

7. Public Hearing for Summertown Subdivision (H-2022-0005) by Summertown, LLC, Located at 3104 N. Venable, at the Southeast Corner of N. Venable Ln. and W. Ustick Rd.

- A. Request: Preliminary Plat consisting of 23 residential building lots (9 singlefamily lots and 14 multi-family lots) and 3 common lots on approximately 13.8 acres of land in the TN-R zoning district (Traditional Neighborhood Residential).

Seal: Okay. All right. We will move on to Summertown Subdivision, H-2022-0005 and we will begin with the staff report.

Dodson: Thank you, Mr. Chair. Got me for one more. Again, this is for Summertown Subdivision. The application for this project is a -- yeah. That makes sense. This is a preliminary plat and a private street. Private streets are administrative approval only. Just to let the Commission know and the director did approve those. The site consists of 13.8 acres of land already zoned TN-R, which is the traditional neighborhood residential zoning district, located at 3104 North Venable, which is the southeast corner of Venable and Ustick. Has quite a bit of history with the site. Again it was annexed and zoned in 2017. Has an existing development agreement. Received administrative approvals in 2019 and, then, in 2021 to make sure they don't expire and it is a mixed-use community designation on the property. It's kind of a bubble in this area. The request before you tonight is for a preliminary plat consisting of 23 residential building lots, which are nine single-family lots along the south boundary and 14 multi-family lots, with three common lots on -- on this 13.8 acres. Within the existing TN-R zoning district. The request for private streets through the multi-family portion of the project was requested and approved. It was made for -- sorry. The private street request was made for addressing purposes and was actually requested by the city fire and addressing departments. So, we do appreciate the applicant doing that to help with addressing for life safety. The minimum lot size is 5,100 square feet for the single family lots and nearly 19,000 for the multi-family lots. The subject site was annexed into the City of Meridian in 2019 as noted with the Summertown annexation. It allows multi-family residential projects as a principally permitted use. So, again, they -- no CUP or anything like that, they only -- they got their zoning and they were allowed to do a certificate of zoning compliance and design review to establish that use and, then, submit for building permits, which have already been done and approved and they are building on the site already. Therefore, the applicant was -- I just said all that. The applicant did include a small single family component to the project along the south boundary as noted. This complies with the requirement of TN-R, which requires two different housing types within a project. Because of the inclusion of the single-family lots and the applicant's desire to place each multi-family building on their own lot, the applicant is required to subdivide the property prior to the release of the first occupant -- first certificate of occupancy. That is an existing development agreement provision, so to be very short, largely this preliminary plat is very administrative in that it's complying with the existing approvals. The expected development of the site, therefore -- it's already been outlined and conditioned via these previous approvals and so many of those requirements will actually be checked at the future final plat application. All of the

proposed lots do comply with the TN-R zoning district and the proposed road improvements comply with previous approvals, except one piece, which would be the Venable Lane street section and I will get into that. Access to the site is proposed via Venable from Ustick and West Wrangler Street here. The access to the multi-family is via the drive aisle connection in the northwest corner and, then, two off of West Wrangler Street and those are through the two private street connections. So, these are all private streets here. Hence why they are named -- we cannot name multi-family drive aisles, which is, again, why fire and addressing requested private streets. West Wrangler Street is also shown to be the access for the proposed nine single-family lots along the south boundary. The proposed street sections for both Wrangler and Venable do comply with all standards. However, in the original approvals Venable Lane was supposed to be a 36 foot wide street section, I believe, from Ustick down to this location and, then, a 29 foot street section here. However, as all of this has progressed over the years, ACHD has approved the 29 foot -- 29 feet wide street section all the way for the whole section of Venable. I did receive confirmation of that today as well. So, there is no qualms with that and staff would strike that condition moving forward. I don't know what that is though. I will tell you just -- you can broadly say strike that condition in any motion. The proposed master pathways plan, which, again, just the proposed master pathway plan, not what is adopted, does depict a pathway along the east side of North Venable. The submitted plat does not depict this pathway and instead depicts a five foot wide sidewalk. Staff has presented this issue during pre-application meetings and -- which it's unfortunate it's not shown, but staff is requiring that revision with this plat to be on the east side of Venable. Again, with the reduced street section and other requirements of ACHD for storm drainage, this buffer along Venable is larger than what it should be per the TN-R standards, so there is room. The applicant and I have discussed this quite a bit in the past couple days and we should be okay with that. Staff does have an existing condition to continue the pathway, not just on the east side of Venable here, but also down this pump lot -- pump house lot here. The applicant has told me there is no room to do it here, so I will let you and the applicant discuss that. If that cannot be accommodated I will go on the record and say we minimally need it here, so that we can have a connection here to continue this at a future date, to have a nice safe logical crossing for the multi-use pathway. This area is owned by somebody else and a county parcel that's not yet redeveloped. There was no written testimony for this, again, because this is largely administrative at this point. Staff does recommend approval of the plat and, again, the director has approved the private streets. I will stand for any questions.

Seal: Thank you, Joe. Would the applicant like to come forward.

Brown: For the record Kent Brown. 3161 East Springwood. I like Bill's comments more than my other client liked. He said you should have been number two out of number seven. Anyway, I think there is just a couple of you that were here before when this came through with annexation. There were numerous redesigns and to my knowledge this is the first TN-R neighborhood that was zoned in the city and it was trying to understand what that traditional neighborhood encompassed and what -- what needed to take place and it was kind of unique in that it was the mixed-use community and yet it was a bubble that was on both sides of the road and there were, you know, commercial posed on the

other side of the street, there is the park that's over there, so you have those elements that are taking place and -- and we were looking at doing apartments and there is apartments to the west of us for a portion of the site. I have some slides that I gave, but what's taken place is that as they started in the plan approval process, which has already taken place, both for the vertical buildings through -- we have got building permits going and there are buildings that are going up currently and all the underground has been completed for this site and there hasn't been any concrete poured yet, so many of these conditions kind of end up being kind of a challenge. Condition number 3-A-E is the one that -- that Joe was looking for providing him evidence that ACHD is happy with the 29 foot street section. What happened there is it was initially thought by both ACHD and us that storm drainage would go from the crown of the street and go each direction, like we traditionally do, but the apartments that went into the west of us did not have any of that requirement or did -- they didn't have an easement and so the highway district made us make a super, which, then, flows all the drainage over onto the east side and so we have all that storm drainage coming on our side and fitting that in with where our buildings and so forth are, required us to reduce the street section. There is a sidewalk that is in their common area on the west side of Venable. The road has always been planned to curve as it goes onto Wrangler. This drawing that's here on the screen is what was in the original DA showing how the vacant properties adjacent to us might develop and with the stub streets that we were proposing at the time. Venable -- Mr. Simunich owns that piece that's down here and he didn't want any roads stubbed to him and that's why our -- our internal road angles. He has a driveway that goes to his home back there. I know that he's passed away, but I know that his family still own that property today. So, that's an access to his house back there. Venable Lane -- ACHD has right-of-way that's adjacent to our pump house, so I have put in approximately where the south line of -- of -- are you moving that, Joe? Okay. So, this is the pump house lot and the properties to the south and the vehicle parked on the access that goes back to the Simunich's house is on ACHD right of way for the most part, but it is not a street, it is just a driveway access for that -- that one home back there. Joe was looking for us to be further to the east or to the left on this drawing. That manhole that's up next to the vinyl fence is where that sidewalk would be. There is a pressure irrigation line and if you think about it the neighbors to the south of us have pressure irrigation running in their backyard and, then, it comes to the north up to our property and so it does the same thing and this concrete vault and so forth that is sticking out of the ground is the pump station. So, putting that on our property becomes kind of difficult. I spoke to ACHD and they said we could enter into a license agreement and we could pave a ten foot path that probably is in a better location than what staff is talking about. It's outside the bounds of our plat, but it's in ACHD right of way. So, I don't know -- I have been told before you can't -- can't make me do things outside the plat. ACHD's staff report is very clear that there is not to be improvements, but this is a pathway improvement. So, I don't -- realistically my -- my client wants to be approved with the plat. I need to turn around and get the final plat, because he's got buildings that are already framed in and they can't get occupancy on those buildings until the plat's recorded. So, I need to get the preliminary approved and, then, turn around and submit the final. I didn't -- didn't include the drawing to the north, but they have not poured any of the concrete. We can put a ten foot sidewalk. It does make that really close. It's kind of interesting, after listening to the Pavilion at Ten Mile or -- Pavilion at

Windsong is all of those sidewalks come out of the units -- if you could go back to the overall site, Joe. Not my drawings, but your staff report. We will have all those sidewalks coming out onto that pathway, that -- because they are 13 feet. So, I have all these units that are here along this west side of our site and on the east side of Venable. If we put this ten foot sidewalk realistically from the east side of that pathway is 13 feet to the -- 14 feet maybe to the front of the unit. So, it -- they are going to be close and you want people accessing and coming out there. There is no parking, but it allows those to come out and I talked to Kim -- Joe and I were in discussions. This pathway isn't on any adopted plan, but parks wants it to go in. The purpose of it is to connect to the south. They will have to get the Simunich's and any future development that goes to the south to be a part of that, but today -- I mean I know what you try to do is you try to get what you can get today. I guess we are not opposed to that. I would prefer not putting it on the ACHD right of way adjacent to -- that would cause people to think that they can walk south to the Simunich's property, because as soon as you get to that vinyl fence the ACHD right of way ends and it's their property. I don't think that -- they weren't real excited about having people go that way before and now it -- right now what's there is a driveway access to that house. I will just leave it at that. Do you have any questions for me?

Seal: Questions for the applicant?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: So, right now Verna -- is it -- how do you say it? Venerable?

Brown: Venable.

Lorcher: Venable is just a driveway to the family home and you are going to extend it --

Brown: Venable south of our proposed street is a driveway to their home. It's under construction right now. The road base has been hauled in. They have got string line up. They are getting ready to start pouring sidewalk and curb and gutter and so I need to get to them the plan to put a ten foot pathway at least in that northern portion north of Wrangler.

Lorcher: Okay. And that's how the family gets to their house, because right now --

Brown: Yeah. Currently. Yes.

Lorcher: Okay. And, then, the subdivision to the south of you where it says Ridgeberry and there is no access to Ustick from there; correct?

Brown: Currently. But they will be able to use Venable -- go north to a T intersection where they will be on Wrangler, then, they will turn left and go up to Venable.

Lorcher: Okay. Thank you.

Seal: Commissioner Grove?

Grove: Question about the -- and maybe this is staff first -- is with the pathway section that goes south of Wrangler, in lieu of having that built out, is there anything we could do in terms of requiring an escrow account or whatever the -- like something that would build later to build -- to pay for that 25 foot section or whatever that is when it -- it's ready to be developed or do we have any wiggle room I guess would be the question.

Dodson: Right. Yeah. Great question, Commissioner Grove. So, if -- if it's going to be in the ACHD right of way we can't require that. The applicant can go into a road trust with them. It might not be a road trust necessarily, but -- and do that. But as Kent described, it's very difficult for us to require something that's not on their property. I think the best we could do is condition -- add a condition that, basically, requests the applicant to work with ACHD to try to construct that short segment of ten foot pathway south of Venable. I don't want that to be a deal killer for all of this, because we really mostly need the segment on the east side of Venable and then -- because that property is owned by others we would be able to get it later. My point was they have the lot at this section, so at least you would have a clear connection across this curve and stub it to the west boundary. But I can see when you have pressure irrigation and everything under there already it's not going to happen, so thank you, applicant, for giving us that picture. That helps a lot. But I think a broad condition would probably best and Kent and I will continue to work with ACHD as we move forward through the final plat phases.

Brown: And I have already spoke to ACHD, the person that approved the plans and he's told me I can build it. I guess my concern is -- I build it, they will come and as soon as they step off of the end of where I pave they are on somebody else's property. They are on ACHD's property, which isn't the full width of that opening and so we are -- we are funneling people to an area that maybe isn't ready for visitors. That's -- to be honest, that's the only reason I don't want to build it. I mean can I build it? Does the government ask me to do the smartest thing all the time? No. So, I could put that in that box and say you asked me to do it and you guys deal with -- we will -- we will put Joe's phone number there and call Joe when they step off. Or Parks. We will put Parks.

Grove: Well, I think that's kind of my -- to the point of my question, though, is -- is there something -- a mechanism that you would be, you know, able to help fund your -- like if it was -- in half your portion of, you know, going forward, so that it's not built now, but there is a mechanism for it to be built late -- later.

Brown: It would have to be a trust with the Parks Department, wouldn't it? It wouldn't be something -- it is not something that the highway district -- the highway doesn't build pathways and that's truly what we are building there is a pathway.

Dodson: Mr. Chair? Yeah. Mr. Chair, Commissioner Grove, so, yeah, the best we would do is have him post a surety for it, but, then, we are just holding onto the surety for who

knows how long. I -- after seeing the pictures I think I would rather strike that portion of that condition and just keep the pathway on Venable and, then, as -- I assume that property will redevelop at some point and, then, we won't have the issue that the applicant proposed. You know, we don't want to promote people walking onto somebody's private property when there is no pathway down there for them to get to anyways at this point. There will be eventually, sooner rather than later, but, again, I would rather not create more of an issue than we need to.

Seal: Okay. And I mean just a quick question. You understand that they do want that pathway to go all the way to the end of that block row on Venable, just so it's more than obvious that that -- that should continue in the future. And I'm the bike rider of the bunch, so I use these paths all the time. Anywhere I can get on a bike I go on a bike, so --

Brown: So, explain that again, because I'm -- I'm --

Seal: What -- what Joe had said in the picture that's here -- it comes all the way down to Venable. Just extend that down to the end of the block, so that -- not -- not to the pump house, but down to the end of Venable where you are going to cross Wrangler, but you don't have to cross Wrangler. Just make sure it comes all the way down, so it's obvious that that -- that's meant to continue on.

Brown: Exactly. Yes.

Seal: Okay. I think -- I mean at that point I'm -- I'm comfortable with just striking that. Do we know what item number that is?

Dodson: Mr. Chair, I do not, no. I know it's a portion of a condition, so if you just were to say strike the requirement of the pathway being on the pump lot, I will know exactly what you are talking about.

Brown: 11-C.

Dodson: Oh. Okay. The applicant came more prepared than staff.

Brown: And it's only the -- it's only the last -- last half of that sentence.

Seal: Okay. So, 11-C dealing with the pathway on Venable. Okay. Thank you very much. Anybody else?

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go ahead.

Yearsley: So, I -- I might be a little slow today. So, this came through before and you actually are already building the -- the townhomes and the apartments, is that my understanding? Is that --

Brown: That's correct. And then -- and that's -- that's always been the plan.

Yearsley: Okay.

Brown: So, as a part of the development agreement it was specific to that and the concern was that -- as us doing that that we would build that street and that they would get that. There was some concern that the nine detached homes might not ever happen and that we would only do the apartments and so -- sorry, I thought I was speaking loud enough. So, that -- that's the way that it was done. The zoning certificate, which has all the fine details, a bunch of this staff report is talking about the parking, you know, the number of units, well, that's all been looked at and addressed as a part of doing that and, basically, my job as I was looking at this is going what are you asking me to do that -- you are going to make me pull pipes out of the ground and move a building, what -- what is it that you are trying to -- and what can I still do that I haven't -- I mean I wouldn't be able to put in the ten foot pathway if I had the sidewalk in and they were -- I mean they are -- they are getting really close to getting there, so I -- I need to pass that on and make sure that that is a part of it. I have already talked to the highway district, they are okay with us entering into a license agreement, because we are going to go across a couple of feet of their property and, then, the rest is going to be on the lots that are adjacent to that. Does that help?

Yearsley: It does. Like I said, I'm -- yeah. I -- I -- it was -- once you said you were building I'm like -- I was a little confused, so I apologize for that confusion.

Brown: Realistically hard knocks of what I'm here for is I'm asking you to approve the lines that I have put on the drawing. Basically everything else has already been approved.

Yearsley: Okay.

Brown: And the only one that is kind of different is the pathway. Everything else has already been addressed. I mean we had Mr. Hessing, which I know very well, talks about five designs. I would say we had five designs before P&Z before we got to City Council and, then, it got changed again and so we have -- we have gone back and forth and I think -- I think it's going to be a nice neighborhood. They got a really nice clubhouse. They have one of those pools that everybody wants. I'm betting that your subdivision is Tuscany?

Yearsley: Absolutely.

Brown: And I did Tuscany years ago and there is not a drawing for Tuscany that has a pool shown on it. It is what we put in the open spaces. Messina that's to the south where those private streets are at that we talked about, they were shown there, but --

Yearsley: Right.

Brown: -- the northern portion was --

Yearsley: Okay. Thank you.

Brown: Thanks.

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

Weatherly: Mr. Chair, we do not.

Seal: Oh, sir, come on up. All right. If you can give us your name and address for the record and the floor is yours.

Simunich: Hello, sir. Commissioner, Mr. Brown, my name is Mike Simunich. My parents are the Simuniches that own the property at the south end of Venable Lane.

Seal: And your address was --

Simunich: 2715 North Venable Lane, Meridian. 83646.

Seal: Thank you.

Simunich: I'm here tonight to primarily make sure that we still have access through Venable Lane. I have had discussions a year ago with Shannon Robnett, which I believe is the developer of Summerwind. I have also had meetings with ACHD and maybe Mr. Brown could help me understand some of the plat map that's -- that's up here, but primarily I wanted to discuss that -- that photo with that vehicle in it if I could. Now, I did enter into negotiations with ACHD and Shannon Robnett and explained to them that -- the history of Venable Lane. My dad owned all of it. He did transfer -- I'm not exactly sure how -- half of it -- roughly half of it to ACHD and in negotiations with Shannon Robnett -- keep in mind that my parents have a trustee through a bank and they made negotiations with Shannon Robnett. Shannon Robnett has purchased part of Venable Lane that was privately owned by the Simuniches to be able to make that curve -- I believe it's called Wrangler to do what they need to do with the buffer houses between the apartments and the existing subdivision to the south. There was I think originally kind of an S curve planned there that stayed off the Simunich property, but to put that buffer row of houses in there they needed to buy just a smaller portion of Venable Lane from the Simuniches through the bank and I'm to understand that they have done that. So, A, I'm concerned about that we still have access and we will have access when this is finished, as this is our only access at this point in time. The second thing is we are very concerned about having people come through, being the only agricultural place, we are still in the county surrounded by city. I hate to use the word attractive nuisance, but we get a lot of visitors. We rent to a person with livestock. We don't want to see gates open. We don't want to see cattle ran, you know, so -- so, we have some -- some protections that we want to do to our property. So, Shannon Robnett purchased a small part of Venable Lane from the Simuniches to be able to make that Wrangler curve. We have a couple of agreements in -- in place and if -- if there is any way we could see that photo -- and I will try to -- try to keep up with what's going on here. I'm sorry if I'm overextending my time.

Seal: Okay. Yeah. If you could wrap it up real quick we would appreciate that.

Simunich: Okay. So, this is the south part of Venable Lane. Oops. Where this vehicle is parked and, essentially, from right here about this rough corner there is a 40 foot wide Venable Lane owned by the Simuniches and there is a little bit of grass right here, you can't hardly see it, right past the -- the vehicle, that's a common area for the subdivision to the west. From this point here that 40 feet is split 20 feet on the east to ACHD and 20 feet to the Simuniches as far as -- I can't remember the name of the road right now that comes in from the west, but it's just 150, 200 feet, I believe. That 20 feet grants us our access. Shannon Robnett needed to buy part of that to be able to meet the Meridian city requirements and from what I understand through the bank we have sold it to them. A couple of provisions. I'm to understand that this fence is going to be continued northbound approaching Wrangler -- that curve in Wrangler and at some point in time given just a little bit of access, so we can park a vehicle without being on the street, there is going to be a 40 foot wide fence and gate placed there to help keep people off the private property. Shannon Robnett has agreed to that and that 20 feet of what was ACHD, I'm to understand Shannon Robnett has given to us to square off that flag lot piece of property. I'm going to have to do a little bit of research through ACHD to make sure that's the case that he hasn't promised something that he can't give, but I really don't want to see any kind of a sidewalk leading past this pump lot or low spot that -- that incorporates all of this right here, because we really don't want to invite people in and right -- right now we have had people there at 5:30 in the morning and -- and as late as 10:30 and 11:00 o'clock at night. Dogs bark. Why are strangers on our property. We have had private property signs. They have been vandalized and removed.

Seal: Okay. And I -- I think we discussed that earlier. We are going to strike that condition and I think as far as the access to the road, there is nothing that would prevent access. So, I think that -- and -- and -- I mean I think the applicant would agree as well, as well as our staff from the City of Meridian that there is nothing in there that would prevent access.

Simunich: I don't have any negative comments to what's going on here at all, except I'm hoping that that east side of Venable Lane with that ten foot walkway or whatever walkway, you know, approaches Wrangler, yes, but really doesn't go any farther than Wrangler; right? And I have to verify whether Shannon Robnett was able to give that to us or if ACHD still has that 20 foot section. But I'm to understand we have access and that's primarily why I'm here tonight.

Seal: Okay. Thank you, sir.

Simunich: Thank you very much. Unless you have any questions.

Seal: Thank you. Okay. If anybody else would like to testify? Seeing none, anybody online? I don't think so, but --

Weatherly: No, Mr. Chair.

Seal: Okay. All right. If the applicant would like to come back up.

Brown: For the record Kent Brown. 3161 East Springwood. And, yes, I understood that to get our plans approved we had to purchase a piece of right-of-way from the Simuniches to finalize that. I am unaware from Mr. Robinette that -- about anything that would vacate that right of way is what it would have to be. He would have to purchase that to -- from the highway district, even though the Simuniches are the ones that gave it to the highway district, you would have to purchase it. So, that makes that kind of a challenge. But it -- it -- the right-of-way stops at the location that he was talking about where that final fence is, where I was saying that that's where staff was asking us to run that pathway and we should be able to put a gate at that location. I don't think ACHD wants that unimproved right of way, because it's not wide enough for them to put a street going south and that map that -- that I showed earlier there is a -- to the Simunich property, there is a stub street to the south and there is a stub street to the north that allows that property to have access in the future and be developed without the improvement or the extension of Venable. I know that the Parks Department, what their hope is is that this pathway eventually will continue south in the alignment of that and go all the way down to the Creason Lateral where they do have a pathway and hoping that, then, that provides a connection to the park that's on the north side of Ustick. That all makes sense, but it's whether the Simuniches and that out-parcel, that house, ever have to be subdivided and whether that ever comes into the jurisdiction in the city to make that happen or not. So, that could be some time. You want to look for properties around, Simuniches have some of these pieces all over. I think that answers the questions that he had and I -- I will talk to him outside after.

Seal: Okay. Any other questions? All right. Thank you very much. Appreciate that. Could I get a motion to close the public hearing for File No. H-2022-0005, Summertown Subdivision?

Lorcher: So moved.

Yearsley: Second.

Seal: I have a motion to close the public hearing for File No. H-2022-0005. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: I think this one is pretty straightforward, so if anybody has anything to add, let's do it quickly and, if not, then, we know we need to strike Condition A-3 and -- oh, yep. A-3 and, then, 11-C as it relates to the pathway on Venable. A-3. Alpha three.

Grove: Okay. After considering all staff, applicant, and public testimony, I move to recommend -- recommend approval to the City Council of File No. H-2022-0005 as presented in the staff report for the hearing date of April 7th, 2022, with the following

modifications: That we strike Condition A-3 and we modify Condition 11-C to not include any portion of the pathway south of Wrangler Street.

Yearsley: Second.

Seal: It's been moved and seconded to approve Item No. H-2022-0005 with the aforementioned modifications. All in favor say aye. Opposed? Okay. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Would you like a quick bio break or do we want to go ahead and trudge through? Okay. We will take A five minute bio break and we will be right back.

(Recess: 9:46 p.m. to 9:54 p.m.)

8. Public Hearing for Records Apartments (H-2022-0008) by Brighton Development, Inc., Located at on the Northeast Corner of N. Records Way and E. Fairview Ave.

- A. Request: Conditional Use Permit for a multi-family development consisting of 472 dwelling units in two (2) 5-story buildings on 10-acres of land in the CG zoning district.

Seal: Okay. We will go ahead and re-adjourn and we have got Records Apartment, File No. H-2022-0008 and if Bill's ready we will start with the staff report. Sorry about that.

Parsons: Always ready. I hope the Commission's ready to finish the night strong. We are on the last one.

Seal: We are ready.

Parsons: All right. Let's get to it. And no more quotes from Bill tonight. Let me stay silent here. All right. Next application before you tonight is the Records Apartment. It's a conditional use and concurrently submitted with the conditional use was an alternative compliance request by the applicant to, essentially, change the comp -- the private open space requirements. So, basically, allowing the units to either have no balcony space or a diminished balcony space from what the code currently requires of that 80 square feet. Director has approved that as part of this application submittal. So, tonight all you are looking at is a conditional use for a multi-family development on approximately 9.95 acres of land in the C-G zoning district. You can see here in the graphics before you this property is a mixed-use regional. In that specific designation we anticipate residential densities between six and 40 dwelling units to the acre. Back in 2007 this property was annexed in as part of The Village at Meridian project. As part of that project there was a development agreement and it had a concept plan on this particular property. However, the terms of that DA did not tie the concept plan to this particular property and the -- the DA was very flexible in allowing the applicant or the developer at that time or any