

**Meridian Planning and Zoning Meeting**

**January 6, 2022.**

Meeting of the Meridian Planning and Zoning Commission of January 6, 2022, was called to order at 6:00 p.m. by Chairman Rhonda McCarvel.

Members Present: Chairman Rhonda McCarvel, Commissioner Bill Cassinelli, Commissioner Andrew Seal, Commissioner Nick Grove and Commissioner Steven Yearsley,

Commissioners Absent: Commissioner Maria Lorcher and Commissioner Nate Wheeler.

Others Present: Chris Johnson, Kurt Starman, Caleb Hood, Sonya Allen, Joe Dodson, Alan Tiefenbach and Dean Willis.

**ROLL-CALL ATTENDANCE**

<input type="checkbox"/> Nate Wheeler	<input type="checkbox"/> Maria Lorcher
<input checked="" type="checkbox"/> Andrew Seal	<input checked="" type="checkbox"/> Nick Grove
<input checked="" type="checkbox"/> Steven Yearsley	<input checked="" type="checkbox"/> Bill Cassinelli
<input checked="" type="checkbox"/> Rhonda McCarvel - Chairman	

McCarvel: Good evening and welcome to the Planning and Zoning Commission meeting for January 6, 2022. If you are joining us by -- 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 portion. If you have a process question during the meeting, please, e-mail cityclerk@meridiacity.org and they will reply to you as quickly as possible. With that let's begin with roll call.

**ADOPTION OF AGENDA**

McCarvel: Thank you. First item on the agenda is the adoption of the agenda. We do -- it is an amended agenda and H-2021-0087, Apex West Subdivision, and H-2021-0090, Ten Mile RV Storage -- actually, Apex West Subdivision will be opened only for the purpose of being continued and Ten Mile RV Storage will -- is requesting withdrawal. If you are here tonight to testify on either of those applications we will not be taking testimony this evening. So, can I get a motion to adopt the agenda as amended?

Seal: So moved?

Cassinelli: Second.

McCarvel: It has been moved and seconded to adopt the agenda. All those in favor say

aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

### **CONSENT AGENDA [Action Item]**

#### **1. Approve Minutes of the December 16, 2021 Planning and Zoning Commission Meeting**

McCarvel: Next is the Consent Agenda and we only have one item on the Consent Agenda, the approval of minutes for the December 16th, 2021, Planning and Zoning meeting. Can I get a motion to accept the Consent Agenda?

Cassinelli: So moved.

Seal: Second.

McCarvel: It has been moved and seconded to accept the Consent Agenda. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: So, at this time I will briefly explain the public hearing process. We will open each item individually and begin with the staff report. The staff will report their findings on how the item adheres to our Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. 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 on only once during public testimony. The Clerk will call the names individually of those who signed up on our website in advance to testify. If you are here in person, please, come forward and if you are on Zoom you will, then, be unmuted. Please state your name and address for the record. If you -- and you will have three minutes to address the Commission. If you have previously sent pictures for -- or a presentation for the meeting it will be displayed on the screen and our clerk will run the presentation. After all of those who have signed up in advance have spoken we will invite others who may wish to testify. If you wish to speak on the topic you may press the raise hand button on the Zoom app or if you are listening on the phone, please, press star nine and wait for your name to be called. If you are listening on multiple devices, a computer and a phone, for example, please, be sure to mute those extra devices, so we do not experience feedback and we can hear you clearly. When you are finished if the Commission does not have questions for you, you -- you will no longer have the ability to speak. Please remember we will not call on you a second time. After testimony has been heard, the applicant will be given another -- another ten minutes to come back and respond. When the applicant has finished -- finished responding to questions and concerns, we will close the public hearing and the Commissioners will have the opportunity to discuss and, hopefully, be able to make final decisions and recommend -- or recommendations to City Council as

needed.

## **ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

### **ACTION ITEMS**

**2. Public Hearing for Apex West Subdivision (H-2021-0087) by Brighton Development, Inc., Located on the North Side of E. Lake Hazel Rd., Approximately 1/4 Mile West of S. Locust Grove Rd.**

- A. Request: Preliminary Plat consisting of 208 building lots (207 single-family and 1 multi-family) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts.

McCarvel: So, at this time we would like to open the public hearing for H-2021.0087, Apex West Subdivision, and they are requesting a continuance to February 3rd due to the proof of public hearing notice signposting not being submitted to the city within the required time frame prior to the hearing. I think they had actually put January 20th, but it's a pretty full agenda already and so we are looking at February 3rd on that. Do we have any other -- do we have any further comments from staff?

Allen: No, Madam Chair.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I move to continue file H-2021-0087 to the hearing date of February 3rd, 2022.

Yearsley: Second.

McCarvel: It has been moved and seconded to continue H-2021-0087 to February 3rd. All those in favor say aye. Opposed? Motion carries.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

**3. Public Hearing for Ten Mile RV Storage (H-2021-0090) by Hatch Design Architecture, Located on Parcels R5629430106, R5629430090, and R5629430080, Located Near the Northwest Corner of W. Ustick Rd. and N. Burley Ave./W. Nelis Dr.**

- A. Request: Rezone of 5.65 acres from C-G to I-L.
- B. Request: Development Agreement Modification to enter into a new development agreement to revise the approved concept plan to allow for a self-storage facility including outdoor RV storage.

McCarvel: Next item on the agenda is H-2021-0090, Ten Mile RV Storage, and that application is requesting a withdrawal. So, I don't believe we need a motion of any kind. It's just being withdrawn.

- 4. Public Hearing Continued from December 2, 2021 for Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.**
  - A. Request: Annexation of 25.76 acres of land with a C-G zoning district.
  - B. Request: A Preliminary Plat consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land.
  - C. Request: A Conditional Use Permit for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G zoning district.

McCarvel: Okay. Moving on. Next item is H-2021-0075. It is continued from December 2nd, Rackham East/Eagle View Apartments, and we will begin with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. This item was continued, as noted, in order to get ACHD's report to understand what's going to happen with Rolling Hill Drive, to allow more time to address the issue with the out-parcel at the north boundary of the site, which will be an enclave if this property is annexed and to work on enforcement of no construction traffic on Rolling Hill Drive. The most recent draft staff report issued by ACHD earlier today states ACHD is supportive of the applicant's request for sole access to the site to be provided from the west from Silverstone Way and Overland Road, with emergency access only via Rolling Hill Drive if an updated operational analysis as submitted for the intersection of Silverstone and Overland Roads. ACHD will determine if restricting the site's access to Rolling Hill Drive to emergency only will be acceptable based on the updated analysis and district policy. If determined acceptable no additional offsite improvements will be required to Rolling Hill Drive, including traffic calming measures. A cul-de-sac will be required to be constructed at the terminus of Rolling Hill Drive -- excuse me. If determined not to be acceptable or if the applicant chooses not to restrict access to Rolling Hill, the applicant shall be required to restrict Rolling Hill Drive on Overland Road to right-in, right-out only, construct passive traffic calming measures on Rolling Hill, improve Rolling Hill with 24 feet of pavement, three foot wide gravel shoulders and six foot wide concrete sidewalk on one side of the road within existing right of way. Construct a mini roundabout at the terminus of Rolling Hill Drive and enter into a CDA to replace the crossing over the Five Mile Creek. The applicant would be restricted to phases one and two, the residential portion of the development, and may not proceed with phase three, the office portion, until the existing residential properties on Rolling Hill Drive are purchased and annexed into the city with commercial zoning. When there are no remaining residential homes on Rolling Hill Drive

ACHD may reclassify this roadway as a collector or commercial road and require additional improvements at that time. Since the last hearing an updated concept plan was submitted as shown for the multi-family residential development that depicts 20 extra parking spaces along the driveway at the northern boundary of the site. This is planned to be a private street in the future. These spaces could serve as guest parking, but don't meet the requirements for off-street parking as they are on street. The ACHD report also expresses concern pertaining to adequacy of available parking proposed in the multi-family portion of the development and the potential for overcrowded on-street parking on Rolling Hill Drive as ACHD traffic services has received several complaints about overcrowded on-street parking in the city with new apartment complexes. The report states it appears there are more tenants per apartment unit causing parking issues on adjacent public streets near apartment complexes in general due to lack of affordable housing. For these reasons staff is recommending the minimum amount of parking required for the use is provided internal to the development. A minimum of 11 additional spaces are needed. Staff is recommending the following changes to the staff report. The first bullet in your hearing outline please disregard. It was pertaining to minimum seven foot wide sidewalks to be provided where parking stalls abut sidewalks. The applicant did submit an updated site plan that shows that they are complying with that. The previous site plan did not include the curb dimension in that, so they are good on that. I am asking for a new condition to be included requiring construction traffic to access the site from the west from Silverstone and Overland Road intersection, rather than from South Rolling Hill Drive, as committed to by the applicant at the last hearing. And also modification to Condition A-1-G, a development agreement provision pertaining to ACHD required off-site improvements to Rolling Hill to simply require compliance with ACHD's requirements. And, then, one additional condition that is not on your hearing outline per the applicant. I believe they committed to this at the last hearing to provide an access easement to that out-parcel along the north boundary, so that the property owner can maintain weeds or anything else on the property. Thank you.

McCarvel: Thank you, Sonya. Would the applicant like to come forward?

Wardle: Good evening, Commissioners. My name is Jon Wardle with Brighton. My address is 2929 West Navigator Drive, Suite 400, Meridian, Idaho. 83642. If I can I would like to share my screen on this. Appreciate the opportunity to come back. At our last hearing back in the beginning of December there were a few items specifically related to traffic that were -- that were raised. One of the issues was that we had not received an ACHD staff report at that time, which had left some open-ended questions and the other one was also regarding Rolling Hill Drive and how that would be treated with the concerns of the existing homes on Rolling Hill Drive. After that meeting we immediately had two conversations, one was with the Meridian Fire Department to talk about whether Rolling Hill Drive could be emergency access only, and the second conversation we had was with the Ada County Highway District on -- first off where -- where were they with their traffic study, but could we also consider that as an option. An interim report was submitted, but from there we went back and forth several times and I would like to kind of discuss where we landed. I would like to note from Meridian Fire Department they indicated that, yes, it could be used as emergency access only. So, provide the

appropriate turnaround at the end of the road, but also it could be bollarded or some other mechanism that would ensure that they could get through, but access from the commercial property and from the apartment project wouldn't access Rolling Hill Drive, that it would remain just as it was. So, tonight we wanted to talk specifically about that, Rolling Hill Drive. ACHD -- they did provide an updated staff report. There were two options. Option One, which I have placed in front of you, talks about using Rolling Hill Drive as emergency access only. The criteria there that they want to have us provide them -- and our traffic engineers are working on that -- is updating the traffic study that showed the trips that would be on Rolling Hill Drive and moving those to Silverstone. Silverstone is a collector. It is a signalized intersection and what that would be. We don't have that where we have been able to provide that to ACHD yet, but they are asking for that and we will. Option Two is that we do use Rolling Hill Drive and that Rolling Hill Drive would need improvements to it, including the access out onto Overland. We have concluded, however, and have talked with a few of the neighbors that the approach that we want to take is to do emergency access only -- is to provide that needed turnaround at the end of that public road, provide the appropriate approved restriction onto -- at the end of Rolling Hill from the neighbors to the south and us to the north, so that Fire could get through, but the access couldn't be made from residents or businesses out of the project, that they would go to Silverstone. We still need to provide that report, but we feel like the trips that would go to Silverstone -- it can be accommodated. There is a signal there and, as I mentioned, I have spoken with a couple of the neighbors, either by phone or via e-mail, face-to-face, just discussing that we are pursuing this as an option. So, what does that mean? Just a quick exhibit here is just showing our internal circulation and how that traffic would come out -- out to Overland Road on Silverstone and they could also access Rackham Way, but Rackham Way would be a right-in, right-out only, so any trips that wanted to go out there they could use that, but Silverstone would be the point of access to it. We are -- we do understand what the -- what the neighbors have asked, the concerns about those trips on there while they still are residences. The Comprehensive Plan does show that at some point that we will transition -- transition to something that it is -- something different than it is today, but those plans aren't there today and so we are trying to do our best to listen to what they have asked. In fact, this was very specific at the hearings and the last hearing was can we use Rolling Hill as emergency access only. We believe that, yes, we can. Like I said, we still need to check that box with ACHD on providing the updated study, but I think we will all be able to note and agree that putting those trips to a signal on a collector road is the better option at this time. Like I said, ACHD has requested that we provide them with an updated analysis of that intersection. It's in process. We will provide that to them shortly. But we -- like I said, we are hopeful that they will be able to extend that determination that Silverstone is, in fact, the appropriate place at this time for that access to occur. As Sonya mentioned, there was an update to the site plan. We have -- we are providing some additional on-street parking as noted here kind of along the north area. I will -- I do want to note that we do meet the parking requirements for all of the residential units. We do meet that. The difference here or the rub here is -- is the amenity element of the project. We had not calculated the parking for that. There has been -- I guess that has varied from project to project, but in this case staff indicated that we did need to calculate that and so, really, we are meeting the parking requirements for all the residential units and we are able to

provide additional on-street parking, which will be guest parking on those parallel stalls on the north. We went through pretty extensively before and I can -- I can go back and answer any questions that you have regarding the project if there are any, but it felt like the open items before you to -- that we wanted to discuss tonight were the ACHD traffic study. Do we have that? Yes, we do. And are there solutions for Rolling Hill at this time? Yes, there are. The solution that we are pursuing is the emergency access only and that's what we are proposing and we are hopeful that at the conclusion of our updated traffic analysis of that intersection that ACHD will agree with that as well. We respectfully request that the Planning and Zoning Commission approve the conditional use permit and also that the Commission transmit to the Council with a recommendation for annexation and rezoning and preliminary plat and I stand for any questions that you might have tonight.

McCarvel: I will start off, because I don't want it to be a surprise to anybody -- and this did come fairly late, so even though the option you would like to move forward with on Rolling Hills Drive is the emergency access only, that is still predicated on that traffic study. So, I just want -- could you talk a little bit more about what -- what Option B really is and what that entails?

Wardle: Well, Option B is the option that has been option number two. I will tell you that there are conversations, even within ACHD, about the importance of using Silverstone. John Wasson, who is the traffic -- kind of -- who is a liaison that I think you see quite frequently on these correspondences, his own concern about, you know, using Rolling Hill. So, they are just asking us to reallocate what would be those future trips, which is at build out about 2,500 daily trips. The peak hours are significantly less than that and what that would mean to that intersection. Preliminarily, we are being told that there is not a significant impact. Will there be a traffic signal at Silverstone? Yes. But that signal that's there and the -- the nature of the road as it's currently built, will -- will be able to accommodate it. We haven't -- we don't have a full report to give at ACHD, but that's what we are being told that appears that it will be -- it will function. ACHD at the same time needs to review that and I think it would be important for this Commission and even the City Council to indicate their concurrence with that and ask that that be the result. Even if there is a little bit of overloading at Silverstone, that overloading today is better than the -- the use of Rolling Hill.

McCarvel: And if you could maybe elaborate a little bit -- I know there was the little enclave property. Was there --

Wardle: Yes.

McCarvel: -- on that?

Wardle: Madam Chair, you are referencing kind -- I hope you can see my little hand right here on the screen, but there is a little piece right there. As of today we have a written purchase agreement for that and so we will -- we will close that transaction and we will include it. I will note we are talking about 14 feet, so its sole purpose -- well, it's improved

purpose is a landscape buffer. Its use right now is -- are weeds, but we will make that part of the landscape buffer, so that's what we were doing. We will acquire that.

McCarvel: I think everybody just didn't want to see it become weeds permanently.

Wardle: Nor do we, because it will -- it will not show well for the entryway into the city.

Cassinelli: Madam Chair?

McCarvel: I'm leaving the parking question to somebody else.

Cassinelli: I was -- I'm going with -- I'm going with the Rolling Hills portion of it right now. Jon, there is going to be a turnaround there at the end of the road, if that's -- if that ultimately is the way it's going to be built out. Will that be -- are you going to set that back and put that on your property? How -- how will you accommodate that?

Wardle: Madam Chair, Commissioner Cassinelli, a couple options. We have been in conversations with the owner here on the east about acquiring property there so that turnaround could happen south of the boundary and so that there is a very clear delineation. There -- there is another option, which I think is a little less desirable, but we own this parcel right here, which is just under 180 feet from the terminus. That would give us an opportunity to do it there. But our -- our preference is to work with this owner here and provide the turnaround right at the boundary.

Cassinelli: Thank you.

Wardle: Thank you.

Cassinelli: Somebody else can ask -- talk about parking.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I just got a couple of questions. So, continuing on with that, the terminus there, is that going to be marked no parking?

Wardle: Madam Chair, Commissioner Seal, yes, it would be marked as no parking. That's -- that's actually a requirement. Many cul-de-sacs are not signed as no parking, but it's actually a requirement that they not be parked on and, yes, we would sign it at the time that we can -- that we construct it and the -- I guess the other kind of segue to that one is the importance of getting that turnaround in at the commencement of our construction, because there was question about construction traffic as well. So, those things would merge together. But, yes, we would get that in at the very beginning and it would be no parking.



Seal: Okay. So, you are trying to basically put that in as part of phase one?

Wardle: Yes.

Seal: Okay. I will ask the question about parking and there seems to be some discrepancy on that and -- I mean the staff has been pretty critical of the parking and, then, not only that, but the ACHD report is critical of basically the City of Meridian for their parking standards, so -- I mean what -- what do you propose, you know, be done about that? I mean I have got a couple of ideas floating through my mind. One of them is to just make the -- the private drive that you have there, make that go more straight, instead of coming down into the private drive and accommodate more parking that way. I mean it would take away from your parking lot, but is that something that's doable? Foreseeable?

Wardle: Madam Chair, Commissioner Seal, as we had noted before, we have been working on the overall site plan here for the office buildings to the north and to -- to merge that with the multi-family. We feel like we do have that balance for the parking. I do not have a -- an approval from our partners about, you know, moving parking to the north and moving that road to the north. Again, I -- we, too, are aware of the parking issue. I don't think I have come to any meetings thus far on multi-family where it has not been raised. We -- like I said, the deficit that we feel like we have here is related to the amenities and that -- again, that kind of caught us off guard, because it has not been a requirement or it's not been calculated before on our projects and so if it's a hard and fast rule and we can't move that road to the north and the city doesn't accept the guest parking along the road, then, there would -- you know, unfortunately, we would remove some units, which we don't want to do. But that's -- I think that's the only way that we would be able to accommodate that and I don't -- I don't feel like that's our best option. I will tell you that we did talk with staff and it's -- it's kind of -- maybe I can zoom in here a little bit. There -- there are some opportunities on site. If you can see that there is areas against the clubhouse amenity areas. There is some green space. We also have some other green space we could adjust. We did talk with staff about putting parallel parking in here and that would qualify as on site, but the concern -- and so I'm a little, you know, caught off guard by this, because this was a late request. The concern was, well, this is a drive aisle here internally and you have cars backing up and there might be some conflicts internally. So, we landed with staff a few weeks ago about bringing that parking -- the additional parking needed up here. So, we -- we have -- we felt like this was the best option by cleaning up the drive aisles. We could do it. We could shorten up or narrow up some landscaping and make some adjustments and parallel along here and meet the requirement on site, but felt like the flow of traffic through here and around that community center was better if we didn't do that. So, that's an option for us as well. We would have to work through that through the CZC process.

Seal: Okay. Thank you. And I appreciate the recognition of the parking issues that we do have and it's going -- probably will continue, so -- I mean more is always better for parking.

Wardle: I do still want to acknowledge that when we looked at this, the parking requirements for the units, I mean we -- we do meet those. The deficit is, in our opinion, related to the amenities and it was even brought up was, well, what happens if somebody is having an event there at the community center and they are bringing guests in? So, I mean that was kind of the feeling of how do we accommodate that. Staff has taken time on this issue. They have -- they have made some modifications as unit types change to how do we accommodate the correct amount of parking. I think that's also a topic that's on the planning staff's upcoming UDC amendments. That was one of the bullet items to look at that again. I think, you know, it's a topic to -- to continue to discuss and -- and address, so that we can all be good neighbors and come up with a provision that does work.

Seal: Thank you.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: So, has there been a thought of doing some -- an easement on -- to the parking lot to the north? Because I'm assuming that most of the time when you need more parking it's going to be off hours and, you know, potentially -- residents could potentially park in the evening or -- or on the weekends when they have events and -- and share some parking that way as an option and more than likely that's what's probably going to end up happening anyway if -- if they can't find parking for the subdivision -- or for the apartments.

Wardle: Madam Chair, Commissioner Yearsley, we haven't discussed specifically that easement. I do think that you are correct that naturally overflow parking in those off hours -- because when people leave the offices those lots empty and apartments and residents, they come home at night and weekends and there is -- there is usually not a conflict there. We can discuss that. I -- I don't know. I don't know that answer. But it's something we can discuss.

Yearsley: Okay.

McCarvel: Any other questions for the applicant?

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: Jon, real quick. The 671 that you have here is that including -- was that 20 that's on the private drive?

Wardle: Madam Chair, Commissioner Grove, it is. I had a previous version that showed the calculation, but my formatting got messed up there, but it is -- we have 651, plus the

20.

Grove: I'm just curious, because in the staff report we have a whole bunch of numbers and so I'm just trying to wrap my head around where they are at, so --

Wardle: Madam Chair, Commissioner Grove, staff did -- there were some discrepancies in our report about, you know, how many stalls we actually did have. There was a little bit of confusion on our part as well, but we did go back through and calculate it again. So, 651 on site, plus the additional 20.

Grove: All right. Thank you.

McCarvel: Any other questions for the applicant? Okay. Thank you.

Wardle: Thank you very much.

McCarvel: And, Chris, do we have anybody signed up or -- oh.

Johnson: Yeah, Madam Chair, nobody signed up online. You might be receiving a paper right now.

McCarvel: Yeah. Okay. First on the list that wishes to testify is Alicia Eastman. Pull the mic real close to you.

Eastman: Because I'm still short. I live at 1485 Rolling Hill.

McCarvel: And, please, state your name as well.

Eastman: My name is Alicia Eastman and it -- my house is on Lot 3, Block 2. So, my biggest concern right now is that -- and while I appreciate everything that the developer is trying to do, that if you go with that second option to do the improvement to widen the road there at the end where we are at, we are just -- where View Circle is -- between View Circle and Overland. So, if you do that -- take that easement and that 24 feet, it's going to affect not just my well, across the street, three, four, five houses, plus mine, and so what do we do for water and -- if we don't want to annex or, you know, and hook up to city sewer, city water, what happens to our wells? I mean I'm just kind of -- I'm not clear on -- on that and I need water. So, that's really what my big concern is. And, then, I have the neighbor on -- Lori Beth Wilson that lives on View Circle, she doesn't have internet, she doesn't use e-mail, she doesn't do electronic things and so I -- you know, gotten a copy of the ACHD report and took it over to her, but -- and she said, well, are all of the houses going to be gone? What if somebody doesn't want to move in? And I said, well, I don't -- I don't know and so she said, well, do they -- are they just going to do eminent domain or something and I said I don't know, but, here, call -- you know, I -- call Meridian, call the city clerk and, you know, take it up with the City Council. So, thank you very much.

McCarvel: Okay. Thank you. We will have the applicant respond. That's all that has indicated on the sign-up list that they wished to testify. That being said, is there anybody else in the room or online that wishes to testify that did not sign up? Okay.

Johnson: Madam Chair, you do have one person.

McCarvel: Okay. We have somebody in the room first.

Johnson: Oh, good. Okay.

McCarvel: Yep. We will get to Zoom in a minute. Thanks.

Blowers: My name is Mike Blowers and I live at 1325 Rolling Hill. My question is in regards just to the cul-de-sac option. I didn't really plan on adding questions until that came up, but I guess first question is I'm -- I'm aware of a property that Brighton owns or BVA owns, but I believe what you pointed to on the map would be my next door neighbor, which would leave two homes past the cul-de-sac. So, I'm curious how that would work. The other option, which was purchasing part of the property at the very end of the street, I do know that would be an option for that person, but if that doesn't go through this cul-de-sac would go into the private drive of the plans that were shown above, so I don't -- I guess I'm just looking for clarification. What if neither one of those properties are able to be used for the cul-de-sac, where does that leave us? But since I'm already up here the other question that I was curious about and I haven't been able to get an answer to, was kind of like the last meeting, we were waiting on a report from ACHD. We were told, you know, no concerns around it. Well, the report comes back and it says we need to, you know, remove the homes on Rolling Hill and now we are being told that again. There is a report that's going to come out and it -- it will likely work and I hope it does work, but I'm just curious what if this report comes back and it says, well, you can't run all the traffic down Silverstone or -- or maybe I misunderstood and -- and it will work. So, that was -- I was seeking clarification there. Thank you.

McCarvel: Thank you. Okay. Chris, I think we are clear in the room. Do we have somebody online?

Johnson: We do. And I'm going to unmute you now. It's Chris Maiocca. Apologies if I mispronounced your -- you're able to speak now.

Maiocca: Thank you, Madam Chair and City Council. Can you hear me?

McCarvel: Yes. Please state your full name and address for the record.

Maiocca: Yes. My name is Chris Maiocca and I live at 4160 East View Circle. I just wanted to say just a couple of things. We have several members in our neighborhood unable to make it because of COVID, so we haven't lost interest in this project, we are just sick and quarantining. The other thing I did want to mention -- we have had a couple of Zoom meetings with the highway department and they have shown us how they have

gotten some of their numbers for Rolling Hill and I believe it was 6.3 car trips per unit and we did the math and -- and I -- it just seemed like all the parties on the call agreed that their numbers just weren't realistic and they were very low. So, it seems like -- and my notes -- my notes tell me that they -- they were estimating 200 trips a day up Rolling Hill currently, which seems very high and they were -- and we are estimating with the numbers they gave us, trips per cars per day about 2,500. So, our concern is is that if -- just with phase one and two, the numbers of cars would far exceed the -- whatever you want to use -- the legal limit for Rolling Hills and we are just afraid that retroactively there is nothing that we can -- can do about that. Having said that, we are certainly appreciative of Brighton and BVA for whatever their motives are -- it does seem like all parties really want to avoid using Rolling Hill as -- as a thoroughway for this project and I really do appreciate something a Council Member said, I forget who it was at last meeting, something to the effect: We haven't always done right by some of these rural properties and here is our chance to get it right and the one last thing that I remember a Council Member said and I really think they nailed it, this project was really done backwards. The property should have been attempted to have been purchased at Overland and, then, move up the road and, unfortunately, that -- that wasn't what happened, but I do give Brighton and BVA the credit for recognizing that and for whatever the motives are trying to do the right thing now. So, thank you, Council. Appreciate you.

McCarvel: Thank you. Anybody else in the room or online? Come forward.

Wattles: My name is Amy Wattles. My address is 1360 Rolling Hill Drive. I just wanted to add -- I was listening via phone at the beginning of the meeting. One part that stood out to me is we have -- you guys are faced with two decisions. You know, Option One, you are using Silverstone. Option Two that's still on the table is Rolling Hill Drive. I don't want to gloss over what ACHD had to say about Option Two with Rolling Hill Drive. What will happen at the intersection of Rolling Hill and Overland is it becomes a right turn in only and right turn out only. So, now the residents -- we are having to backtrack all the way through Silverstone just to be able to get back out to the left. That's a -- it's a concern. You know, it's not something I think any of our neighbors want to lose sight of, is that the Rolling Hills piece is still on the table. Last time we met there were a lot of concerns and we brought them forward and thankfully, you know, you guys were willing to wait for the report. There was discussion about waiting later in January for the ACHD report, but it got pushed to the 6th. Here we are again without the report trying to push it earlier. I'm just asking can we table this again until the report comes out? I know I have reached out to Planning and Zoning and haven't been able to get phone calls returned prior to meetings. We have met with ACHD and they have been wonderful. The last piece I heard from ACHD was there were still parking concerns. So, I just don't -- it just feels -- can we, please, reserve this for when the report is done? Anything at this point is just trusting that whatever figures or whatever stats they are proposing are accurate and I feel like the consequences are too big for the residents there to take that leap of faith. Thank you.

McCarvel: Thank you.

Seal: Madam Chair, I have a question for the --

McCarvel: Oh.

Seal: Ma'am.

McCarvel: Amy, he has a question for you. Commissioner Seal.

Seal: Do you know if they are going to have a hearing on this? ACHD?

Wattles: They said no. I think -- Mike, do you know better? There was a process.

McCarvel: We can't have the discussion in the room, because it doesn't show up on record.

Wattles: Sorry.

McCarvel: Sorry.

Seal: I was going to say if the answer is no without a request, I would definitely request one for sure, because -- I mean as the city we are a little bit tied at this point, because we don't own the roads and we are kind of a little bit in the middle here. So, I mean if -- if the concern really lies with the road and what they are going to do with that and the decision that's going to be made, then, definitely request a hearing with ACHD, so your voice can be heard.

Waddle: That decision would be predicated on you approving Option B first, though, so we could avoid that whole scenario and just wait for the report.

Seal: We don't approve Option B or A.

McCarvel: Yeah.

Seal: ACHD does. It's completely out of our purview.

Wattles: Okay.

McCarvel: Yeah.

Wattles: Because as far as what they are proposing that's the part I'm confused about.

McCarvel: Yeah. They are -- the Option A and Option B is -- Option A is what everybody wants to move forward with, but Option B is there in case the traffic study comes back and Silverstone is not adequate.

Wattles: Right. But in order for Option B to move forward you all would have to approve

that -- or whatever you are deciding tonight would decide Option A or B. Either are fair game.

McCarvel: Either would be fair game.

Wattles: And that's troublesome. That's all.

McCarvel: Yeah. It would -- that's why the options were both presented, because the traffic study isn't done right now, so it's -- this is what happens if the traffic study is okay and this is what happens if the traffic study does not support Silverstone only, so --

Wattles: Thank you.

Seal: Thank you.

Johnson: Madam Chair, you have one more person online.

McCarvel: Okay. Thank you.

Johnson: Pam Haynes and, Pam, you are unmuted now. Or you can unmute yourself.

Haynes: Sorry. Can you hear me now?

McCarvel: Yes. Please state your name and address for the record.

Haynes: Hi. My name is Pam Haynes. I live at 1235 Rolling Hill Drive. I just have a comment. It's more for the developer. I realize it's purely speculation at this point. But to me a third option for the cul-de-sac could be that it is placed on the northern line where it would be on their property instead of purchasing land from the landowner to the east. So, I'm just wondering if that is something that could be put on the table as an option and thank you.

McCarvel: Thank you. Okay. Anyone else online or in the room that wishes to testify? Okay. Would the applicant like to come back.

Wardle: Madam Chair, for the record again Jon Wardle with Brighton. As it relates to the project and to transportation, one thing that was really -- everybody was very clear from our last meeting was how do we not use Rolling Hill. Rolling Hill is a public road. There is no -- there is no disputing that. But Rolling Hills does have -- Rolling Hill does have a unique characteristic at this point in time, given the residences that are there. Can we predict when those changes will happen to that? No, but we feel like we came up -- we heard, we felt like we wanted to go back and check with both the Fire Department and with ACHD on -- on whether we could pursue emergency access only. I understand that, you know, there is still this element that's hanging out there regarding, you know, ACHD being able to review that traffic that would come off of Rolling Hill and move to Silverstone. My expectation is that that is the solution. Do -- do we want to be in an adversarial position

with our neighbors to the south through this project while residents are still there? No. We are really trying to come up with a solution. Regarding the location of those turnarounds, yes, there would be a third option, which would be go to the north. One of the problems about going to the north -- which we could pursue or look at as an option and we won't take it off the table, but there is -- there is circulation that would take all those trips over. So, if we bring that cul-de-sac up that lower road to the south of the property would be cut off. There wouldn't be a way to work around that. So, while not preferable, it's something that we could look at. The project is amenity rich. We have a lot of things here on site. We have an oversized amenity center. I know we are talking about 11 parking stalls. It's 7,000 square feet. That's where the deficit is. We really could reduce the size of that community center to something that would be more -- you see in the market of 3,000 square feet, but we feel like the amenities that are being offered here substantiate, you know, the need for those. Would we cut them out? I don't think we want to, but that's what we are talking about here is the -- the added parking stalls are based on a fitness facility and amenities that we are providing. I -- I hear the comment loud and clear regarding parking. I think one of the benefits here -- one of the things that, you know, I hope that we do discuss in upcoming UDC group is there are different parking loading needs when you get into three bedroom apartments. It -- they -- they often have a number of adults that are living there and so I don't know that it's just -- specifically can be addressed based on the unit's themselves, but I think you also need to look at the mix within an entire project, because that I know comes up quite a bit. With our partners we -- we have worked on this quite a bit. We feel like we have come up with a solution. We feel like there -- there are options and alternatives that Rolling Hill, like we mentioned, which is in the ACHD staff report, Option Two, about using Rolling Hill to the south. While not preferable and as -- as noted there would be some restrictions as well. We originally came in looking at this as a public road and trying to use that public road. I think we need to have additional conversations as those areas will transition on what that means and when they do transition how the connection should be made up to our property. That is a conversation that still needs -- that should be had at some point in the future, because these properties will convert -- you know, they will sell one by one over time and I think that's just something that, you know, ACHD and the City of Meridian need to look at long term. With that said we feel like Option One, which is that turnaround, that would stop the traffic, so that traffic on Rolling Hill is resident traffic of those themselves and their guests and we would limit it to emergency access only. Again, we -- we feel like this -- this does provide a place for -- for housing in a location where there will be offices that residents that potentially work there could also live there and we feel like this is the right place for this given the regional mixed use designation and the uses that are already proposed and will be proposed at Eagle View landing and surrounding. We do ask for your approval of the project. We know that there is still this thing hanging out there, but with that approval we also, like I mentioned earlier, request that the Commission strongly encourage ACHD to accept Option One and Silverstone be the place where the traffic could go. I think that would be a helpful piece of information that they could receive as well and I stand for any questions you might have.

Seal: Madam Chair?



McCarvel: Commissioner Seal.

Seal: Just -- one of the folks that came up had a question about the wells and if we are going to go with Option B and how those would be handled.

Wardle: Madam Chair. Appreciate you, Commissioner Seal, bringing that back up. If Option Two is pursued the requirement is that it would be -- we would need to add sidewalk and streetlights to one side of the road. Clearly we would have to look at that. But if there is an impact to a water source that would need to be provided and fixed prior to any of that work happening. Honestly, we haven't -- we haven't pursued any design for Option Two. We don't -- we don't want to pursue that. But if -- if that was where we had to go we would have to make sure that people have their services, including their wells.

McCarvel: Any other questions for the applicant?

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: What is the timeline for the study as forthcoming?

Wardle: Pardon me. Madam Chair, Commissioner Grove, it's in process. Our consultant, who did the overall traffic study -- and I just want to be clear that ACHD has reviewed the overall traffic counts. They have accepted what the volume of traffic will be coming out of the project. So, at this point they are just asking our consultant to make that connection and go over and show what it would be. I would expect that that should be able to be transmitted to ACHD very soon. We are not talking months here, we are talking just a matter of, you know, at most weeks, if not sooner. But, you know, ACHD will still need to review that and work it through their -- their team to look at the numbers.

McCarvel: Any other questions for the applicant? Okay. Thank you.

Wardle: Thank you very much.

McCarvel: At this time could we get a motion to close the public hearing for H-2021-0075?

Seal: So moved.

Yearsley: Second.

McCarvel: It's been moved and seconded to close the public hearing on H-2021-0075. All those in favor say aye. Opposed? Motion carries.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I actually applaud Brighton for what they have done in looking at to try to help minimize the impact to the homeowners on Rolling Hills. I understand that it's not a done deal, but I think -- realistically I think even ACHD is going to try to push as hard as they can to make Rolling Hills emergency access only, just because I think everyone understands that that makes sense. So, I -- you know, I'm comfortable with -- with that moving forward. With regard to parking, I'm one to always want more parking, but given the location of this and the amount of parking to the -- to the north, I'm okay with the way they have got the parking proposed, because, ultimately, the overflow parking is going to go to the north, even if there isn't an easement, and so there is -- there is -- there is -- there is parking available that's not in the homeowners and especially if -- if Rolling Hills becomes emergency access only. So, to me it makes -- it's one -- one area that I'm not as concerned about, so -- as according to the applicant as well, they -- the -- their traffic engineer has actually done the analysis. My guess is they are just finishing up the report and -- and they are saying that the -- the -- making the access to Rolling Hills emergency only is more of a formality and, again, this has to go to City Council as well, so there is one more gatekeeper before us. So, with that I am comfortable moving this one forward.

McCarvel: Okay.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Yeah. There seems to be just two major issues here and the -- the parking, if -- if it's truly about the square footage of the amenities, the clubhouse, that's all going to be used strictly by the tenants of the apartments. So, I don't -- and I agree with Commissioner Yearsley, I think any -- you know, if it's guest parking or whatever will probably flow to the north. So, I'm -- I'm okay with that. It's not -- this isn't a development that's on a -- surrounded by residential areas that -- where the parking is going to overflow into -- into neighborhoods so much as many others do. So, that's my issue there. I'm not concerned about that, unless somebody sees differently. Personally, I'm looking back at the minutes from December 2nd and we continued this to wait for ACHD's report. We don't have that yet. That was -- I mean that was the whole -- that was one of the big reasons. I -- although Commissioner Yearsley did make the point that it's still got to go to Council, I wish we would have that, you know, for this -- for this meeting and we don't. I would like to know for certain before I would vote to approve, that, really, the only option is Option One. I don't want to send it to Council with -- with -- with both, depending on -- and leaving that in ACHD's hands. So, that's -- that's kind of where -- that's where I'm at right now, so --

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I agree. We did wait for -- we wanted to wait for the ACHD report, but we did get the ACHD report, now we are waiting for a confirmation of the applicant's study and not an applicant -- not a -- not the ACHD report. So, in that regard I feel comfortable moving forward. I would say in any condition of approval, though, that that study needs to be finalized and reviewed by ACHD prior to being heard by City Council as a condition, because that -- that would inform how Council can make a decision or not. I mean if -- if the study does come back and Option Two is the only option, Council is going to have to weigh in on that anyway, because it has an enormous impact. But I would -- I would feel comfortable moving it forward with that condition that the study has to be complete and reviewed by ACHD prior to City Council. Everything else I'm pretty comfortable with. You know, I would always like to see more parking, but I don't have huge concerns with it as presented. Yeah. I think that's pretty much all I have.

McCarvel: Yeah. I would tend to agree with the parking. I mean -- and whether we -- the -- the numbers and the requirements include the amenity. I mean it's always included. There has always been a calculation in there for the amenity. I'm not on staff, but even I know that. I remember lots of presentations where that -- that number -- or that calculation is included, because people naturally bring guests over and it is -- I mean some people live far enough away that they don't want to haul their stuff down there and they drive down there, so -- but, yeah, in this particular location I agree with having that huge parking lot that's going to be just on the north side of that road. It's much different than it butting up against another residential area or something that is already parking stressed and I would hate to see him take away from green open space to fit more in when there is going to be a huge parking lot there. As long as they don't end up putting signs up for towing that says you can't park here. So, I would encourage some cross-access there I guess. And I would agree with Commissioner Grove that before this goes to Council -- I think -- I mean I'm not a traffic engineer, so I'm not sure how long this takes and how accurate and how big of a percentage they feel that what they have -- what they are thinking is going to actually pan out, but from what I'm hearing here tonight I think it's well over 50-50 that it's going to be a go for Option A. But, on the other hand, I wouldn't want to lock that down not knowing. So, I would -- I would tend to agree and support Commissioner Grove's idea that that all be wrapped up before it's heard by Council, so they know for sure what they are dealing with and, then, if -- you know, if it needs more, then, they can remand it back or have further discussions there, instead of us twiddling our thumbs and wondering.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Yeah. I agree. The -- I'm comfortable moving it forward as -- as far as the use or not using Rolling Hill Drive, but I do think that that final report from ACHD does need to be in and finalized, so that the answer to that is -- is known. I mean as far as the applicant, I think they have done everything in their power to go through and make sure that it is

known that Option A is the option that they want to go towards. I think that works well for everybody involved. I do agree that if there is a way for the city to converse with ACHD about this that we should definitely let them know that that is -- that's the option that everybody would like to go towards. As much as I don't like Option B, I'm still okay with moving it forward. I mean, unfortunately, we don't own the roads, so -- ACHD does. Again, I would recommend very highly that you ask for hearing from ACHD so your voice is known there, because, really, the decision is in their hands, not ours. As far as the parking, I do agree that people are going to go into that parking lot. That's where the people are going to end up. So, for this one specifically it's not that big of an issue. However, it does set a precedence and we have been here when the applicant has used precedence in order to tell us what they have been able to do or not do in the past. So, when we are splitting hairs on it, this is a way to me that a precedent has been set that could be taken advantage of. So, I'm not a big fan of that. I think there is other ways to solve the parking issue. They are not inexpensive, but they are solutions, so -- and they will fit into code and, then, it satisfies everything without really taking away anything. So, I'm a little on the fence about that one. Like -- like I said, I would rather it all fit into the code and be by the book and be done the right way, so that there is no precedent set that anybody can take advantage of in the future, because people will do that for sure. That's about all I got on it.

Cassinelli: Madam Chair?

Allen: Madam Chair, may I clarify a couple things? In regard to the parking, the applicant did clarify that their parking calcs were a little bit off, so to my calculations I think we are only five short, somewhere in that number right now. If -- if the Commission is leaning towards allowing -- or they are okay with not -- the applicant not providing the minimum standards of on-site parking, there are alternatives in our city code to off-site parking through a shared use agreement. There are standards for that, that the applicant does have -- do have to comply with. So, it's -- it's not just a given and if that isn't an option, then, if the minimum standards aren't being complied with on the site, alternative compliance is another option, but we do have to go through those processes to approve the change, so --

Yearsley: Madam -- Madam Chair. Just -- just for -- for the reference on that if we make a motion, we have to -- they have to meet the requirement or provide alternative compliance for parking. Is that not my understanding?

Allen: Yes. There is a condition in the staff report right now that they provide the minimum parking spaces. If they go through the alternative -- parking standard alternatives in 11-3-C7, they can still comply with that condition. There is no need to amend it necessarily.

Yearsley: Okay.

Allen: Or they can apply for alternative compliance.

Yearsley: Okay.

Allen: But you can't -- I guess my point is is you can't just waive the minimum parking standards.

Cassinelli: Madam Chair? Sonya, on that would in -- in conditioning for a shared use agreement, is that what has kind of been talked about up here, is using the office parking to the north to -- to incorporate that as a shared use agreement? Is that what you are referring to?

Allen: Yeah. It is a possibility. I would want to know what the parking calcs are and what's required and what's provided on that site when there is more detail on that. I'm not sure if they are to that point yet. Also as a -- as a provision of approving the parking alternatives, typically you want uses that aren't sharing the parking at the same time. With residential that's -- that's a little more difficult, because the resident -- residents could be there at any time, same time as the office employees. So, I guess before approving an alternative I would want to know exactly how much they are over and what their need is for the future office uses. Having said that, they are only five spaces short, so I don't think it's a big deal, but those are things that we would consider in that.

Yearsley: So, I understand that we don't need to make a comment on that, because it's in the staff report that they meet the minimum requirements. We can't waive the minimum requirements and so they just either need to show that they meet those requirements or provide the alternative compliance. So, at that point we don't need to address that in the motion. Okay.

McCarvel: Would somebody like -- do we need more discussion or would somebody like to take a stab at a well-crafted motion?

Yearsley: Madam Chair, I will take a stab at this. Let me -- after considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2021-0075 as presented in the staff report -- staff report for the hearing date of January 6th, 2022, with the following modifications: To include a new condition requiring traffic -- construction traffic to access the site from West Silverstone -- or from Silverstone rather than from Rolling Hills Drive as committed by the applicant in the last hearing. Modification to condition number A-1.G pertaining to ACHD's required off-site improvements to Rolling Hills Drive to simply require compliance with ACHD's requirements. Then also that prior to City Council that the applicant has worked with ACHD to get the revised staff report back to how Rolling Hills Drive will be improved or will be emergency access and, then, also that staff's -- or planning's recommendation to go with Option One for the emergency access only as -- as a recommendation to ACHD.

Grove: Do we also need the easement to the north property?

Yearsley: As the applicant stated, he is -- they are in a purchase agreement, so I don't know if they can still provide that easement.

McCarvel: It think it needs to be added to the DA.

Yearsley: Okay.

McCarvel: Yeah.

Yearsley: That the applicant access -- needs to provide access easement to the out-parcel in the DA agreement?

McCarvel: No.

Yearsley: Or --

McCarvel: Provide the purchase agreement.

Yearsley: Provide the purchase agreement --

McCarvel: In the DA.

Yearsley: In the DA.

Seal: Second.

Allen: Madam Chair, may I clarify the motion, please?

McCarvel: Certainly.

Allen: Was the motion to -- as Commissioner Groves suggested earlier -- for the study to be completed and reviewed by ACHD before this goes to Council?

Yearsley: Yes.

Allen: Thank you. So, this could be a while, so the Clerk may not want to set it for -- we aren't setting a date for it tonight anyway.

McCarvel: Yeah. I think the applicant has suggested it might be for -- not months, but weeks, so I think that's -- yeah. It has been moved and seconded to recommend approval on H-2021-0075 with modifications. All those in favor say aye. Opposed nay?

Cassinelli: Nay.

McCarvel: Chris, do you need a roll call or did you get that?

Johnson: I just need the nay.

McCarvel: Commissioner Cassinelli.

Johnson: Thank you.

McCarvel: Okay. Then motion approved.

MOTION CARRIED: FOUR AYES. ONE NAY. TWO ABSENT.

**5. Public Hearing for 1160 W. Ustick Annexation (H-2021-0092) by The Housing Company, Located at 1160 W. Ustick Rd., on the north side of Ustick Rd. Between N. Linder Rd. and N. Venable Ave.**

- A. Request: Annexation and Zoning of 4.54 acres of land with a request for the R-15 zoning district for the future purpose of constructing an affordable housing, multi-family residential project.

McCarvel: Okay. Next on the agenda is H-2021-0092, 1160 West Ustick Annexation, and we will begin with the staff report.

Dodson: Thank you, Madam Chair. I will let anybody who is leaving just clear out for a couple of seconds. Okay. Thank you. As noted, the application -- the next application before you tonight is for 1160 West Ustick. The site consists of 3.81 acres of land, currently zoned RUT in the county and per the application name is located at 1160 West Ustick. It's near the quarter mile, but -- you know, the quarter mile and a half mile mark of -- on Ustick -- on the north side of Ustick, west of Venable, east of Linder. The applications before you tonight our annexation and zoning only. You are a recommending body on that of 4.54 acres of land, with a request for the R-15 zoning district for the future purpose of constructing an affordable housing multi-family residential project by The Housing Company. So, the discrepancy in the property size of 3.8 and 4.5 is to do -- is because of the right of way. Right of way has to go to the centerline of the road, so you have that extra area. So, again, the property is 3.8 acres. West Ustick Road abuts the site along the entire southern boundary and it is a relatively odd shaped parcel. It is widest at its west boundary and smallest at its east -- east boundary, approximately 390 feet for the west and 90 feet on the east. There are no public streets currently abutting the site, except for approximately 11 feet of right of way at the very northwest corner of the site. At the northeast corner of the site there is a relatively large residential lot -- I will go back to the maps. You can -- that's a lot and, then, you have just a corner of right of way there. The residential lot in the northeast is 3335 North Cooper Lane, that was annexed and zoned as part of the Woodburn Subdivision. That is directly north. That contains -- or sorry. That does not take access through that subdivision, but does have a stub road to their north property boundary. Instead, this property takes access via a private road easement through the subject site out to Ustick. Between this parcel and the Woodburn Subdivision and runs along the -- almost the entire northern property boundary is a common lot owned by the Woodburn HOA and contains an irrigation facility, the Lemp Canal, and is piped. It does not appear that this area is currently fenced off from this parcel. The majority of the adjacent parcels are single family residential, with the exception of the C-C property directly to the east, which, again, only share about 90 feet of frontage with shared boundary. That property, Settlers Square, recently received development agreement modification approval to include multi-family townhomes on the north half of their site, while keeping commercial pad sites along Ustick. Cross-access

was required of Settlers Square and staff is requiring this cross-access be reciprocated and the applicant does agree with this. In general, the property is a relatively odd shaped parcel with its own set of challenges derived from previous planning decisions, its dimensions and its general location. As noted -- well, I guess I didn't know note it, but the subject site does contain two future land use designations, mixed use community and medium density residential. Mixed use community is the brown. The yellow is the medium density. Staff finds the proposed use to be in alignment with the anticipated uses in both designations. Furthermore, future land use designations are not always parcel specific when more than one exist on the same project area. In short, the city has allowed applicants to utilize one or both of the designations for their project. However, in order for the proposed 52 affordable multi-family units to meet the gross density requirements, the project must be analyzed against the mixed use community designation, because it allows dwellings at a gross density of six to 15 units per acre. To note, the proposed use for this is multi-family, so it will require a future conditional use permit in the requested R-15 zoning district and will be subject to specific use standards in the UDC. The subject mixed use community area is located around a mid mile corridor and has minimal commercial uses currently developed. Previous applications in the area have allowed a reduction in commercial area due to the viability of commercial being -- or sorry. Lost my place. Due to the viability of commercial being lower in these mid mile locations than on the arterial intersections, like Linder and Ustick or Meridian and Ustick. Staff does anticipate that most of the remaining unannexed land to the east that is part of this mixed use community bubble will be commercial, because they directly abut Ustick Road, which the unannexed parcels are these ones here and I believe one right here. In addition, as seen on the future land use map, the area to the north of the subject parcel was specifically carved out of the MUC bubble to allow for more traditional residential uses. This choice, coupled with the existing stub street locations and the larger annexed, but not redeveloped parcels, one to the west and one to the northeast, they have created a site that cannot viably meet the fundamental goals and policies outlined in the comp plan for the previously envisioned mixed use designation. Minimal opportunities exist for shared spaces with other MUC parcels to the east and even cross-access to the C-C parcel is only attainable through 90 feet of shared property line. Because of these constraints to the site and nearby area, staff does not find it feasible for the applicant to meet all of the mixed use policies, provide additional commercial area, and should, instead, be an affordable multi-family housing project. Again, the proposed use is multi-family residential, but affordable housing. The applicant is proposing this project with a couple of notable differences from traditional multi-family seen elsewhere in the City of Meridian. First, the submitted concept plan and elevations show six-plexes and eight-plexes that are no more than two stories in height. They are accessed from one side of the building and look similar to a townhome, instead of a garden style apartment. Secondly, the applicant proposes this multi-family product to be affordable housing in the form of deed restriction rents -- deed restricted rents for the entire site. Staff finds that the specific use of affordable housing, no matter the type, is a greatly needed use within the city and is in itself its own residential use. Staff has worked with the city attorney's office to propose adequate development agreement provisions to ensure that the proposed use of affordable housing is maintained on site. Outside of the proposed use the concept plan itself should be analyzed against the Comprehensive Plan. The



submitted concept plan depicts six six-plex units and two eight-plex units. The eight-plex units are along Ustick, the rest of the buildings are six-plex buildings. They, again, are all two story in height. The site is shown with a looping drive aisle due to its relative odd shape of being wider at the west end and the drive aisle has parking on both sides, with the clubhouse and playground area in the center of the project for pretty equal access by all future residents. At least three of the homes closest to the subject site in the Woodburn Subdivision on the north are two story in height. I believe there is five properties that abut it. Three of those five are two stories, the other two are single story, but they do have the common lot of the Lemp Canal between them, so there is a pretty far physical separation between their back fence and the proposed project. In addition, the applicant is showing open space directly adjacent to the single family home in the northeast that takes access via the private drive. Along the west boundary the applicant is showing a 15 foot buffer that would be adjacent to a future road extension Northwest 11th for a majority of this shared property line. The existing single family home on this adjacent property, the one to the west, is located on the west side of their lot and is approximately one hundred feet from the shared property line. So, that's overall 115 from the proposed buildings. Therefore, staff finds that the applicant has provided appropriate building massing, open space locations, and buffer widths and appropriate transition of the residential use and density to the adjacent residential uses. I would like to go -- jump forward a little bit just to see the future right of way. As noted there is a small area of existing right-of-way in the northwest corner of the site -- or -- yes. Northwest corner of the site and it is for Northwest 11th Avenue. As you can tell there is a very small area that abuts the property. Obviously, extending it into this site would make the most sense, because of the existing right of way and a potential issues with the adjacent property owner. It is anticipated that this road would be extended wholly on the property to the west, except for this sliver of right-of-way, which is this exhibit that ACHD provided and the applicant has been -- is -- has agreed to with ACHD as well. The property to the west has an additional public street stub to their west boundary from Tetherow Crossing that is currently under development. Code does call for cross-access between parcels, but because of the proposed development and the site constraints staff does not find it necessary to require a stub to the west boundary for future connectivity. Further, staff finds if a connection were to be required it would promote cross-access through the drive aisle that is meant to serve future residents of this site and would, essentially, create a thoroughfare for residential traffic through the drive aisle, rather than through a public road. Commission and Council should determine if cross-access to the west is, in fact, needed in spite of these factors. There is one existing structure on the property that appears to be some kind of concrete structure -- I don't have any pictures of it, but it will be removed upon the project development. In addition, there is existing five foot wide detached sidewalk along Ustick Road that will be protected and maintained during construction and any driveway curb cuts will also be closed in lieu of the proposed access. Initial review of the conceptual elevations depicts a six-plex building with varying group profiles and varying -- and varying materials, including stone, fiber cement lap siding, and board and batten in different layouts. The elevations also depict the tallest portion of the buildings to face inwards towards the site and helps with building massing facing both Ustick, as well as the adjacent residential properties. Access is proposed to West Ustick, which is an arterial road, via construction of a new local street segment and this is a very short

segment. It aligns with North Blairmore on the south side of West Ustick Road, which is why ACHD wants it here. It extends from Ustick and, then, terminates at the north boundary for a total length of only about a hundred linear feet. Access to the multi-family is clearly off of this local road in the form of a driveway connection for the drive aisle. All parking and access to the proposed units are off of this drive aisle that loops through the site. As with other projects when there is a private easement that is shared on a property, that is a point of discussion and in my staff report I went into more detail, but in general the actual location does not depict it here, which is where it is. It actually is along these boundaries. So, all they are going to do is just maintain the existing easement, shift a portion of it, you know, on a private matter and, actually, pave a portion -- a portion of the dirt driveway for the existing residents. It's my understanding that this applicant and that resident have had multiple discussions and they are perfectly fine with the proposed layout for their private drive. In addition, there is a five foot wide detached sidewalk along Ustick as noted. The applicant is proposing attached sidewalks, another micro path throughout the site as seen on here with the light gray, both to the northwest, southwest and, then, along the east boundary to the future cross-access to the Settlers Square parcel for access to the future commercial uses. The -- sorry. Skipping around. In addition to the proposed sidewalks and micropaths shown on the concert plan, staff did recommend an additional pathway behind the buildings and along the north boundary to help activate the already existing open space from the Woodburn Subdivision that is the area of the piped Lemp Canal that is behind six -- or five or six existing homes over there. That area is not improved, but it is open and so staff does believe that a gravel pathway suitable for at least walking should be entered through this area on this site, so that this open space area is not walled off anymore than it already has been from the Woodburn Subdivision. The applicant has not agreed with this provision. Staff does feel like it would be an added amenity for this area, not both -- not just for this area -- this project, but also the Woodburn Subdivision that would allow them to have easier access from their subdivision down to Ustick and/or to the east. The applicant is in agreement with all other DA provisions, except -- so, again, the pathway is A-1.I and A-1.B is regarding the affordable housing component and there are some legalese type of information in that -- that DA provision and there is no need to go into too much detail at the hearing in that, but staff anticipates continuing to work with the applicant to make sure we have a shared language that we are all in agreement with as we move forward, but still allows the city to maintain that the future use will be affordable and not market rate apartments. With that staff does recommend approval of the subject annexation for an affordable housing project and after that I will stand for any questions.

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

Dodson: I believe she's online.

McCarvel: Oh.

Anderson: Yes. Hi. Let me get put up here. Hello. Greetings. I'm Erin Anderson. I live at 2238 North Astaire Way in Meridian and I am with The Housing Company and the applicant. We have a presentation that -- I'm not sure if it's automatically going to be

loaded or if I should load it.

Dodson: You can share your screen, Erin, if you would like.

Anderson: Okay. Again, I would thank you for your time, Madam Chair and Commissioners. This is a really exciting opportunity for us. As I mentioned, I do live in Meridian, but I -- I don't think that the City of Meridian is familiar with The Housing Company and since Mr. Dodson did such a thorough job of describing the nuts and bolts, really, from a planning and design standpoint of our project, I'm going to do a little bit of background on our company and also a little bit more information about affordable housing, because there seems to be a lot of interest in learning more about what we mean by that. So, The Housing Company is a nonprofit organization that started in 1990 with the mission to address the concern of inadequate supply of affordable decent rental housing within the state of Idaho and recently we are also developing in adjacent states. We play an active role in bringing affordable housing resources to the areas of the states that are not being adequately served. Through local public and private partnerships we have been able to bring creative housing solutions to areas struggling with insufficient housing. Our role is to partner with local government and other interested parties to solve local housing needs. We have developed more than 800 units in 2,000 affordable rental communities. The Housing Company provides professional on-site property management services for our affordable apartment communities serving low income families, seniors, and the disabled. We own our properties in the long term and take pride in building an asset for the community that will stand the test of time. We are able to put together complex financing in order to make these housing communities a reality. Our newest developments to the subject property are Moon Valley Apartments in Star, Nampa Duplexes and Hazel Park in Caldwell. We also have Canyon Terrace in Nampa and Sunset Landing in Caldwell currently under construction. A common question that I receive is what is affordable housing? What do you mean by that? There are a number of affordable housing programs. The most common one is utilized to pay for new construction, which is a surprise to many people is actually an IRS program, not a HUD program, and it's called Section 42 of the Housing Tax Credit. It's not the same as what people think of as subsidized housing or Section 8. With this program a private investor, such as a bank or insurance company, will actually become a partner in the project and provide equity to the project in return for ten years worth of federal tax credits and with -- with that equity we are able to keep the rents lower in perpetuity. Residents must be income and program eligible. The rent that a Section 42 resident pays is based on a fixed rental fee for the unit size that is lower than the average market rent in the area. So, it doesn't adjust with their income as their income goes up or down, they initially qualify and, then, once -- once they initially qualify they are set with that fixed rate. It is difficult to identify which rental properties participate in the Section 42 programs, because they look like just any other apartment building. We require income verifications, criminal background checks, credit checks, student verification and household composition verification. A common myth is that people who live in affordable housing won't fit in my neighborhood. But the fact is that people who need affordable housing already live and work in your community. In Meridian the average two bedroom rent costs 1,842 dollars, according to rent -- rent.com. This is a staggering 43 percent increase from last year.

The rent affordable at the median renter income, however, is around a thousand dollars. So, there is a very significant gap. Access to safe affordable homes builds a strong foundation for families and even hardworking Idahoans often lack good housing options. This is a chart that kind of just shows a potential resident profile, a few different scenarios, ranging from a single person in a customer service job who needs a one bedroom apartment at 741 dollars, to a single mother with two children that's a cashier that needs a two bedroom of 946 dollars, to a four person household that needs a three bedroom at 1,089 that might work in the food -- food service industry. These are a couple images of the quality level that I'm talking about when I say that people are surprised that it's affordable housing. This is The Springs Apartments in McCall, Idaho, and, then, this is a collage of photos of Moon Valley Apartments in Star and this is the elevations that were provided and the overall design concept is -- is based on this design and we are working with the same architect on this project that we did with Moon Valley. Mr. Dodson did a great job of going over a lot of the details as to the flow of the site and connectivity, but I think I just want to make it clear that with our neighborhood meeting and the comments that were received I think it was -- I would just want to stress the importance that we wanted this to really be a moderate -- moderate -- not a high density development. We wanted to keep it to two story buildings for two reasons. One, to fit in with the neighborhood and as well as really for fire access reasons two stories is much preferred. We provided the pedestrian connections along all corners of the site and we worked with -- in initially looking at this site, meaning that one of the most unique challenges of this site is that there is a single family residence with access through the site. The good news is that their existing easement does run where our proposed Cooper Lane is. In reviewing our title work we were pleasantly surprised to find that out, so -- so, essentially, we are just moving it to where it wasn't -- it was recorded ten years ago and so the site really -- you know, it does have -- it's an in-fill development. There are so many positive things about in-fill development, because the connectivity to the neighborhood, the access to Settlers Park, the fact that it's a walkable community, but, of course, you know, it's not ideal in terms of -- there is -- people who can't get -- it's in-fill, so we don't have the option to do everything on all sides of the property that -- that would be in an ideal planning situation and so what we have done is the very best we can with all the comments between ACHD and the fire department and city staff that we can do to make this a functional and comfortable housing community of 52 units that fits in with the neighborhood context and I think Mr. Dodson also went over kind of the importance of the exterior design appeal or the building height with various heights and fenestrations for interest and quality finishes. Our overall timeline involves this first step of zoning and annexation, which is required before we can even apply for any funding for the project. We also are going to be required to submit a CUP and a certificate of zoning appropriateness and I would anticipate that would run us through February and March and, then, we will have a variety of funding applications between January and August, depending on the final determination of sources available for this project. We plan on submitting a building permit application sometime this summer and, then, closing on financing and construction start between July and October of this year hopefully. If not then it might move into spring of next year, depending on funding availability. This really is the first step in the entitlement process. I think we have this -- these details about the affordable housing and the rent structuring typically don't come up this early, but we are

really excited to be able to share what we do. Very passionate about it personally and I'm happy to answer any questions. Thanks.

McCarvel: Do we have any questions for the applicant or staff?

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Erin, thank you for all that and kind of interesting to -- to learn. You mentioned that there is on-site management. Is that -- can you --

Anderson: Yeah.

Cassinelli: Is that 24 hours?

Anderson: It would not be 24 hours necessarily. Sometimes we are able to have a resident manager, but I'm not sure if we will have that in this case. If it's not 24 hours as a resident manager there would be set office hours. The clubhouse has an office space for that manager and, then, there will also be on-call emergency maintenance phone number for people to call for situations that are after hours.

Cassinelli: So, they are there to kind of make sure that the property is maintained and --

Anderson: Exactly.

Cassinelli: Okay.

Anderson: Exactly. We would typically have about two part-time jobs with this size of project -- a part-time property manager and a part-time maintenance person.

Seal: Madam Chair? Excuse me. Madam Chair?

McCarvel: Commissioner Seal.

Seal: Quick question on the -- it looks -- looking at your website it looks like two of the three local developments that you have are age restricted. Would this fit into that as well or is there going to be no age restrictions on this as far as a senior living community?

Anderson: Currently I'm envisioning this not having age restrictions, mostly because I feel like there is a huge need -- a huge need in all ages and I think that we would really benefit by having an opportunity for both seniors and younger people alike to live in this housing community. I think there is -- there is a demand for both, frankly. It's just that I feel like there is a higher demand for non-age restricted affordable housing.

Seal: Okay. Thank you.

McCarvel: Thank you.

Anderson: Yep.

McCarvel: Commissioner Grove.

Grove: Madam Chair. Thanks. Erin, could you speak to the condition that Joe mentioned with the gravel pathway and your feelings towards that?

Anderson: Sure. I can pull up this site plan, but the main concern we have is how close that path is going to be to the building, to the -- you know, the residential building. It's I think seven feet away or -- or something is what we estimated. It's very close. So, it's going to feel -- especially since it's public pathway it's going to feel really really close to those residential buildings. That was the first issue. The other was a cost-related item. I -- I got an estimate of about 8,000 dollars for that gravel pathway, which isn't terrible, but everything that we are doing, you know, is trying to whittle down gaps, instead of the other direction, and so that's -- that's why we are asking for your consideration. But I think the main issue that I have with it primarily above cost is the proximity to the building.

McCarvel: Thank you. Any other questions?

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: I have got one -- a couple here for -- for staff. Joe, can you -- it sounds like that you are making some -- or wanting to make some adjustments for the fact that this would -- for the proposed land use and that -- that being the affordable housing component there. So, what -- can you maybe give us an idea of what differences that that you are approving this under that -- under that observation versus if this were just a standard 52 unit in-fill project? And, then, also a couple other questions I have. What's -- can you go in a little bit more detail about Cooper Lane and is that going to go all the way -- all the way into the existing subdivision? And, then, also -- I don't know if we talked about parking in this.

Dodson: Great questions, Commissioner Cassinelli. I will hit the parking one first just because it's easier and you said it last. I believe it is -- let me share my screen, actually. What am I doing? Here we go. They actually do have it on their site plan, which I do appreciate. It would require one hundred spaces based on the unit count and the number of one bed, two bed, three bedrooms. They are proposing 115. So, that also -- they did this without doing the amended code that says one space for every ten units for guests. So, again, that would be 105.2. But 105. So, they are exceeding that. They are meeting their minimum covered parking. I imagined some of the parking issues would come up. I do see a couple spaces where they have some landscaping specifically here that they would probably fit two more spaces in there and maybe one more here that would still be able to meet there -- our code doesn't allow more than 12 in a row without a planter island.

So, they have some space to include a couple more if they need to. Again, maybe even another one or two here. Not overly concerned with the parking there, but they are -- that would be handled more specifically with the future CUP, which you guys would hear. But tentatively I think they are going to be fine. Cooper Lane is -- there is -- again, there is a stub street on the north side of that property. You can kind of see it here and this road would line up with -- their property boundary -- this house eventually -- or this road is going to have to meander around the house or the house is going to have to get demolished eventually, but, yeah, the reason why ACHD -- instead of just having a curb cut for a drive aisle for the multi-family is wanting this as a local road is so that the future extension would just go straight up to the north and there would be another avenue for those in Woodburn to exit out to Ustick, other than just Venable. So, that is, you know, future planning for the roads there. Back to your original question. To be clear, I'm -- the proposed project I did not analyze down to the tee about the amount of open space and the parking counts and all that, again, because we are just at annexation, but my preliminary stuff is that they meet all of their dimensional standards -- they are going to meet all their dimensional standards, so any discussion that I have had about affordable housing versus market rate, the two things that I kind of -- I don't want to say relaxed on or anything, but the two things that I am saying that affordable housing is better than requiring them would be probably cross-access along the west, you know, and extending a public road to the site. Even if it was market rate I don't necessarily know if I see a public benefit to that. It would just eat up so much of the site and is it necessary when that road is also going to connect up to the west when they have an access to Ustick there and the other people -- and, again, the only people that would be using it would be Woodburn Subdivision. They are going to have another one in the future to the east. Secondly would be the overall discussion of the Comprehensive Plan and that mixed use community area. Again not a major difference between looking at it affordable versus market, but I would probably be more inclined to -- to say there needs to be some kind of commercial component if it was market rate apartments. Again, I can definitely make the case either way. I think that there is a massive need for affordable housing and so that -- that outweighs the need for commercial space along Ustick. So, it's a give and take with that. It's not that I am in no way waving anything or saying they don't have to comply with anything, they are complying with everything in my opinion, it's just apples and oranges when it comes to meeting the comp plan in those terms.

Cassinelli: Madam Chair, I have got a follow-up question for him on that. Can you also address -- 11th Avenue to the west there, so in lieu of cross-access is that -- that will feed -- do you have a -- is there a larger map of -- similar where you could see -- is that -- is 11th going to be internal or is there -- is that going to open up to Ustick at all?

Dodson: There is a connection to Ustick Tetherow Crossing -- or will be once it's fully constructed. They have a stub street to their east boundary, which is this property boundary -- the west boundary of this site. So, the -- this is showing that they are going to dedicate right of way. This would continue down the shared property line here. Probably head west and have a nice L of sorts in the -- in that property. You can build homes on both sides and, then, that would connect out to Ustick, yes.

Cassinelli: Okay. So, from that standpoint there is -- there is access through the subdivision of the north and what's going in on the west to --

Dodson: Yes, sir.

Cassinelli: -- to Ustick. Ustick -- this isn't going to -- and this won't be landlocked or anything?

Dodson: Correct. No.

Cassinelli: Okay. Thank you.

Dodson: You are welcome.

McCarvel: Any other questions for staff or the applicant?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Question for staff. So, the applicant said that if they put in a ten foot gravel path that would make it to where it's about seven feet away from the backside of the complex there. Is that a true statement?

Dodson: It would be a five foot pathway, not a multi-use. So, just be a regular five foot pathway. Theoretically if they put it right up against -- yes, because they only are showing a 12 foot buffer. They technically have some physical room to shift everything south and create more space along the north boundary. I do understand that that would be in lieu of losing some of that open space and I don't -- I haven't seen a rear elevation of these, but I'm assuming there is probably some back patio space that might be technically reduced from the green space perspective if we shifted those units to the south, but, again, I -- I don't want to fight to the death over that pathway, but I do think it would be an overall good amenity, not just for this project, but also the Woodburn Subdivision on the -- in the north to be able to have another avenue of accessing Ustick that they currently don't have because of the existing development and future connectivity to the commercial to the east. Again, they do have some physical space to make some of that work and increase that separation of seven feet if they did it right along the north property boundary, but if Commission and -- and future Council it doesn't seem that that's a good idea in lieu of losing some of that green space along Ustick, then, I -- I understand that finding as well.

Seal: Okay. Thank you.

Dodson: You're welcome. I hope that wasn't too much of a political answer.

McCarvel: Any other questions for staff or the applicant? We will open up to public testimony and I understand the sign-up sheet is not in the back, so if there is anybody in



the room or online that wishes to testify on this application, please, raise your hand. Okay. All right.

Dodson: Madam Chair?

McCarvel: Yes.

Dodson: Sorry. Real quick. I did want to note. I didn't put it in my -- my staff report -- my presentation. It's been a long year already. The -- there was no written testimony as of about 6:00 p.m. So, I just wanted to note that. There is no for or against the project.

McCarvel: Does the applicant have any further comment?

Anderson: No, other than just to point out that we did contact the parks and rec department regarding that path and they felt that the pathways that we have internally through this site provided adequate pedestrian access across the site, But -- and, again, in the grand scheme of things that's probably a pretty minor -- minor issue. Just wanted to point that out and just wanted to thank Mr. Dodson for his help in this and the presentation and I wish I could be there in person. Just wrapping up the end of a COVID quarantine.

McCarvel: We appreciate you staying on Zoom then.

Anderson: Yeah.

McCarvel: Any other questions before we close the public hearing for H-2021-0092? Could I get a motion to closed the public hearing for H-2021-0092?

Seal: So moved.

Cassinelli: Second.

McCarvel: It has been moved and seconded to close the public hearing for H-2021-0092. All those in favor say aye. Opposed? Motion carries.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I like everything about this, so I agree that there is a -- there is a need for this, so I like where it's at. I mean it's kind of a little off the beaten path. I would like to see the path go in. There is a piece of land that's on Linder that abuts the school and when they went in we did have them do a ten foot paved path that goes along the northern boundary of these properties, so in anticipation of connecting two properties all the way to follow

that canal down into Ustick Road, so in the grand scheme of things it would cost money to put it in, but it also costs less money to maintain it, since it's, essentially, gravel. It doesn't have to be mowed. And it would provide for, you know, better access I think for anybody that's on a bike or walking up to those schools. So, I would like to see that go in. I do agree with the staff report on that one. Everything else about it I really like. I like that they limited it to two stories, not three stories. I mean there is a -- there is a need. I mean if we are going to go through the three story or four story and almost be in a place like this, I would like to see it. That said I'm appreciative that they did go with the two story just to blend in a little bit better. It looks like parking is adequate. Amenities are adequate. And, you know, they -- they met everything that we were asking them to do here.

McCarvel: Yeah. I -- I like this project. I think going three and four stories, then, you start into parking issues and I think anytime you can have this where it feels and blends in more with the community and its surroundings, the better it is. I applaud the architecture and the surroundings on that. I'm -- I'm on the fence about the paths. I will give -- just because it does come so close to the back of those buildings and I hate to see them scrunch that in, because I think a little -- that little bit of openness in this community will be nice. But I can -- I can see the need. I will be with Joe and give the most political answer I can give and see both sides, but, yeah, I think being seven to ten feet away from the back of the buildings is a little tight, but other than that I like it.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I will -- I will go ahead and make a motion, unless other people wanted to weigh in, but I would just say I like that we are -- we have this product coming in. I think that it balances out some of the other things that have been going in. We definitely have a need. I personally don't -- don't think the pathway is needed, but if it stays I -- I wouldn't fight for it either way, I guess. But I -- I personally don't see a need for it as much. There is plenty of other options, either going through or around this, so I'm going to make a motion to remove that. But I did have a question before this. With the one that you said we didn't really need to talk about, but they brought up was the A-1.I Is there anything that we need to condition in regards to that condition?

Dodson: Commissioner Grove, A-1.I is the pathway one, but A-1.B is the affordable housing component. But, no, there is no need to make anything. Mr. Starman and I will continue working with the applicant to massage that language to make sure, you know, by the time we get to Council and after Council we have it all buttoned up and in agreement for everybody.

McCarvel: Yeah. I would agree that -- I mean I think it's the position of this Commission that we do like to see this stay classified as affordable housing, because this seems to be done right. Yeah.

Dodson: Agree. Yeah. There is just I think a few hiccups on some of the language in it and the way that they will do the -- the rents versus what we put in the original provision and, again, it's just a wording thing.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Before a motion is made I got another question for staff. Is -- is the path -- is that something that could be -- that they can work with the -- the HOA that -- was it Wood -- Wood something there to the north and -- and put that on the -- can it be even put on that -- the easement -- over the piped lateral there?

Dodson: Commissioner Cassinelli, I called that out in my staff report is I would love for them to work with that HOA and try to get that open space area more activated. So, yes, I mean you could modify the condition and say, you know, work with the adjacent HOA and, if not, keep it along the north boundary. Sure. Absolutely.

Cassinelli: Okay.

Grove: Making notes. You all good?

McCarvel: We are good, unless Mr. Yearsley raises his hand.

Yearsley: I have no comment.

Grove: All right. After considering all staff, applicant, and public testimony, I move to recommend to the City Council file number H-2021-0092 as presented in the staff report for the hearing date of January 6th, 2022, with the following modification: That condition A-1.I is modified to have the applicant work with the HOA to the north on relocating the pathway as listed to the lateral.

Johnson: Madam Chair, my apologies. Commissioner Grove, I think you left out the word approve or deny. We didn't get a verb there.

Grove: Oh. Approve. Do we have that in where ever I said it? Do you want me to do it again?

McCarvel: No. We can put it in there.

Grove: Thank you.

Johnson: That's perfect. Thank you.

Seal: I will second that.

McCarvel: It has been moved and seconded to recommend approval for H-2021-0092 with modifications. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Would the Commissioners like a five minute break?

(Recess: 7:58 p.m. to 8:06 p.m.)

**6. Public Hearing for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.**

- A. Request: Annexation and Zoning of 10.058 acres of land from RUT in Ada County to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 41 building lots and 7 common lots.

McCarvel: All right. We will resume with H-2021-0083 and we will begin -- Friendship Subdivision and we will begin with the staff report.

Tiefenbach: Good evening, Madam Chair, Members of the Commission. This is Alan Tiefenbach, associate planner, City of Meridian. Okay. This is an application for an annexation and zoning to R-8 and preliminary plat for 41 lots. The property is located south of Chinden and west of Locust Grove. The Brookdale Estates Subdivision is to the west, which is here. The High -- and that's zoned R-2. The Hightower Subdivision is to the east. That's here. That's zoned R-8. The Saguaro Canyon Subdivision, which is down here, is zoned R-4. There is an existing church that is located here. This property was proposed for annexation and zoning to R-8 in a plat for 48 lots. That was the Bull Ranch Subdivision. That was proposed in 2015. That was subsequently denied by the Council with density being cited as the primary concern. This property is recommended for medium dense -- or excuse me -- designated for medium density residential, which is eight to 12 dwelling units per acre. This application is for annexation of just a little over ten acres of land with the R-8 zone district and a preliminary plat, like I said, to allow 41 building lots and seven common lots. North Elk Ranch Road, if you can see my pointer, if I'm not doing it too quickly, this is a private road and it presently provides access from the subject property, which right now is a house, which is here, to Chinden Boulevard. This subdivision proposes to connect to three existing local streets, which already stub at the property. So, one of them will be East Lockhart Street to the west. That would be here and you can see it down here, but I will show you on the plat here. East Lockhart to the west, East Tallinn to the east. This is from here. And North Senita to the south, which is down here. They are also providing a stub to the church to the north, just in case that property develops in the future. The Uniform -- Uniform Development Code states that when a property has an existing access from a state highway and an applicant proposes a change or increase in intensity of use, the owner shall develop or otherwise require

access to a street other than the state highway. In this case they already are showing three existing accesses and one stub. As a condition of approval staff recommends the applicant vacate all the interest in North Elk Ranch Lane, which, again, would mean they could no longer use it for access, again, because the property already has three existing points of access and will have a fourth. The plat shows the North Slough is bisecting the property at approximately a 45 degree angle. That's what you see here. There were some discussions about how it was going to be rearranged, but we have worked it out and the owner will reconfigured this toward the northwest corner of the property. This will be coordinated with the irrigation district. The applicant has submitted elevations of the single family home for this project. These homes appear to meet design requirements for single family and they are consistent in general with the architecture of the existing surrounding residences. Staff has expressed several concerns in the staff report. Two of these included -- well, first one was including removing a lot at the south to be more consistent with the lots in the Saguaro Canyon Subdivision No. 2 to the south. The other concern was for the applicant to reconfigurable Lots 1 through 10, Block 1, along the eastern perimeter, so that the property lines will align with the lots in the subdivision to the east. The applicant submitted plans today which show a lot has been removed from the south and that's when I showed you the arrows, if this makes sense. So, this is what was -- this is what you saw on the staff report. There were four lots down here. This is what you see today. So, they have taken away one of those lots and they have moved that lot up to here, which was previously open space. When I go to here you will be able to see the difference with the open space exhibit. So, the one on the left where you see Block 3, that was the open space before. What you are seeing there on the right is now the second open space, because this new lot has been moved here. So, they did increase the lot sizes on the south to be more consistent with the adjacent subdivision, but it also decreases the open space from almost 15 percent to a little more than 12 percent. Now, the -- under the current code that's in effect now they would be required to provide 15 percent open space, but this came in at the time when only ten percent was required. So, they are still slightly over what they would have been required had they -- when they submitted under the previous code, but they are under what would be required under today's code. As of this morning staff has received one letter in opposition and this was from the property owner -- or from one of the developers of the property to the west. This was concern in regard to the amount of properties that are being zoned R-8. They were proposing that it would be more appropriate to be zoned to R-2. About the lots to the east. And I will back up so you can see these. One of our concerns were all of these lots onto the east, the way that they line up with the property here, they are slightly offset. It's not a deal killer, but staff's concern with that is that, first of all, the fence lines would be really kind of weird and it would also make the ownership kind of funky, because it wouldn't -- you wouldn't be able to just logically figure out where your property ownership is, so they are slightly offset. Staff has mentioned that was a concern to the applicant. The applicant is moving forward with the configuration as is. I will leave it to the Planning Commission to decide if that is an issue to them or not. But with that this plat does meet all the requirements of the UDC. It is consistent with the designation of the Comprehensive Plan. They have met the minimum requirements for the open space and the amenities. With that, then, staff recommends approval with the conditions that are in the staff report. We would support the site plan that they submitted today. But, again,

we think that the lots to the east should be configured with the lots next to them. With that I'm done and would stand for any questions or comments.

McCarvel: Thank you. Would the applicant like come forward.

Tiefenbach: Oh, sorry. I was just -- I was just corrected and sorry about that. I did make a typo. The density there is three to eight dwelling units per acre, not eight to 12. That was my bad. I just missed that in my presentation. So, they are still within their designation. It's a little on the high side, but three to eight is what they are allowed, not eight to 12. So, I stand corrected.

McCarvel: Thank you.

Canning: Madam Chair, Members of the Commission, my name is Joe Canning and I'm with Centurion Engineers in Boise, Idaho. 5505 West Franklin Road. And I am here tonight with the applicant Mike Homan and we may share part of this presentation if he thinks I missed something. So, we will see how that goes. So, Mike is here. I just wanted to briefly note the staff report. Thank Alan for his efforts on this. I must admit that in an effort to react to the staff's suggestions in the original staff report we have been pushing stuff around here the last couple of weeks and with the holidays it's been a little bit tough, but he did get the correct or current layout in the presentation tonight, so we appreciate that. And we have to apologize, it's been a little hectic here lately, so my apologies on that. And Alan did mention -- I think the two things that were in the staff report that were particular issues for us. Number one was delete the lot along that sound boundary in that southeast corner. However, we agree with that. The other issue was the lot lines along that east boundary, getting them to align with the lot lines to the project to the east and I will discuss that a little more later. I did want to comment on the comp plan designation. The comp plan designation is for medium density residential, which is three to eight -- eight units per acre. We are proposing 41 units at about 4.1 units per acre. So, we are actually at the low end of the comp plan designation for that medium density residential and I think it's worth a moment just to talk about the property to the north. The Friendship Celebration Lutheran Church is there. The comp plan has that designated as an MUC. It's currently in the county. If annexed and further developed the project will probably come forward as a mixed use of maybe R-15, R-40, and commercial. I think that's kind of key to the use in this project that we are proposing tonight and how we try to transition from the existing neighborhoods up to what could happen to the north and even if it doesn't develop there are some significant open areas to the north of this project that are the church's, of course, but certainly be a benefit to the Friendship Subdivision occupants. And the other important thing I think I need to note here is that there is a Settlers Irrigation District lateral through here. That slough. That has a notable impact to the site design. Actually, it's a quite large impact to the site design. There is approximately 1,200 feet of pipe necessary to relocate that lateral. That's 36 inch pipe. It's reinforced concrete. It's a considerable expense to the project. And it did lay out some of the goals of what we tried to do when we did the layout for the subdivision, such as -- some of those -- we wanted to place those in a minimum of 30 foot common areas, because Settlers has told us they want a minimum 30 foot easement for that pipeline. So, all of our goals -- we tried

to put that pipe in at least a 30 foot common area. We wanted to place it near the street. We have had issues in the past where laterals had to be torn up in backyards and neighborhoods. Rather large pipe. It's a heck of a mess. A war zone. If this pipe would ever have to be replaced its access from the public streets is, in my opinion, huge. It really helps the future use of that lateral maintenance by the crews of the Settlers Irrigation folks. It's a real asset to the operation of that lateral. And the goal was to minimize utility crossings. That's part of why we picked the common areas as we did. There is only one sewer crossing -- a private sewer service that has to go to that existing house that will cross that lateral. The main lines will cross under it and all the services are going to avoid it. That was a huge -- a huge part of the impact we had on the design to the project. The staff report issues, transitions of lots size, this is where I get back to the two comments in the staff report that we did -- we were concerned about. One was to remove one lot at the southeast corner of the project. We agree with that. We did that and that's the layout that Alan showed you tonight. However, we did move that lot to the interior of the project by that cul-de-sac at the southwest corner. The other issue was aligning the lot lines along the east side of the project with existing lot lines to the east. We were a little puzzled by that comment. The structures that are east of us are rather large. They take up almost all the width of the lots. Our first thought was, actually, an offset property line may be better, because at least the occupants of Friendship would have a little corridor that they can see down on the buildings from the east. However, the main driving factor was the Settlers Irrigation lateral. If we didn't line up those lot lines to the east, the common area that's to the east of us along that south road -- it's only -- it's less than 20 feet wide. One of our goals was to maintain a 30 foot easement minimum for the Settlers. That's why we have that large -- rather large common area on the south side of that road along the side of the project was to make for sure that that irrigation lateral relocation and would not interfere with any of the homes that could be built within Friendship. So, I think the real issue with the comp plan is compatibility of -- of neighborhoods and they have 9.5 lots adjoining our property. We have nine building lots. So, I think it -- I think it's quite compatible and I just wanted to mention that this is a little bit of a difficult site to develop. The cost of that irrigation lateral is signified and not that cost is a matter or an issue for approval of the subdivision, but it certainly is to make it possible to develop. That's one of the main reasons we opted just to move that one lot from that southeast corner back into that open space. There is more than adequate open space for the project to meet the code when it was submitted, so we are really trying to maintain those 41 building lots. It's quite important to the success of this -- of this project. Construction costs are through the roof. I can't even imagine right now what it's going to cost to put that 1,200 lineal feet of 36 inch pipe in, but it's going to be quite significant. A few other things. There is an existing pathway on the west boundary near the southwest corner. It comes over from the subdivision from the west. Of course, we are going to connect to that, bring it into where our cul-de-sac is. We are posing a new pathway to the church property at our northwest corner. To be honest, part of that is to cover the irrigation lateral -- the irrigation lateral runs in that area, but, once again, the goal is to make sure it was in a common area. Friendship Subdivision is surrounded by development. It's, essentially, an island in the city that could provide much needed housing to the area. We believe we have proposed a quality style of project that will help fill the need for housing. We respectfully hope that the Commission supports the annexation and zoning and preliminary plat and

with that I will end. I don't know if Mike wants to add anything. Apparently he is okay. So, I would stand for any questions of the Commission.

McCarvel: Any questions for staff or the applicant? Commissioner Seal?

Seal: Madam Chair, yeah. Just -- what are the amenities that are being provided with this?

Canning: Yes. Madam Chair, Commissioner Seal, I hadn't looked at the landscape plan for a while, but there are some -- I believe there is some picnic areas proposed. There are, of course, some pathways proposed that will be going in. Those are the primary amenities.

Tiefenbach: Mr. Seal, I believe that there is a -- there is a playground or like a tot lot, a picnic table, and a bench. That was my understanding.

Canning: Yeah. I think you are right, Alan. There is a tot lot with the -- with the -- with the picnic area. Correct.

Seal: Thank you.

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

Canning: Thank you.

McCarvel: Do we have anybody signed up to testify on this application? Chris, we have Caleb running to the back of the room, but do you have anybody online?

Johnson: Madam Chair, we had nobody sign up in advance. There are some people in Zoom that if they want to raise their hand if they wish to speak.

McCarvel: Okay. We have one person on the list here that's indicated a need to testify. It's Mike Homan. Okay. That being said -- so, we -- do you have some on Zoom that have raised their hand?

Johnson: Madam Chair, nobody's raised their hand, but there are people watching, so I just wanted to tell them if they do wish to speak they can raise their hand.

McCarvel: And is there anybody in the room that wishes to testify on this application? Okay. Come forward.

DeGrazia: Hi. I'm Karen DeGrazia. I live at 6297 North Rosa Springs Avenue in the Hightower development. I have a question. Why are they rezoning it from an R-4 to an R-8? That's my question. Thank you.

McCarvel: Any other questions -- any other -- anyone else wishing to testify online or in



the room? Okay. With that would the applicant like to come forward? Oh, Alan.

Tiefenbach: I was assuming that the Commission was quite versed to be able to answer that, but just to clarify, this is being annexed. The property is not in the city at present, so it's not being rezoned from R-4 to R-8, it's being annexed into the city from county zoned property and being zoned to R-8.

McCarvel: Okay. Does the applicant have anything to add or do we have questions for the applicant?

Canning: Madam Chair, I don't really have anything to add. I would be more than happy to answer any other questions.

McCarvel: Any other questions or do we have a motion to close the public hearing?

Seal: Madam Chair, just one question. I know you made the -- you're meeting the minimums for what used to be, but you are not there for what is now, so -- you know. And I'm not looking at anything extraordinary that I would give you a pass on for today's standards, so would you be willing to get rid of that -- that house that you moved in order to increase the common area and --

Canning: I think I would have to direct that to the applicant, rather than myself. Mike.

McCarvel: Yeah. I would pile on, since we are chatting about that. I mean at least some significant -- something other than a tot lot. I mean something significant in that open space, since it is minimal, if not removing that lot.

Homan: Mike Homan. 6820 West Randolph Drive, Boise, Idaho. 83709. What was your question, sir? I'm sorry.

Seal: My question was on the -- the common space and, basically, it meets the requirements of what was, not what is. So, if I was looking at something today that was, you know, essentially, on the requirements of today I wouldn't give this a pass, not meeting the 15 percent, much less we are down to 12 percent. So, instead of adding that lot back in that was moved over to Block 3, Lot 8, there, would you be willing to forego that, so that the common space meets the 15 percent requirement of today?

Homan: When we did that, you know, it was at ten percent. That's what we negotiated the property for. Then we got this huge ditch that we got a pipe -- concrete pipe and that. It's been a really challenging site to do for an in-fill and we were thinking we would be about right in the center half of -- you know, to what -- we are at about 12 -- between ten and 15 percent and, then, we were going to do a tot lot and, then, picnic tables and have some features in there and, then, again, to the north is that church. We even named the subdivision -- we had a really good meeting with them and we named our subdivision Friendship and stuff. So, it's a tight project to do and if I didn't have to do that big pipe I would just say, yeah, one lot is nothing, you know, to lose, but we are really tight on this.

I would like to keep it if I could, to answer your question.

Seal: Okay. Thank you.

McCarvel: Yeah. Would you have any thoughts on some other significant amenity, instead of just a picnic table or --

Homan: We would look at adding, you know, more to that, if it was something --

McCarvel: To make it substantial.

Homan: Yeah.

McCarvel: Any other --

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: And this is -- this is more for staff. Why -- since this project is -- is still at this stage, why -- first of all, when did it switch from 15 to ten? And why are we looking at the old requirements versus the current requirements when -- when we are not even approved yet?

Tiefenbach: Caleb would know the date that it actually was approved, because he's smarter than me and he was here and, secondly, generally when you make an application before the new code goes into effect we have to review it under the old standards, not the new standards. This was submitted before that happened. When the pre-app had started it was before the new -- the new code was in effect. Caleb, do you remember when it was passed? Was it July-ish? Time moves fast here.

Hood: Madam Chair, Members of the Commission, no, it wasn't that long ago. It was just this fall, so -- but, yeah, as Alan stated, you are vested with the laws that are in effect when you submit the application, not when you get to hearing. So, they have been in the queue and are reviewed against the plans -- laws in effect at the time of submittal. So, that's why the discrepancy there between the ten and 15 percent. I can find the -- the exact date that it went to effect, but, yeah, it was just this fall.

Cassinelli: Okay. Thank you.

McCarvel: Any other questions for the applicant or staff? Okay. Thank you. Can I get a motion to close the public hearing on H-2021-0083?

Cassinelli: So moved.

Seal: Second.

McCarvel: It's been moved and seconded to close the public hearing on H-2021-0083. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I will step up. I understand the applicant's plight of having to install the drain, but I still like the idea of having that 15 percent open space and losing that lot. I don't know, I just -- I -- it's for me it's still fairly dense and having that one lot and having that open space to me makes it more palatable.

McCarvel: Yeah. I guess I'm concerned a little bit more about the open space than I am about aligning those lots on the east. I think -- I mean those look fairly tight anyway from what's on the other side of it and I would -- I would hate to see them try to finagle those even tight -- the ones on -- on their side that tight.

Yearsley: Madam Chair, I agree. I think you would end up having to lose a lot there to make those line up and --

McCarvel: Uh-huh.

Yearsley: -- I would prefer to keep -- maximize my open space than to try to have the lots line up.

McCarvel: Yeah. I'm more appreciative of them losing the lot on the south side and making that fit in better with what's on the south.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I would like to see a little bit more in terms of how this lays out with where the amenities are going, what's going on, and I'm going to say something that I don't think I have ever said in the two plus years or whatever I have been on here. I -- I -- I think I would almost rather see this be R-4 than R-8 in -- in how it's laid out, just because it's landlocked, but --

McCarvel: All right. That's it. It's not a rally.

Grove: -- I don't know. I have some issues with the general layout and I don't know how to describe it quite yet.

McCarvel: Commissioner Cassinelli.

Cassinelli: I will go with the easy one. I don't have a problem with the east property lines lining up. I -- in my subdivision -- internally in my subdivision I don't line up and I actually like -- I can see between the houses when I look out my backyard. So, I think that's a -- that's a plus and I don't think it's a -- there is any negative to not lining up, other than if everybody chooses a different fence style it's a little weird, but that's the easy one. I understand that the -- the density wanting to transition into the mixed use community on the -- on the north and to the -- to the east. That entire -- with the exception of the R-2 there that's right next to it, everything else surrounding it is R-4. It almost makes sense to -- to maybe look at it as an R-4 for that reason, just because -- and -- and the other thing is I look at -- if Council -- and, granted, it was a different Council at the time, but if Council didn't like the -- the R-8 before -- I mean we are only -- we are talking seven lots in there, you know, would they -- would they like it at this. So, it's odd to me why maybe they didn't come back as an R-4, as opposed to that. And, then, with regards to the open space, I guess we can -- I guess, you know, it was ten percent, so that's -- that's I guess how we have to look at it. I would, however, want to see more when it comes to the amenities. I don't think a tot lot and a picnic table is -- and in a couple paths are enough, frankly. So, I would want to see more there. I would like to see that -- that one lot -- I -- personally I would like to see some of the lots on -- I'm not looking at the layout of it right now, but I would like to see the -- the -- maybe the lots on the -- on the north -- maybe some open space up there, because those are pretty tight up there. That's how I would look at it.

McCarvel: I know that they are trying to get the open space to -- you know, where that pipe is running, but it seems like the open space is real close to all the bigger lots and it would probably be more useful --

Cassinelli: Well, if they kept that one that they have moved over there and, then, opened up something along the -- it looks like it's Block 5 up there. I'm not sure. But one of those -- you know, those lots up there, if they open up one of those for some more common space up there or I would be willing to trade -- trade that -- again, I would like to see a little bit lower density in there, but I would trade off better amenities for the same open space. I just -- I don't -- I don't think the amenities are -- are strong enough. I don't know what that looks like, but I would want to see an improvement there. Oh. And I did have a question for staff. The house -- the existing house that's there -- is Elk Road -- Elk Ranch Road is gone all together? Is that house not going to take access off the -- off Lockhart?

Tiefenbach: Correct. Conditional approval of this is that they vacate the entrance, so the house -- the existing house would no longer be able to take access from Chinden.

Cassinelli: Okay.

Tiefenbach: They would have to -- they would have to vacate their interest in that easement.

Cassinelli: Okay. Thank you.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: This is one of those -- I like to call this a have your cake and eat it, too, because it seems like the house -- the remaining house that there is kind of selling the land around it. I don't know if that's the case here, but it seems that way. So, you know, trying to have your cake and eat it, too, here, so -- the layout is -- to me it looks like they are taking all available land and trying to put everything that they can on it and the open space is just an afterthought. So, I think it's unfair to the people that are going to have to live there. I know they put some thought into where the sewers are going to run and I understand there is a huge expanse in -- in piping that ditch, but at the same time it just -- you know, it's unflattering, basically. It just looks like it is done to maximize the return on investment and there is just not a lot going for it after that. I mean it's basically just going to be a place for people to park their cars and, you know, more garage farms. So, I don't know if it's appropriate at this time for where we are at. I know -- you know, I mean compared to 2015 I know we have a lot higher tolerance for a lot more density, just because the way the city is growing and so I mean it's not multi-family, you know, or we would probably have a fleet of people in here arguing this. So, I just don't think that it's -- you know, it's -- I don't think it's maintaining that kind of premier atmosphere that we are trying to do -- you know, get for Meridian, so -- you know, Meridian in and of itself is landlocked. There is no more land out there that we are going to accommodate. So, what we have we have to do it and we have to do it right and I just don't think this is -- this is it.

McCarvel: Comments? Motion?

Yearsley: I'm just amazed that my fellow Commissioners -- I'm always up for R-4. Yeah. Over R-8. So, I'm just kind of amazed that my fellow Commissioners have made that comment, so I'm very supportive of an R-4.

Cassinelli: So, do we continue this and --

McCarvel: If you are going to -- we have to reopen --

Cassinelli: We would have to reopen --

McCarvel: Yeah. Let's reopen. Need a motion to open H-2021-0083.

Cassinelli: So moved.

Seal: Second.

McCarvel: It's been moved and seconded to open H-2021-00083. All in favor say aye. Opposed? Motion carries.

**MOTION CARRIED: FIVE AYES. TWO ABSENT.**

McCarvel: Would the applicant like to come forward.

Homan: Mike Homan. 6820 West Randolph Drive. Mike Homan. I would -- would agree to lose one lot. You guys could decide where it was best to lose the lot. Your idea to the north was -- you know, kind of had more -- some space over there.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I would prefer not to redesign this here --

McCarvel: On the fly. Yeah.

Grove: I would say we either continue or deny, but trying to sit up here and design and figure out which lot to remove doesn't make sense to me.

McCarvel: I -- yeah. I would say probably have it come back with a little more -- some thought on making it usable open space and not just open space as a buffer to the existing home. I think that's what we are seeing. And I think that's where the hang up is. If you are going to have the subdivision, you know, built out it needs -- the amenities need to benefit this subdivision, not just be a buffer to the existing house. Yeah.

Homan: What about if it was approval subject to -- you know, where I agreed to lose one building lot and leave it up to City Council?

McCarvel: Yeah. I just -- I'm guessing -- I don't -- not thinking you're understanding. It's not just about losing one lot, it's about making this open space functional and usable to the subdivision. Am I -- am I saying that -- I don't want to put words in my fellow commissioners' mouths, but --

Seal: I think you have said it eloquently.

McCarvel: Okay.

Homan: With that extra lot that I would take out, remove, I would be in compliance, I believe, with your 15 percent. Yeah. So, what I'm saying is with agreeing to drop another lot for common space, I should be in compliance with your new ordinance, with the 15 percent, and with an in-fill piece -- this is a challenging site. It had that ditch going through there. We had an existing house. It's a pretty nice home, it's not a scraper house, or -- and we are just trying to work with what we can work with and I think if we left it up to City Council to -- you know, we will agree to drop a lot and, then, submit to Alan some plans with a -- you would have a chance to review them and so this wouldn't be the final say. City Council would have a chance to review it and Alan would again and -- we are just really tight on time as -- on our purchase agreement. So, we would like to keep it, you know, moving forward, but agree to make a concession and lose another lot if -- it's

financially tight, but as -- anyway, I will agree to that if that helps at all.

Seal: Madam Chair, it sounds to me like -- I mean I think we are kind of all on the same page, so if the applicant wants to gamble with City Council I think we can move it forward with a denial and he can take his chances with City Council.

Homan: It would be nice to have an approval. There -- you know, a recommendation. I would -- maybe can we leave it up to City Council has another say so on it and staff -- Alan's going to be there for the City Council thing saying that we have, you know, worked out it.

McCarvel: Yeah. You know, we are -- just we are the recommending body and we are kind of here to have staff and the applicant and the public and everybody's opinions kind of come together and we try to clean it up real nice, so it goes to City Council with everything worked out, but I'm thinking we are kind of not on the same page here about what we are asking for as far as the open space and not just being one less lot. It's about being functional open space and so if -- you know, if you are not wanting a continuance to bring it back to us, we can recommend denial and the reason for our denial and, then, you can take that information and move forward to City Council and, you know, if you have changed a few things that you think meet what our denial reason was, then, City Council may take a look at that and -- and say, okay, yeah, they -- he met the spirit of what Planning and Zoning was thinking or they may have their own -- I mean, yeah, we are just -- it's a recommending and so if we deny it we will give a reason why and so if you fix that reason by the time you get to Council, if you are on a tight time frame, then, that's -- that's kind of where we are at. Otherwise, we can recommend a continuance if you want to bring back a different design, but I think if your thought is you are just going to lose a lot somewhere, I think that's really not what we are asking for.

Homan: What would meet your new ordinance, you know, with the 15 percent and we can put some thought to work with Alan where is the best place, because we don't really -- we want to do the best thing for the subdivision and get some input and so we are agreeing to do what you guys want, we would just like the opportunity to work it out with Alan before our City Council thing and not have a denial on our thing and that's -- and try to do the best we can with the circumstances on the property that we are working with and sometimes it's challenging with ditches and other stuff. But I would be willing to really work with you guys if you give me a chance to.

McCarvel: Yeah. And a denial doesn't mean that we are not -- you know, that you don't have the chance to work with it. It certainly gives you -- it gives City Council our thoughts and definitely you would have a chance to fix it and move on.

Homan: Okay. Thank you.

McCarvel: Uh-huh. Do we have any other questions for Alan?

Tiefenbach: Hi. Ms. Chair, but not for long, and Members of the Commission, even though she is tenured and she will be here forever. Just a quick note for the applicant,

probably, is if this does get continued we are talking -- and I will have to defer to Chris, but the second -- the next one in January is totally full --

McCarvel: Yeah.

Tiefenbach: -- and February I think is filling up. So, we are talking about, you know, at best the first week in February and I will defer to Chris Johnson if we can even make that hearing.

McCarvel: Right. I mean --

Tiefenbach: Because it has 15 days in advance to get the plans to you. So, you know, it's not going to be quick. More than a month.

McCarvel: Yeah. I think at this point, then, based on the applicant's preference to keep moving forward in his timeline, I would think it would be best to move forward with a denial and recommendations on why we are denying -- why we are recommending denial and that would give him the opportunity to fix it and let City Council go on from there.

Seal: Agreed.

McCarvel: Okay. So, at this point, if we have no more questions for staff or the applicant, we need to close the public hearing on H-2021-0083.

Seal: So moved.

Cassinelli: Second.

McCarvel: It has been moved and seconded to close public hearing on H-2021-0083. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to recommend denial of the City Council file H-2021-0083 as presented during -- during the hearing on January 6th, 2022, for the following reasons: So, that they can provide more open space and more functional open space that is integral to the subdivision and, then, is better suited for R-4 and not R-8.

Yearsley: Second.

McCarvel: It has been moved and seconded to recommended denial of H-2021-0083. All those in favor say aye. Opposed? Motion carries.



MOTION CARRIED: FIVE AYES. TWO ABSENT.

**7. Election of 2022 Planning and Zoning Commission Chairperson and Vice-Chairperson**

McCarvel: Okay. We have one more item on the agenda. No, we are not done. We will address this one. I would love to nominate Commissioner Seal as president for the 2022 --

Cassinelli: I will second that nomination.

McCarvel: -- Chairman.

Cassinelli: I will second that.

Yearsley: I know -- I think you have done a great job in filling in, Commissioner Seal, and I think you would be a great Commissioner --

Seal: Thank you. Appreciate that.

McCarvel: It has been moved and seconded to recommend Commissioner Seal as our new chair. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: I don't get a vote?

McCarvel: Nope.

Yearsley: Well, you can, but --

McCarvel: You can, but you have been outvoted.

Johnson: Madam Chair, can you repeat who made the motion? I put down Commissioner Seal made the motion and I'm sure that's not correct. I want to get that correct on the record.

McCarvel: Former Chair McCarvel made the motion.

Johnson: Thanks.

McCarvel: Former Chair McCarvel would also like to move that Commissioner Grove be the new vice-chair.

Seal: Second.

Cassinelli: Third.

McCarvel: And Commissioner Grove does not get a vote.

Yearsley: Man, this is awesome. This went very fast. I'm -- I'm -- I'm excited about it.

McCarvel: It has been moved and seconded to vote Commissioner Grove as Vice-Chair for 2022. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Yearsley: Madam Chair?

McCarvel: Yes, Commissioner Yearsley.

Yearsley: I move we adjourn.

Cassinelli: Second.

McCarvel: And third. It has been moved and seconded to adjourn. Everybody say aye. Opposed. Motion carries.

MEETING ADJOURNED AT 8:51 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

\_\_\_\_\_  
RHONDA MCCARVEL - CHAIRMAN

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK