ones that we see for sure. But the concerns are noted. Absolutely. Again, the Commission -- their tools for all of that is going to be to limit the number of units off of that further if you would like. Or just say none extra and just require, you know, the pyramid type lots -- the triangle lots at the end.

Lorcher: So, I know we don't do like a -- the way it's -- the housing is done, but each one of these has a driveway where the residents can park?

Yzaguirre: That's correct.

Lorcher: And is it large enough for how many cars?

Yzaguirre: So, I -- I believe it's going to be a two -- two car garage and, then, the RV bay most of them will have. Yes. Thank you.

Lorcher: And, then, is there space between the houses where they will have public parking as well, meaning that this house and the next lot, is there enough room -- so, say -- I have three daughters and so we have six cars at our house at any given time. So, we can put two in the driveway and two in front and, then, two have to park someplace else.

Yzaguirre: Yeah. So, you could put -- you could put two -- two in the garage. You could put one -- or two, depending on the length of the garage bay, and then -- or the RV bay. Excuse me. And, then, you could have, you know, multiple in the driveway.

Lorcher: And are you going to have some kind of homeowners association talking about what's allowed? Like can I have a boat in my driveway? Can I have anything exposed --

Yzaguirre: Yeah.

Lorcher: -- that type of thing?

Yzaguirre: Yes. That's -- yes. We are -- this is -- development will definitely be under an HOA. Yes.

Lorcher: Okay. Thank you.

Dodson: Madam Chair?

Lorcher: Joe.

Dodson: I do want to comment on that point in the -- the separate driveways, et cetera. One, it's a 33 foot wide local street, which ACHD allows on-street parking where are no driveways as noted. But they are approximately 60 foot wide lots, so they should accommodate -- you know, if it's 30 -- 30 foot wide driveway, they are going to have 30 feet between and I hope that the applicant helps stagger those where you might have two close together and, then, two far apart, so that way you get a little bit more area between the driveways and it's not just the same drive -- the same drive -- sorry -- the same garage on the same side of the house all along the street.

Yzaguirre: Right. That is correct. Our -- our -- our widths are wider than the standard R-8 lot widths.

Lorcher: Yeah. We would definitely encourage that, because to be good neighbors and if somebody has a -- you know, a Super Bowl party or something else and starts blocking everybody in, then, all of a sudden neighbors don't get along anymore, so -- all right. Commissioners, are there any other questions? So, Kurt, as a procedure, I close the public hearing for this -- for this file; correct?

Starman: Madam Chair, not yet. So, you will want to -- have you taken all -- I guess we have taken all public testimony. So, yes, you may entertain a motion to close the public hearing from your fellow Commissioners.

Dodson: Madam Chair? Sorry.

Lorcher: Joe.

Dodson: Before that I wanted to gain some more information from my wonderful boss regarding the ten foot pathway along Stoddard. The reason why the pathways coordinator required that, as well as why we probably should continue to require that, is that's -- Stoddard from Victory up to Overland is supposed to be a level three service according to ACHD, which means nothing to anybody here probably, but it's supposed to be protected bike lanes, pathways on both sides of the road, as well as widening the road. So, it's not just five foot sidewalks as they -- they had a really good diagram in here, but the sidewalks that they are showing are actually ten feet per ACHD's notes and, then, on top of that they note that new development will install the ten foot sidewalk and so the applicant wants to coordinate with the location of that so it doesn't get ripped up during construction and, then, as the ACHD comes in and widens the road eventually, starting after 2023, then, they will replace the existing sidewalk that I noted is very expensive to do, but that's why we pay taxes to ACHD.

Lorcher: Okay. So, one final question. So, it's -- you say after 2023. Does that mean like 2024 or 2035? Do we know?

Dodson: Madam Chair, it's not yet known. My understanding is they have it all designed and ready to go, which -- they do not have funding yet.

Lorcher: Okay. So, to clarify, if we are asking this applicant to put in a ten foot 322 foot sidewalk, the existing five foot sidewalks are going to be removed by ACHD and align with the ten foot sidewalk we are asking them to put in; is that correct?

Dodson: Yes, ma'am, that would be ACHD's intent and the intent of the noted plan that they have adopted.

Lorcher: Okay. And that's a decision for City Council as well?

Dodson: Yes, ma'am. Are you guys -- again, Commission can recommend what you prefer to do based upon the information that you have been given and, then, City Council will make that final determination to either let them do the five foot and, then, have ACHD come in and replace that five foot or construct the ten foot and they will have to coordinate that location with ACHD to make sure it is in the proper location, so it doesn't have to get ripped up and redone.

Lorcher: Got you. Okay. All right. Madam Clerk, to confirm, there is no other testimony? Can I have a motion to close the public hearing for this file?

Grace: Madam Chair, so moved.

Wheeler: Second.

Lorcher: It's been moved and seconded to close application H-2022-0039. All those in favor aye. Any opposed? All right. Motion is approved.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Lorcher: Discussion?

Wheeler: Madam Chair?

Lorcher: Commissioner Yearsley.

Wheeler: This would be -- this would be Commissioner Wheeler.

Lorcher: Oh. Excuse me. You sound just like Commissioner Yearsley. Commissioner Wheeler.

Wheeler: We are long lost brothers, so it's -- I understand. I -- I'm a fan of in-fill projects and I like it. I like that it's close to a school. I like it that it's going to fit in nicely. It works with the zoning on it. Just a couple of my thoughts on it is I -- I'm not -- I can see it from the developer standpoint of -- it seems a little out of order to put in a ten foot long sidewalk

when everything else around it is a five footer. I can see why they wouldn't want to spend the extra cash on that, but -- and I -- and -- and, Commissioner Yearsley, thanks for asking the question about the -- the two phasing and I'm comfortable with the two phases, especially since there is a -- a -- a timeline or a time frame in which they have to finish out that second phase and get the signature to -- to move forward with that and so those are just kind of my thoughts on it. I kind of side with the applicant on just allowing only a five foot long sidewalk along Stoddard Road, because who knows how long it's going to be for ACHD to be there and I -- it seems more out of ordinary -- I mean if it was on the hard corner or if it was at the end of a subdivision and it started up, but it's just -- it's like midblock, three quarters, it -- it seems really out of place on my side. So, those are my thoughts.

Lorcher: Thank you.

Grace: Madam Chair, my comments are that I was -- the issues that I had seemed to be addressed and -- and that -- those were the -- the open space, the impact on the schools. With regard to the pathway, I guess I might take a different view than my colleague. I feel if that's the way Stoddard is heading toward a ten foot pathway, that's the recommendation of staff, I -- my recommendation would be -- to City Council would be to -- to keep that ten foot pathway. It looks like it winds, it's not a straight, you know, sidewalk type looking thing, so -- and it looks like the property to the south, when and if it ever becomes developed, is heading in that direction, too. So, I guess that's where I stand on that.

Yearsley: Madam Chair, this is Steven Yearsley.

Lorcher: Commissioner Yearsley.

Yearsley: I -- I agree. I think this is a fairly decent in-fill project. I do think that it should keep the ten foot wide pathway and if -- if what staff is saying that ACHD has already designed this roadway, they are just waiting for funding, I'm sure ACHD could tell them where and what elevation to build that sidewalk, so they can build it and not have to redo it when they come back through and widen the street. So, it only makes sense to do it now instead of having to do it twice.

Lorcher: All right. Thank you. I mean bottom line somebody is going to pay for the sidewalk; right? So, if ACHD comes through, they are just going to rip out your five foot sidewalk anyway and, then, they are going to end up paying for it. But if you put in the ten foot sidewalk now, then, that's less disruption to your subdivision as well, because we don't know when that funding might come. So, therefore, you would have that -- at least that accessibility for your -- the people who live in your subdivision. Do I have a motion for this application?

Grace: Madam Chair, I would make a motion. After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2022-0039 as presented in the staff report for the hearing date of October 6th, 2022.

Lorcher: Do I have a second?

Wheeler: Second.

Lorcher: It's been moved and seconded to approve file number H-2022-0039 on the hearing date of October 6th. All those in favor say aye. And all those opposed? Motion passes. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

6. Public Hearing for AMI Tower at Well 29 (H-2022-0052) by City of Meridian, located at 6355 W. Quintale Dr., directly west of Oaks West Subdivision No. 1

- A. Request: Conditional Use Permit for a 100-foot lattice designed communication tower for the City of Meridian Water Department on an existing City of Meridian Well site on approximately 0.45 acres of land in the R-8 zoning district.

Lorcher: Okay. The next application that we have is Item No. 6, the AMI Tower at Well 29, for a conditional use permit. Ready for the staff report when you are.

Dodson: Thank you, Madam Chair. Again next item is going to be for a conditional use permit for a hundred foot lattice designed communication tower for the City of Meridian Water Department on an existing City of Meridian well site. It's located on approximately half an acre of land, zoned R-8. It is located directly west of phase one of the Oaks West Subdivision. It's at the corner of Quintale and McDermott Road. There is some history on the site. Again, it was originally annexed in 2008. Rezoned in 2017 and, then, subdivided in 2017 as well and there is administrative approvals on the site for the pump house lot and landscaping and fencing for the pump house for the well. This -- again, subject site is currently developed with that well site as seen here. The site plan depicts the location of the proposed tower to be on the west side of the existing pumphouse building, in closer proximity to McDermott Road than to the existing residence to the east and north within the Oaks West Subdivision. Therefore, the base of the tower will be screened from view from any nearby residences due to the existing structures on the subject property. Additionally, the tower will be located approximately 95 feet from the closest residential building to the east and approximately 150 feet from the closest residential building to the north. The proposed facility is listed as an accessory or a conditional use in the R-8 zoning district per UDC Table 11-2-A2. In addition, all wireless communication facilities are subject to the specific use standards in 11-43-43. The applicant states that the steel lattice design is proposed in order to keep costs down for the ratepayers, as this design is cheaper than slim line and monopole towers. The proposed towers plan to have a radio antenna used for communication with water meter readers and the existing tower at the City of Meridian Water Department. Again, not 5G, not wireless cell phone, anything like that, just radio antenna. The applicant does not anticipate adding any other wireless communication equipment to this tower, which is

required by code and, in fact, as part of this application the applicant has requested, through the CUP process, which is allowed and noted in the code, to waive that requirement to allow additional users to co-locate on this tower. Staff supports this, because the tower is strictly for a single purpose and not a typical wireless communication facility. The specific use standards do not specifically state that a lattice design tower has a setback, but through the applicability section of that, as well as the setbacks required for the preferred communication tower design, which is sim line and monopole, staff hasn't applied the noted setback within this code section, which says that the tower must be set back a distance equal to the height of the tower from adjacent right of way and/or an abutting residential lot, which as noted it's approximately 95 feet to the nearest residence and definitely closer than that to the right of way of Quintale to the north. Therefore, this hundred foot tower does not meet this setback and must have the proposed location approved through the CUP process. Per this analysis I have -- as I have discussed, the screening, the location of it, as well as what is proposed to be on the tower, staff does support the proposed location that is approximately 95 feet from the closest residence. As of this morning there was no testimony on this -- written testimony. Staff does recommend approval of the subject conditional use permit, as it complies with all UDC requirements, except for those noted and supported by staff and I will stand for any questions.

Lorcher: Thank you. Commissioners, any questions for staff? Would the applicant like to come forward?

Wheeler: I'm sorry. Madam Chair?

Lorcher: Oh. Yes.

Wheeler: I'm sorry. This is Commissioner Wheeler here. The only question -- staff, the only question that I have is how high is this screening?

Dodson: Commissioner Wheeler, so the base of the tower is screened by the pumphouse building, which is directly on the east side here and as well as some fencing here. The fencing along the west boundary is open vision lattice fencing. But, again, it's McDermott Road here and, then, nothing to the west except dirt and, then, future State Highway 16 extension. I don't know exactly how tall the pump house building is, but it's a typical pump building, so it's probably at least 15 feet tall and it covers quite a bit of that -- the generator and fencing that is located here is at -- at least a four foot high fence, if not a six foot fence with the -- to screen the generator that was required.

Wheeler: Okay. All right. That was my only question. Thank you.

Dodson: Thank you.

Lorcher: Would the applicant like to come forward? Hi. If you can state your name and address for the record.

Teller: Yes. It's Dennis Teller. The water superintendent for the City of Meridian. It's Northwest 8th Street, Meridian, Idaho. 83646.

Lorcher: Thank you.

Teller: So, Madam Chair, Commissioners, thank you for your time tonight. As you heard with -- from the staff report that this is a request to install an AMI tower for our automated meter reading infrastructure system that we are installing throughout the city. This is tower two of -- of a three tower plan. We have one existing antenna on the -- the water tower in the center of town. This -- this -- the actual location would cover the northwest side of town. The reason being for this request and these tower installs is our current meter reading infrastructure on how we collect our 43,000 reads every month and growing is an automated system that's drive by. So, we basically have a read collector within a vehicle with antennas on that vehicle and we have to drive up and down pretty much every street within the city to capture these reads, which is becoming a very time consuming and difficult thing with -- with traffic and -- and everything that we are starting to see with the -- the growth that is coming. So, what these towers do is they basically take this -- this reading system that we have and the antennas on the vehicles and relocate them up and above the geography and -- and rooftops that will allow us to capture these reads without the use of a vehicle. That would reduce our staff time and -- and enable us to continue to grow into the future with the growth of the city and capture the reads timely for the billing. With that I would stand for any questions you may have.

Lorcher: Commissioners, do we have any questions for the applicant?

Grace: Madam Chair, just a quick one. Does the -- do these towers put off any -- any sound or any lights? I see there is some residential areas close by. I was just curious.

Teller: That's an excellent question and, no, they do not. It's just a radio antenna and it's basically the same thing that we have on our vehicles now and it is -- it's about as unobtrusive as we can possibly have it. It's a single pole that makes no noise. No -- no nothing other than it's just there.

Grace: Thank you.

Lorcher: Any other questions from the Commissioners? Madam Clerk, do we have any -- thank you very much. Madam Clerk, do we have anybody to testify?

Hall: We have nobody signed up online, but we do have two people in house, but they haven't marked whether they wanted to come up and testify. First one is a Dale Allenger. No? Okay. And Mark Nera. Okay. Thank you.

Lorcher: Did you have anything else that you wanted to add? Were there any other questions from the Commissioners for the applicant? May I ask one? So, I get the fencing part. So, how tall is this tower?

Teller: Okay. So, the tower is -- is one hundred feet tall.

Lorcher: Okay.

Teller: And the building is approximately -- like -- like staff stated, anywhere from probably 16 to 19 feet tall. That would be the --

Lorcher: So, it's just a skinny pole?

Teller: It's a lattice work, kind of a -- it's kind of a small triangle I guess you want to say. The base is a little bit wider than the top and, then, it's kind of got a crisscross pattern of -- of support to -- to make it rigid I guess.

Lorcher: Okay.

Teller: But it's -- it's -- you can see through it.

Lorcher: Okay. Thank you.

Teller: Okay.

Dodson: Madam Chair?

Lorcher: Joe.

Dodson: An example. If you drive down -- I can't remember now. I think it's Franklin and Locust Grove there is a lattice design tower, my very first project here at the city, for Day Wireless. It's a lattice design structure. This should be very similar to that, but this -- this proposed is actually being smaller. That was 125 feet and the base of that was pretty large. This, according to the elevations, is -- looks like it's less than ten feet wide at the base. So, this would be a smaller version of that, if you have driven by that and noticed it.

Lorcher: No. I mean I'm sure it's there, but --

Dodson: There you go.

Grace: Just to clarify, Madam Chair. But the building exists already; correct?

Dodson: Yeah.

Grace: Okay. Yeah.

Dodson: The building for the well, yeah. That's existing, but somewhat separate. Nothing to do with the CUP.

Lorcher: Can I have a motion to close the public hearing?

Grace: Madam Chair, so moved.

Lorcher: Do I have a second?

Wheeler: Second.

Lorcher: It's been moved and seconded to close the public hearing on application H-2022-0050. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIES: FOUR AYES. TWO ABSENT.

Lorcher: Commissioners, do we have any discussion on this? Or maybe a motion?

Dodson: Madam Chair?

Lorcher: Joe.

Dodson: I did want to note, because it's a conditional use permit, Commission is the deciding body on this, that as noted there are a couple of items through the CUP process that you should include. I would at least -- I would hope -- and Kirk can correct me if I'm wrong -- that I would want you to state specifically in your motion to allow, as they are requesting through the CUP process, for a couple waivers. One being the -- the location being within -- less than a hundred feet of the required setback, as well as waiving the requirement to co-locate two -- sorry. To allow co-location of other equipment on the tower. Because that is a Commission decision I could not put that in my recommendation of approval necessarily, so that -- that verbiage I would want to hear from the Commission.

Lorcher: So, just to clarify, when you say co-location, if I'm a cell phone I could pay to be on that tower?

Dodson: Yes, ma'am. Correct. Which is -- the City of Meridian Water Department would prefer not to allow that, because they want it just for their radio antenna. One -- but I guess main reason they don't want to have to deal with those license agreements and et cetera. Plus that was a major concern from the neighborhood as well. So, let's not poke the bear.

Lorcher: So, not allow.

Dodson: Correct.

Grace: Madam Chair, I took some notes, but that doesn't mean I will make a proper motion.

Lorcher: Give it a go.

Grace: I will give it a try though. After considering -- Madam Chair, I move that after considering all staff, applicant, and public testimony to approve file number H-2022-0052 as presented in the staff report for the hearing date of October 6th, 2022, specifically allowing the location of the tower within the setback as proposed and specifically allowing a waiver of the requirement of co-locating any other --

Lorcher: Utilities.

Grace: -- utilities.

Lorcher: Will that take care of it?

Dodson: Perfect.

Lorcher: Do I have a second?

Wheeler: Second.

Lorcher: I have a motion and a second for file number H-2022-0052. All those in favor say aye. All those opposed? Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

- 7. Public Hearing for Allure Subdivision (H-2022-0050) by Schultz Development, LLC., located at 5385 S. Meridian Rd., directly north of the half-mile mark on the west side of Meridian Rd. between E. Amity and E. Lake Hazel Rds.**
 - A. Request: Rezone 39.39 acres of land from the R-4 to the TN-R zoning district.
 - B. Request: Preliminary Plat consisting of 226 single-family building lots and 36 common lots on 37.34 acres in the requested TN-R zoning district.
 - C. Request: Development Agreement Modification to terminate the existing agreement (Inst. #2016-007091) for the purpose of entering into a new agreement consistent with the proposed project and plat.

Lorcher: All right. We have one more application in front of us tonight for the Allure Subdivision for a rezone, preliminary plat, and a development agreement modification and we are ready for the staff report.

Dodson: Thank you, ma'am. This is the last one scheduled for tonight after the continuances. As noted, this is for a rezone, development agreement modification and preliminary plat. The site consists of two properties, actually, that are approximately 37.3

acres of land currently zoned R-4, located at 5385 South Meridian Road, which is directly north of the half mile mark on the west side of Meridian Road between Amity and Lake Hazel. The only history on this site is that it was annexed in 2015 as part of a much larger south Meridian annexation, which you can kind of tell here is this little angled here. There is lots of R-4, as well as the C-G, R-15, R-8 that seems somewhat random. That's what the south Meridian annexation did, a lot of different parcels -- property owners. The request before you tonight are to rezone approximately 39.4 acres of land from R-4 to the TN-R zoning district, which is the traditional neighborhood residential zoning district. Request for a preliminary plat consisting of 226 single family lots and 36 common lots on 37.34 acres of land in the requested zoning district, as well as a modification to the existing development agreement as required by the existing development agreement for the purpose of entering into a new agreement consistent with the proposed project and plat. It gets a little wordy there. I apologize. The Allure Subdivision is proposed at 226 building lots on 37.34 acres of land, which constitutes a gross density just over six units per acre, which falls within the middle of the allowable density in the MDR, medium density residential, designation of three to eight units per acre. It is also slightly more than the Briar Ridge project that was approved directly to the south, which you can see here, and TN-R and their site design. So, again, theirs was 5.8. This one is 6.05. In addition, the requested TN-R zoning district requires a minimum net density of six units per acre and according to the plat the net density of Allure is approximately seven and a half units per acre, which makes it compliant with that zoning district. Quick education. Net density removes right of way and common area is the two big ones that you remove out of that to get your net density calculation. Through the pre-planning process -- the pre-application -- application meetings as well through this project was originally with Matt Schultz, the developer that we unfortunately lost in the community. He and I worked diligently to create this project and mirror a lot of the neighborhood identities that we tried to get with the project to the south, Briar Ridge, which would be the traditional neighborhood design. They -- we worked to propose different housing types within the project, to both match, as well as diversify the housing types proposed in Briar Ridge to the south. The grid like street layout and different housing types led the applicant to request the TN-R zoning district, as those are requirements of that zoning district, the same as Briar Ridge did. Staff supports that request for the zoning, as well as the overall proposed layout as it continues the design and the transition from the properties further to the south. Staff finds that the development is consistent -- is generally consistent with the comp plan. However, as I had noted this with Briar Ridge at the time, despite it meeting a majority of the comp plan policies and being proposed with an insightful site design and carefully considered design, staff always has concerns with the timing of development for this project on the -- on the edge of development related to urban services. Not water and sewer, but urban services. So, that would be commercial services, like schools, et cetera. Thankfully the property does abut an area of mixed-use community designated property to the north, which is anticipated to contain commercial uses in the future. The proposed site design, which includes a stub street and a pedestrian facility on the north boundary, helps set up an appropriate connectivity between this project and the anticipated commercial uses to the north. Specifically, again, this micro path connection here and this public road stub street here, the property that is designated mixed-use, the property line is roughly here, give or take. So, this public road

will be required to be continued out to Amity Road. Access to the site is via a new local street connection at the southeast corner, which will be down here, to West Quartz Creek Street, which is a collector street along the entire south boundary. The proposed project is proposed to complete West Quartz Creek Street and for their shared access to Meridian Road, because Briar Ridge, which was approved to the south, is constructing a majority of that, at least half plus 12 of the required pavement. In addition, this project is proposing three stub streets. Two to the west boundary to one property and, then, again, one along the north boundary for future connectivity. The project does not meet secondary access requirements as currently shown, as there is only one way in and out, which would be the access to Quartz Creek Street out to Meridian Road. Approved secondary access is required by Meridian Fire. Staff did recommend and has included conditions of approval, requiring construction of emergency access out to Meridian Road with phase one, which would be roughly here is what staff has recommended and has been shown with the applicant noted exhibits as Option B on their emergency access exhibit. Staff has not received additional information regarding their Option A, which is the public road connection along the north boundary, because it involves an additional property owner that's not part of this application. But should that connection occur prior to development or as development occurs through the public road system proposed, then, this condition of approval will become void as the public street access would be constructed and much safer and much better than an emergency only access. ACHD is also requiring the secondary public street access prior to signing any plat containing the 101st home within the subdivision. Because the additional vehicle trips from this development will push the Quartz Creek access -- so the collector road access -- one point of access to the state highway system over their threshold for a singular access of 3,000 daily trips -- specifically Briar Ridge to the south was approved and they first went in, so they account for 2,000 of those, approximately, this is allowed to add an additional one thousand. So, the overall subdivision is proposed with about 2,100. So, a little less than half of their lots are going to be allowed to be constructed before ACHD will not sign any further plats. The remaining roads proposed within the development, all the local streets internal, are proposed as 33 foot wide with five foot detached sidewalk and eight foot parkways, creating a beautiful streetscape and identity for the entire project, which continues the traditional neighborhood design that Briar Ridge was approved with to the south. However, a number of the local streets, as you can tell on the design, are pretty long, straight roads. They do have intersecting roads, but they do not comply with ACHD's traffic calming and street length measurements. So, prior to construction and final approval by ACHD they will have to revise the plat to include traffic calming along pretty much the -- pretty much the perimeter roads. So, Caldera -- I can't read them from here. This one, this one, and I believe this street as well. Staff also did include a condition of approval consistent with that to help support that approval. Staff would like to note that Meridian Road, State Highway 69, is currently being studied by ITD -- by the Idaho Transportation Department for corridor improvements from Overland all the way south to Orchard Avenue within Kuna under their Idaho 69 corridor study. The mid mile intersection located here at Quartz Creek and the -- and State Highway 69, located at the southeast corner of the property, is part of this study and is proposed to be designed with a reduced conflict U-turn and RCUT intersection. Which is complicated, unless you see it. We did not put an image of that in there, which is okay, but, essentially, eliminates

U-turns at the light at the intersection where you have to go to another area, turn around and, then, you can make your right-hand turn and also eliminate some left-hand turn movements to again help increase the safety of those -- I can't remember what police quantifies them, but the sideswiping basically. It helps minimize those. At least that's what studies show. The TSI impact study, because, again, it's over one hundred units, they are required to do a traffic impact study. ITD is requiring an additional 12 feet of right of way along Meridian Road for the purpose of constructing a future southbound right turn lane from the highway onto West Quartz Creek Street. This is somewhat contrary -- or I should say it lacks a previous approval for Briar Ridge as that applicant was required to enter into a cost share agreement for improvements to the Amity and Highway 69 intersection. Thus ITD did not require that with this application. Within the internal of the project there is an existing home and an outbuilding approximately one acre along Meridian Road, but no other sites -- site improvements are known. The historical use for the subject site is agricultural in nature. Because of that the property owner intends on continuing to farm the property as the project develops over time. So, the remaining areas that are not being developed would like to continue farming. Idaho is a -- I can't remember the term. Idaho allows that to -- to occur with state statute, but in order to help the applicant and the owner feel more confident in that, I did include a provision within the development agreement to allow that as well. The proposed uses within the project are all residential. Detached single family, detached alley loaded single family, attached single family and alley loaded townhomes. All uses proposed are permitted residential uses within the requested zoning district. The project is proposed to be constructed in five phases as seen on the phasing plan here. The submitted plat shows a minimum lot size of approximately 2,300 square feet and an overall average lot size of just over 4,300. The residential lots appear to meet all UDC dimensional standards. Five foot wide detached sidewalks and eight foot parkways are proposed along all of the internal streets as noted. This is consistent with the requirement of the traditional neighborhood residential district. The applicant is also proposing detached sidewalk on the north side of the collector street, which complies with code, as well as the multi-use pathway along Meridian Road, which also is compliant with code. The applicant is showing the required pathway segment within a landscape common lot per code requirements. Allure Subdivision is proposed with a preliminary plat area of approximately 37 acres, which requires a minimum 15 percent qualified open space or approximately 5.6 acres and a minimum of eight amenity points. So, amenities worth eight amenity points per UDC 11-3G-3 and 11-3G-4. The applicant is continuing the multi-use pathway along Meridian Road as noted. That's approximately a quarter mile long, which equates to two amenity points. In addition to the pathway the applicant is proposing a swimming pool with changing facilities and restrooms, which qualifies for six amenity points, and is including a playground area, which qualifies for two amenity points, all within the central open space lot for equitable access. Therefore, the applicant is proposing amenities worth a total of ten points and exceed the minimum of eight required by code. The applicant's open space exhibit shows approximately 6.96 acres of qualified open space, which is approximately 18 and a half percent and exceeded the 5.6 that's required. However, some of these areas noted on the exhibit as qualifying do not qualify as they are not at least 20 feet wide. However, staff does not recommend that they would be revised and -- and widened, because they are already remnant pieces along the end caps of these

lots. So, there is -- like, for example, like some of these end caps here. I think there is a couple more in other places that -- like here that just -- they are not the 20 foot wide minimum. However because they are remnants staff does not wish to remove land area from the buildable lots. Instead the -- no. I'm sorry. Hold on. Oh. With the removal of these areas when they do revise the common open space exhibit, they should be very nominal as these are very small areas comparative to acres of land. It is also important to note that the applicants open space exhibit does not include any of the parkways, which are allowable to be counted for qualified open space and when you have detached sidewalk and alley loaded projects you end up with a large area of qualified open space for parkways and, again, adds to the streetscape, which staff very much appreciates. Therefore, the actual proposed qualified open space should vastly exceed the minimum and should be even higher than the noted 18.6 percent. As of this morning there was only one piece of public testimony. It was from Mr. David Palumbo. It really didn't speak to this project specifically. Specifically. He noted issues with a lot of projects in south Meridian altogether and noted concerns with traffic, school capacity, and as well as noted an opinion that there has been a lack of planning in south Meridian. Staff does recommend approval for the noted reasons about the project and per the conditions in my staff report and I will stand for any questions.

Lorcher: Commissioners, do we have any questions for staff? Would the applicant like to come forward?

Dodson: Madam Chair, really quickly. I did want to note -- in my staff report I noted that they did not submit elevations for the single family homes. Apparently I'm blind, because they did. So, I did want to note that in your motion you can recommend to strike that condition or I will do it myself either way, because that was my mistake.

Lorcher: Okay. Please state your name and address for the record.

Breckon: Jon Breckon. Breckon Land Design. 6661 Glenwood Street, Garden City. Joe, did you get the -- the presentation? Can I give it to you now? Have a short PowerPoint that kind of reiterates a lot of what Joe talked through with some more pretty pictures and a little more definition. But always enjoy working with Joe. This is another nice development. We are excited to move this one forward. Okay. This is just an overview. It shows the project site, but also adjacent properties, which is kind of a key point to this project. There is a few items in the report that I would like to speak to, just to add a little definition. But you can see we are on the west side of Meridian Road just south of Amity and the parcel directly to the north that's at the corner of Amity Road and Meridian Road and also on the north side of Amity Road is owned by Hawkins Development and I spent an afternoon with them coordinating projects. They have plans to develop that as commercial property and they shared some of their plans with me. I think timing wise it will work out very nicely to make sure that we have proper services. They are talking about a new grocery store and other needs that are vital to the -- to the health of the area. Additionally, you can see we are -- on the north property there there is -- there is a property line that kind of splits about a third of the way over and there is -- that's a different land owner and I have spoken with him briefly, but, essentially, that's where a roadway

connection is to extend and provide a secondary access to this project, as well as provide connectivity to Hawkins' property and -- and connect all the way up to Amity Road. They have been working with ACHD and ITD on that roadway connection location, because that's critical for stacking and, then, just safety of the road connection on Amity and it's -- it ties into their property to the north. So, if that all works out, the plan is to have a traffic light there where that connects to Amity and so that will all function properly and so that we will also have a secondary connection in the future as this gets all built out. We have also coordinated with the Briar Ridge folks to the south and working on the details of utility connections and so forth and I guess the other thing I could share -- this depicts as a previous project that we worked on and I will touch on that a little bit later, but right across Meridian Road to the east is Prevail and -- as well as to the south of that those are projects that I have worked on in the past and there is some similarities there as far as emergency vehicle access and phasing that I will -- I will speak to you here in just a minute. This zoning map, just for reference. You can see, you know, what -- follow suit with Briar Ridge, the TN-R designation to the south. And this is -- this is a nice graphic, because it speaks to the phasing which is -- this is really critical to -- to the circulation -- emergency vehicle circulation and -- and the timing of the development as it -- as it moves forward. But here you can see, you know, initially we are planning on main access off of Quartz Creek for phase one and two and, then, once we, you know, get close to that -- that threshold for a number of units I would like to extend our secondary emergency vehicle access to that northeast corner, which would go through phase four and that's almost an identical situation that we experienced on the east side of Meridian Road. We did the same thing. We had a -- we had a secondary access point there and so I think if we look at -- I will go to another slide, but it shows it on -- on the Google Earth image. You can see it in place today. But that's what we would like to move forward with in the event that the Option A -- or the Amity Road connection doesn't happen in time, which, you know, that one -- that -- that is probably going to take a little bit more time just timing wise to make that over. This just shows adjacent schools. Mary McPherson Elementary. Actually, I was fortunate enough to work on expansion to Mary McPherson here just a couple of years ago to provide more classroom space. So, that's always a concern and I know that West Ada is working to move forward with a bond in the near future to build some more schools. Here is emergency services for reference. Existing fire stations, police station, and the new fire station that's going to go in there on -- on Lake Hazel in short order. Here -- here, again, overall site plan and reference -- you can see there the Prevail Subdivision on the other side of Meridian and you can see that emergency vehicle access that we would like to replicate that in some fashion. Of course, accommodate this design, but it would be very similar in that -- in size and functionality providing that access. Something else to note there, that -- that access -- I think it will be helpful, because that's where our sewer stub is, a sewer connection, and so that access could also serve as a maintenance access to the sewer connection, as well as meet the emergency vehicle access requirements that will most likely be required as things are being built out. This is -- you know, we have worked diligently to make this site plan work and I think one of the -- the nice features is the common open space in the middle and that has a clubhouse and a swimming pool and we have got a -- wanting to do a nice berm there that could be used as a sledding hill and, then, just the open green that can be used for a variety of reasons. So, just a really nice little neighborhood park. And this -- this also shows future

roadway connections to the -- to the west. That stub to the north and, then, Briar Ridge on the south and it speaks to the open space. I guess already touched on that. Like I said, the thing that this makes me think of -- along the Meridian Road frontage, you know, that -- that is a special designation there as far as entry into the city and we would like to take the same approach that we did on the other side of the road, which is a -- there is a berm and a fence to achieve that ten foot height and so it's -- and, then, it also has a ten foot wide pathway along that frontage. So, it's -- it's -- if you have driven through there you have seen the one on the -- on the east side that's existing and would like to do something very similar to that. This is just a -- a slide here that provides a little clarity on the mix of -- of housing types and you can see the -- the purple color is a four unit townhome design and, then, the orange, yellowish, two -- two unit single family attached. And, then, the remainder -- or I'm sorry. The blue would be a -- a single family home and, then, the green is a carriage home style with alley load. So, with garage in the back. And the townhomes also have a -- have an alley -- alley load. So, really nice street appeal -- street frontage. Here is our proposed phasing plan and you can see coming from the south there with phase one and, then, extending through and this also depicts the unit count -- the type of units that would be within each phase and so, you know, notably we would like to go ahead and provide part of that neighborhood park as part of phase one. This is just a graphic that speaks to the -- some of the amenities. Like to include a -- a nice play structure within that -- within that park, as well as a swimming pool. These are some pools that we have -- my office has designed in the past for reference. Sledding hill potential, assuming we get the snow. And, then, here is, you know, just a graphic. I think you probably already saw these, but these are the -- what we would like the houses to look like. Single family detached. Townhomes. Four unit townhomes. Carriage home style. And this is more just the traditional single family homes. All these have parking for a two car garage, whether in the front or the back, you know, depending on the unit style, with a driveway in the front, so -- yeah. Four -- four potential parking areas for each unit. Some of the single family lots would potentially also allow three car garages and so you would get a couple more there. We do have a -- a couple of the shared drives, which I know those are always a little bit of a question, but tried to minimize a number of those, just to -- some of those -- those corner areas. Southwest, northwest, southeast and, then, on the east side we got a couple there, too, just a few lots to try to accommodate those -- those tough corners. And I will stand for questions.

Lorcher: Commissioners, do we have any questions for the applicant?

Grace: Madam Chair?

Lorcher: Commissioner Grace.

Grace: Excuse me. Jon, could you go back to that last slide where you talked about -- those -- just to confirm, those are -- on the east side there, those are driveways that you talked about, those -- they are not streets; right? They are shared driveways?

Breckon: Correct. There is a shared driveway -- maybe Joe can point at them. Yeah. Right there. Those would be shared -- shared driveways for two -- I guess three lots for

each one and that's similar. Yeah. We -- we have got one, two, three on that east side and there is two on the west side as well it looks like, so --

Grace: Right. And there is adequate parking and, you know, room for emergency services and those kinds of things in there?

Breckon: Correct. Yes. Those are -- those meet all the development standards and they are 20 feet wide, so pretty generous as far as driveway widths go. And, then, in front of each of those homes those are the single family homes in all of those cases, so they would have -- in addition to that drive they would have your stand -- your typical 20 foot depth driveway in front of the -- in front of the garage.

Grace: And, then, Madam Chair, another question, but unrelated. Can you just go through the timing again, if you know. And maybe that's a question for staff -- of the urban services that are projected to be coming into the area.

Breckon: Well, it's -- it's -- I -- I -- I can share what I talked to Hawkins about. You know, of course, that's subject to change based on demand and so forth, but they -- they were very hopeful that our timing would align for that connection to the north. They were talking about moving -- well, they are -- they are working through the design right now. They shared one of their latest concepts with me and said that they are working -- working through revisions right now in order to move their application forward and are hopeful that they could start breaking ground next fall, which would align with our phase one.

Grace: Thank you.

Lorcher: Commissioners, any other questions for the applicant? I have a question. So, by going to traditional neighborhood takes the R-4 zoning out, which allows you to put more than one type of housing in this. That's the reason why you did this; is that correct?

Breckon: Madam Chair, yes, and -- and Joe might be able to speak to that a little better than I can. But, yes, that was -- that was the reasoning behind it. Just so we could have more variety on the -- on the housing style.

Lorcher: So, in regard to the townhouses, the garages are underneath the unit or has a small alley loaded driveway, is that what you said?

Breckon: Yes, Madam Chair, there is an alley load and at the -- at the -- they are alley loaded in the back. So, there is -- there is an alley in the back like you would see in a more historic traditional neighborhood and garages would be in the -- in the back and so -- and maybe I can flip back here. You said -- so, here is -- here is the townhome style. This would be the street view, which has a, you know, front porch and more pedestrian access to it and, then, the -- the cars would be in the back with the alley.

Lorcher: And, then, guests would be able to park in front of the house?

Breckon: Yes.

Lorcher: So, there is public parking along the --

Breckon: Yes, they would be able to park on -- on the roadside. Yes.

Lorcher: So, in this case for this particular townhouse you have got four units, so each family has two cars, and, then, they each have, you know, two or four guests who bring two or four more cars -- and you have got how many of these buildings along the -- I mean is there enough room for life to happen beyond just living here in this subdivision?

Breckon: Madam Chair, yes, I -- I believe there is. I -- you know, we have got on-street parking. Essentially it would serve any guests. It's like my most standard traditional neighborhoods and, you know, I -- I really like this product, because you do have -- you know, your personal parking is accounted in the back. Of course you have got a driveway, as well as your two car garage along with that and, then, on-street parking for guests. You could have -- I guess if you were in the garage you could -- you could have your guests park in the back as well. I mean however that works out.

Lorcher: There is room in the alley for public parking?

Breckon: There -- there would be a driveway, yes, in front of the garages.

Lorcher: Oh. So, each townhouse has a -- not only just the alley load and not just going into a shared garage, but they each have a driveway?

Breckon: Driveway, as well as garage, yes.

Lorcher: Oh. Okay.

Dodson: Madam Chair? To touch on those more, yeah, it's going to be determined based upon the number of bedrooms. But, yeah, these would be treated just like the -- all single family. If there is three bedrooms or more they are going to have to have that driveway and -- whether that's along an alley or not. So, there is -- more than likely they would be at least three bedroom units and they would be the 20 foot wide and 20 foot deep driveway, in addition to the car -- the two car garage. Now, in addition, to answer your question, too -- and when I worked with Matt on this originally, as well as when we worked with Briar Ridge, you know, this parkway design with the detached sidewalk is, again, a lot more of what you see in older neighborhoods and it -- it is a lot more of the pedestrian oriented design. It tends to make pedestrians feel safer. They walk more in these kinds of neighborhoods and, then, when you add the alley loaded, all along those areas you get that on-street parking that's uninhibited by driveways the way that typical front loaded are. So, it does tend to increase the amount of on-street parking in a neighborhood.

Lorcher: Okay.

Dodson: And -- and that -- that mostly combined with the pedestrian focus was a major reason why we -- we told the applicant, yeah, we would love for you to do the traditional neighborhood residential, like Briar Ridge to the south, to -- more so for the pedestrian element and the parkways than it was the -- oh, yeah, you also have to have two housing types. They were going to propose that anyway. So, we were like, hey, we can get a win-win here, let you guys have your housing types and we get more of that pedestrian focused development.

Lorcher: Got you. Yeah. Without seeing the backside I just kind of imagined a long alleyway with driveway is just coming in and, then, you would just park with -- but you are suggesting that each one's having a driveway, so it's a little bit further back. Okay. Commissioners, any other questions for the applicant before we open public testimony? All right. Thank you. We will see what --

Breckon: Thank you.

Lorcher: -- everyone says. Madam Clerk, do we have anybody signed up to testify?

Hall: Madam Chair, we do not online, but we have a Chris McClure. Please come up. Oh. Correct. Doug Connolly. I apologize. Yes.

Lorcher: Please state your name and your address for the record, please.

Connolly: Yeah. My name is Doug Connolly. 3881 South Basilica Way, Meridian. 83642. Again, my name is Doug Connolly. I'm the lead pastor at Stonehill Church. We -- we currently meet at Mountain View High School where church planned six years ago out of Rock Harbor Church in North Meridian and we currently own around 14 acres on Amity Road, which is northwest to this -- this property or the lower subdivision and, first of all, it's a great subdivision. I would like to live in it. That would be sweet. But we think this would also be a great addition to south Meridian and as someone who lives there about a mile from there I think it would be a great addition. We also want to partner with them as we work with them to -- to have access to the sewer on -- on their property that we would tie into eventually and so we have been talking to Warren Stewart and Laurelei McVey of the city and they have been helpful in guiding us and -- and helping us know what sewer shed we are supposed to be in and so we are -- I just want to say we are all in favor of this subdivision. So, that's it. Thank you.

Lorcher: All right. Thank you. Madam Clerk, is there anybody else in Chambers or on Zoom?

Hall: No, there is not.

Lorcher: Does the applicant want to come back and say anything additionally? Oh, did you want to testify? Oh, I'm sorry. I looked at the clerk and I didn't look at the -- the crowd. Please state your name and address for the record.

Percy: My name is Jim Percy. 1250 Stegerman Court in Meridian Idaho. 83642. I'm the owner of the property and I just -- going to make it brief. I want to thank staff for walking through and helping me after the loss of Matt and also Mr. Breckon for picking up the pieces after the loss of Matt. It's been quite a struggle after him. He -- we have been after this for over a year trying to piece it all together and I just want to thank them for helping me understand a lot of things. Have been patient with my lack of understanding, so --

Lorcher: Very good. Thank you very much. Anybody else in Chambers, as I'm looking around? Did the applicant want to come back up and make any other comments?

Breckon: Madam Chair, I just wanted to -- I don't know if I mentioned it before, but we are in agreement with all staff comments and conditions of approval.

Lorcher: All right. Thank you very much. Can I get a motion to close the public hearing?

Grace: Madam Chair, so moved.

Lorcher: Do I have a second?

Wheeler: Second.

Lorcher: It's been moved and seconded to close the public hearing. All those in favor say aye. One more. Did you get all three? Four? Three?

Yearsley: Can you hear me now?

Lorcher: Yes. Are you in favor of closing the public hearing?

Yearsley: Hello?

Lorcher: Commissioner Yearsley? Are you in favor --

Yearsley: Can you hear me now?

Lorcher: Yes. Are you in favor of closing the public hearing?

Yearsley: Aye.

Lorcher: All right. All those -- motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Lorcher: All right. Any discussion?

Grace: Madam Chair, I don't know that I have a whole lot of discussion. I did maybe have a question, though, for Joe -- for staff. Is there a -- excuse me. Is there a decision point for the Commission with regard to the two options you laid out on the emergency access or is that for the applicant to determine?

Dodson: Commissioner Grace, no, there is not really a condition -- there is not really a decision for you to make, because it's already noted in the condition as Option B, because they need the emergency access. But, again, if timing -- if the public road goes through, then, the condition is null and void, so it doesn't really matter.

Grace: Okay. That's all I had. I -- I don't have any really --

Lorcher: Commissioner Wheeler or Commissioner Yearsley, do you have any comments?

Wheeler: Madam Chair, this is Commissioner Wheeler.

Lorcher: Go ahead.

Wheeler: Yeah. My -- I -- I did notice that there is a decel lane allowed I believe off of Highway 69 to enter into the subdivision. Staff, can -- do you know if they are planning to actually do that and actually put in a decel lane?

Dodson: Commissioner Wheeler, the applicant is nodding his head yes, but also they -- they will have to coordinate with ITD as well -- one through the -- the study that ITD is doing on the corridor, because they are probably going to be widening the -- the highway eventually; right? And, if not, regardless, that location will have to be determined by ITD. But, yes, they are -- the applicant is required per the ITD conditions of approval and the ACHD even because of the number of trips. So, that -- that will be constructed, yes.

Wheeler: Perfect. Okay. I know it's one thing to say, hey, it's permitted. It's another thing to actually have it done. So, I -- that was something that was a -- wanted to make sure that that was done just because of the -- I couldn't see it being not done. And this intersection would not be lighted; is that correct? Is that what I'm understanding?

Dodson: Commissioner Wheeler, I -- if the corridor study is approved and adopted and they construct it, I do believe there will be a light, but I'm not entirely sure the timing on that. Typically -- and -- and for the foreseeable future it will not be lighted; correct.

Wheeler: Okay. I like the -- the subdivision as a whole and I like the -- the fact that the common area is in the center of it and so just allocate it to a corner. Future road expansions out of it to the -- to the west for future development on it. My -- my -- I'm still in support of this project for sure, but my -- my only hesitation on coming in just, you know, two thumbs up is that it is a little bit green coming in here, because like was stated earlier about the urban services, but it's a nice project and -- and as those fill in around it I think you will be fine. I mean the same thing could have been said about Tuscany when it first

went in. Pretty green comparatively speaking, but, you know, now it's fine with all the services -- urban services coming in around it. So, yeah, I support this project.

Lorcher: Thank you, Commissioner Wheeler. Commissioner Yearsley, do you have any comments? So, I guess my only comments would be -- Joe, I think you said that ACHD had not given its full approval to this project; is that correct?

Dodson: Madam Chair, no. They -- they have approved it, but the way that they write their condition is that they will not -- it's kind of weird, but they say that they will not -- they won't sign a -- whatever final plat has the 101st building permit in there and, then, they also say for the traffic calming could -- prior to final platting they have to submit construction drawings for the roads to ACHD and that's their final approval and at that time that's when they will grant that, as long as they meet their conditions of approval for the traffic calming.

Lorcher: And would that be -- happen before or after City Council? Does it have to -- have to happen before?

Dodson: After.

Lorcher: After. But you can't do anything until they say yea; right?

Dodson: The applicant would coordinate with them on -- on what kind of traffic calming. Typically it's bulb outs is -- is the most used and the most appropriate in a lot of these, especially with parkways and detached sidewalks.

Lorcher: Right.

Dodson: The applicant can revise the plan to show that before City Council. I honestly cannot remember how I wrote my condition. I believe I did say with final plat, just because that's something that we will typically see on these longer streets and ACHD would have to, again, approve those locations as well, because they are the ones who are going to determine how far away from the intersections they should be and et cetera.

Lorcher: Well, if Commissioner Seal was here he would say that -- he would disagree with your amenity package only in the sense that with 226 homes -- and I can't even count the number of common lots where you have for the townhomes and one pool, you are setting yourself up for water wars among your -- among your people, because if the renderings of their pool -- of what you showed in your pictures, it's -- it's pretty small compared to the number of residents that are going to be living there at any given time and a couple of weeks ago -- maybe a month ago we had a subdivision called the Oaks and the room was filled with people as they expanded their subdivision and they had the one pool amenity and they were about to go to every other day, like all the even numbers would come on one day and all the odd numbers would come on another day, so, you know, that's entirely up to you if you want to continue with that amenity. I would like to see the amenities -- instead of one big park in the middle, to actually maybe take some

of those shared lots and put other things, so that people within the subdivision can kind of enjoy it. Not to say that there is not a pool, but I think when you have that one big green space it's beautiful and it's nice, but I mean I counted -- if there is 226 houses and, then, there is two people who live in each house, that's 458 people and they all decide to go to the pool the same day, you are not going to be able to accommodate them. So, you know, I love having a pool in our neighborhoods, but it also can cause some big challenges, especially for a large 37, 38 square -- or acre subdivision that you are proposing.

Grace: Madam Chair, I would echo that comment, because I was -- I was thinking something similar. I come from a subdivision with four pools and quite a -- quite a bit more homes, but still the -- we can barely keep up with the -- with the demand for the pools and so I -- I echo that comment as well.

Lorcher: So -- but that's not our decision here tonight. Our decision is to do the preliminary plat and the rezone and the development agreement modification. So, that's something you can work out with City Council.

Dodson: Madam Chair?

Lorcher: Joe.

Dodson: Through the rezone and the plat, you -- Commission does have the power to recommend certain things to the Council for sure. So, if you -- if Commission so sees fit to recommend an additional amenity or a larger -- I don't know how we would quantify the size of the pool, but, you know, additional open space or things like that, that is well within your purview, yes. And those would be taken up with City Council at that point.

Lorcher: Didn't you say that they exceeded the open space requirement?

Dodson: Yes, ma'am. But still the design is something that the Commission is allowed to recommend -- make recommendations on.

Lorcher: I think if it was a single family subdivision entirely where it was all single family houses, it would have a different vibe to it for the open space than it does with the townhouses and the cottage houses and our experience here we have seen that as your phases go forward -- especially towards the end and they don't realize that everything's already been approved, you may find yourself with very angry neighbors or people who want to purchase in your area and I have been on this Commission for a year and a half and we -- we are -- we are seeing it more often as the final phases of subdivisions are coming out, because they just moved in a year ago, whereas the preliminary plat approval was done ten years ago and now all of a sudden they are like, well, we want a pool on our side of the neighborhood. Well, why can't we have this on our side of the neighborhood and, meanwhile, everything's already been decided. So, if you really want to create a sense of community and good neighbors -- you know, as a Commission overall we are not a huge fan of the shared streets, because your garbage can is on my space

and your car is on my space -- you know, that -- it just has proven over the years to be possible contention with neighbors and we, obviously, all want to get along and your amenity space is beautiful, it's huge and it looks lovely in the center, but I'm wondering if it might be thoughtful to actually have little options other places as well, so that not everybody is gathering in the same space at the same time. But that's not -- that's my only comment. Can I have a motion to -- where are we at? And we have closed the public hearing; right? Sorry, I lost my thought. Okay. Can I have a motion for this application? Unless -- Commissioner Yearsley, are you there?

Yearsley: I'm here. I had to switch computers, so I'm here now and have no comment.

Lorcher: Do you have any comments for this application?

Yearsley: No, I don't.

Lorcher: Can I have a motion for this application, please?

Grace: Madam Chair, it seems to be easiest, because I'm the one here, so I -- I don't mind making the motions. I would move, after considering all staff, applicant, and public testimony, to recommend approval to the City Council of File No. H-2022-0050 as presented in the staff report for the hearing date of October 6th, 2022.

Lorcher: Do I have a second?

Wheeler: Second.

Lorcher: Okay. It has been moved and seconded to approve File No. H-2022-0050. All those in favor? All those not in favor? Commissioner Yearsley?

Yearsley: Can you not hear me?

Lorcher: Nope.

Yearsley: How about now?

Lorcher: Yes.

Yearsley: Okay. Aye. Sorry.

Lorcher: Okay. Do we -- did everybody say aye?

Grace: I believe so.

Lorcher: All right. Well, all those said aye, so motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Lorcher: Commissioners, can I have one more motion?

Grace: Madam Chair, I move to adjourn.

Lorcher: Do we have a second?

Wheeler: Second.

Lorcher: All right. Those all in favor say aye. Meeting is adjourned. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 8:03 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

MARIA LORCHER - VICE-CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK