

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Give this a try here that I move to continue file number H-2021-0074 to the hearing date of February 17th -- is that the hearing date that we were looking at for that one? Okay. For the -- yeah. Just move it to the hearing date of February 17th.

Seal: 2022?

Wheeler: 2022.

Lorcher: Second.

Seal: Okay. It has been moved -- moved and seconded to continue file number H-2021-0074, Jamestown Ranch Subdivision, to the date of February 17th, 2022. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

6. Public Hearing Continued from December 2, 2021 for Lennon Pointe Community (H-2021-0071) by DG Group Architecture, PLLC, Located at 1515 W. Ustick Rd.

- A. Request: Annexation of 10.41 acres of land with a request for C-C (2.01 acres) and R-15 (8.3 acres) zoning districts.
- B. Request: Preliminary Plat consisting of 44 building lots (43 single-family residential and 1 multi-family residential), 1 commercial building lot, and 2 common lots on 8.8 acres of land in the proposed C-C and R-15 zoning districts.
- C. Request: A Conditional Use Permit for a multi-family development consisting of a total of 18 units on 1.18 acres in the proposed R-15 zoning district.

Seal: Okay. I would like to open the public hearing for Item No. H-2021-0071, Lennon Pointe Community, which was continued from 12/2/2021. We will begin with the staff report.

Dodson: Thank you, Mr. Chair, Members of the Commission. I'm not sure if you want me to go into much detail with the existing -- or I should say the plan, considering we have seen this before. I guess just quickly, the site is about 8.8 acres of land, currently zoned RUT. It's located at the southeast corner of Linder and Ustick. The applications before you tonight are annexation, zoning, preliminary plat and a conditional use permit. A private street application was also submitted with the application, but that is administrative

approval from the director/staff. At the previous hearing the Commission continued the project for the following reasons: To create a better solution to the transition between the proposed multi-family building and the neighborhood to the east. I guess for reference this is the previous site plan. Secondly, to modify the attached units along the east boundary of the site to be front loaded, instead of facing the east. And also to revise the plat to match any changes to the overall conceptual site plan and there were some other nuanced discussions that occurred and even some specifics, but I don't want to go into too much detail right now. Following the Commission hearing in December the applicant sent me revised plans last week, to which I wrote a staff -- or a staff memo to the Commission, dated January 14th. So, I hope you all were able to read that. That has much more of the detail in it and outlines the specific conditions and provisions that I recommended revising based on the new site plan, which is this one. So, quickly, the changes that they made was along the east boundary they changed the design of these to be front loaded. So, they are just matching the required setbacks on the east side, which in an R-15 zone is a 12 foot rear setback. On the revised plan they are showing that the buildings are approximately 18 and a half feet from the rear property line, though that's not a setback, it's just where the building is. They added the required covered parking here. They removed this cut through area between the commercial and the multi-family, because there was a point of discussion regarding some issues there. They also changed the multi-family units here. They are no longer four stories, they are proposed three story units and they removed the end unit altogether, rather than just stepping it down to two stories. So, now this gap is approximately 44 feet between the fence line and the building. The -- I have some revised elevations of those three story units as well. They also moved the dog park from the southeast area of the site to the southwest area of the site to be further away and part of the larger open space area. They also removed one of the townhome lots on the west side here. It used to be six. They removed one in order to pull it out of the floodway and, then, also include a new drive aisle here to connect a private street with the entrance off of Linder. This is not something that was necessarily discussed, but in the grand conversation of cut through traffic and making sure residents, as well as commercial, have specific areas to go, I believe that's why the applicant proposed that. It is not required by code, but as I noted in my memo, Commission can agree or disagree and the -- the proposed provision for that is open ended. So, it will work either way. They also added a ten foot multi-use pathway here, which was discussed by Mr. Chair as -- to connect to the other segment of it and, lastly, they made this lot match the minimum lot size requirements. So, they covered most of what was discussed at the previous Commission hearing and if there are any questions I will stand for those now.

Seal: Okay. Would the applicant like to come forward? Good evening. Please state your name and address for the record.

A.Wheeler: Andrew Wheeler. 2923 North Arthur Circle, Boise, Idaho. 83703. And, Mr. Chair, Members of the Commission, thank you again for taking a second look at this property and this proposal. Joe, do I have control of --

Dodson: Yeah. But I got to find your presentation.

A.Wheeler: So, as Joe was saying on our previous hearing, it was concluded that the -- we were about 90 percent there. Everyone liked the site plan. It needed a little bit of tweaking, a little massaging to get it over that hump and overcome a couple of hurdles and some objections that were brought up which were -- were valid and we feel that we have addressed each and come up with a solution that solves those problems and provides more housing for the City of Meridian in a comprehensive way in the mixed use community zone. So, as Joe was saying, a couple of the edits that were -- the factors that were brought up as issues were primarily centered around traffic and circulation and building height and privacy. So, to address the circulation -- and we can point to the slide when I get there in a minute, but the access -- commingling circulation of the residents through the commercial was a primary concern and so providing that 20 foot private drive will allow residents to go directly to Linder without ever having to circulate through the commercial and as well as -- here we go. Okay. The little screen on there. Yeah. Yeah. Okay. Well, we will roll with this. So, this is a -- the view of coming into the property from the west and we will get more into the renderings. So, let's look at -- just to familiarize everyone with the existing conditions, which I don't want to spend too much time on this, but, you know, this image shows the intricate connection or network of local streets which provide multiple access points onto Linder and Ustick. A couple challenges with the site with the Kellogg drain, the floodway, the arterial streets and getting access onto those and onto there, bringing in the connection of the local streets and the existing single family on the east. Those are the primary concerns with the site and challenges to design within. A few images looking north on Linder. This is looking southeast to the Creason Lateral and the Five Mile Drain. The Creason Lateral. I'm going to kind of flip through here just quickly. This is the existing single family development to the east. Joe, is there a way to remove that red? Oh, it's just on this, so -- never mind. Okay. Here is a view looking at -- off of Pebblestone looking west and, then, the northeast corner, the existing single family and the height differential with -- differential, which we will get into a little bit later. There are three zones of -- the commercial in the upper left, multi-family in the upper right and, then, residential in the main part in the bottom and this graph shows the -- or image shows the rerouting of the Kellogg Drain underground and the floodway in the southeast -- southwest corner. The public road that is coming through the site, that's a requirement of ACHD, and all of the roads would be private. So, we can talk on the site plan here for a minute. In addressing the traffic and circulation -- so, we provided that 20 foot drive to allow residents -- residents to have direct access onto Linder and not have to circulate through the commercial space. We do have signage on there to -- to dissuade commercial users from pulling into the site that would be residents only, no through traffic signage and, then, looking off of -- coming off of Ustick through Building A in the upper right we closed off that drive aisle connection as well and we also do provide signage as you are entering that, so users won't take an early right and thinking they are going to the commercial, there will be signage there saying resident only, no through access. And as far as the building height issue, Building A was redesigned. We -- we lost -- went from four stories to three. We completely lost the eastern unit and made that a pedestrian plaza, so another additional amenity to the project. We redesigned the building to have -- to be flat apartments, because before they were two story units, so now they are just nine unit buildings, three story -- three units on each level, with two and three bedroom and a one bedroom in the middle, primarily because of the daylight, with the one bedroom

unit and we went with single unit garages. On the east side for the single family we provided a little bit wider units to allow a front entry door and have that front loaded. So, the rear of that on the far east is just backyard, so we got rid of that walkway, which was previously encouraging more traffic and eyeballs and there is more people on that side and less privacy, so this provides more privacy. And, then, we moved the dog park, which was brought up in that -- in our last meeting that the dog park was kind of small and tight when we had it in the southeast corner. We moved that over to the southwest corner and the dog park fence would share the fence that's a requirement of Nampa-Meridian Irrigation District to block off the Creason Lateral, so that will just be a continuation. That will be part of that larger dog park. And, then, Building B on the west, we moved that -- moved that up and lost a lot. Lost one lot. So, if we look at open space, this actually increased by about 3,000 square feet from -- with the addition of the pedestrian plaza in the northeast corner and losing a lot in the -- on the west end from Building B. Our parking, we are still well over the required. At the commercial we are required 24 stalls and we are providing 25. At the multi-family we are required 33 and we are providing 35. And at the single family we are required 173 and we are providing 197. Here is an image of the aerial site. So, I won't spend too much time on the building design, since this is the second time we have addressed this project. The -- this is the commercial building. Be metal panel, concrete masonry and concrete wainscot on the bottom with -- and mostly glass. This being a drive-through use and this is the second building, the smaller commercial, which is intended to be a sandwich shop. Could be an ice cream parlor. It could be a multiple of uses to serve that community. This is the view looking south. This is Ustick. So, you are seeing Building A -- the two Building A's on the left and, then, the commercial on the right and, then, here is a view looking south at the commercial corner. This is sitting on the northwest corner and here is the view showing that MEW throughout the middle of the site and commercial on the right. These are the floor plans for Building A, which would have a corridor on the back on the second and third level that is how those tenants would ingress and egress the units, with garages on the ground level with direct access. And, then, on the elevation -- this elevation is slightly different than the one Joe showed earlier. We had modified the patios to angle those roofs down to not only reduce the height and the appearance of the height, but also provide a little more articulation along Ustick and a little more rhythm. Here is an enlarged view of that plaza showing that 44 feet to the building and, then, again, this is a similar slide we looked at before, with the grading plan, where the existing grade is at 25/75 for the single family home and we are proposing a finished grade at 25/72. So, we are -- we are already three feet below the existing single family. And here is a view of that plaza and Building A, so this would be in the northeast corner. This is entering the site from West Pebblestone. And, then, here is an image showing the resident only signage. It's kind of small to see in here, but that white sign on the left. So, to prevent any circulation of commercial users from going through the -- through the drive aisle and intending to go to the commercial space. This is looking at that Ustick entry, looking north. And Building B we have five lots and the materials were changed a little bit in -- in this to provide some shake siding and just a little bit different of a design aesthetic, which will be further refined in design review. And here is an image of that. And this also shows the ten foot bike path addition on the western boundary to try to get pedestrian traffic off of Linder as much as possible and connect to the existing bike path in the northeast corner -- or, excuse me, northwest corner of that

intersection. And this is looking at the -- it's sitting in the southwest corner looking north. Building C. These were widened slightly, as Joe mentioned, to meet the minimum lot size requirements and dropped to a two story unit from a three story unit, which was previously proposed. And here is a view of the -- that Building C on the right and, then, the dog park on the left. An aerial view of that southeast corner -- southwest corner. And, then, we have our elevations of the single family, two story units. And this is the image of the -- through the MEW in the center of the site. So, this is providing a lot of, you know, connectivity between residents and allowing residents to interact with one another and not have everything be front garages. A view of that same space. And these are the single -- the three single family homes in the southeast corner. And this was where we previously had the dog park, which is now removed, so it's just additional open space, which is, you know, very usable and a nice scale for, you know, more intimate uses, you know, picnic outside, whatever you are -- you might want to be doing in that space. Again similar to the northeast corner on the grades, the existing grades are 25/75 and our proposed grades are 25/72. So, here as well we are three feet below the adjacent homes. This section shows what Joe was mentioning about our 18 foot eight inch setback to the building and, then, our second story patios are actually 22 feet back, as well as three feet below. So, there is ample separation between there and without the -- or with the removal of the pathway that previously was there this will be a lot more quiet, landscaped, and provide more privacy. This is a view of the east end looking west. A view of the south looking north. And a view of the west side looking east. And there you can see that 20 foot drive that connects to the -- the access point to the commercial. With that I will stand for questions.

Seal: Thank you very much. Are there any questions for the applicant or staff at this point?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: The existing farmhouse -- do you own the entire parcel? Your developer?

A.Wheeler: Yes.

Lorcher: The existing farmhouse that is there, is it going to be destroyed or is it going to be moved?

A.Wheeler: That's in discussions right now. We haven't made a final decision.

Lorcher: My second question is that I follow Zillow a little bit and yesterday a parcel at the corner of -- 1.47 acres at Ustick and Linder came up for sale. How does that work into the development?

A.Wheeler: Can you repeat that question?

Lorcher: So, Zillow -- so, I get notifications when properties go up for sale in Meridian, just because I'm curious --

A.Wheeler: Yeah.

Lorcher: -- and so the corner parcel -- 1.47 acres at the corner of Ustick and Linder on the northeast corner -- or southeast corner, which is yours, came up for sale.

A.Wheeler: You are talking about the corner of our property?

Lorcher: Right. Where you have the commercial building.

A.Wheeler: Yeah. Yeah.

Lorcher: So, are you selling that off or is it part of your development?

A.Wheeler: Well, it's part of the development. The intent is to potentially find a buyer that would want to put a different use in there. So, we are -- you know, we are open right now on what use is actually going to go in there and so it's exploring options at this point.

Lorcher: Okay. I mean it did say commercial vacant land for sale.

A.Wheeler: Yeah.

Lorcher: And so --

A.Wheeler: And the intent would be that whatever does go in there, whether -- whether our client builds it and -- or another client does, that it would meet the requirements set by the Commission and City Council, as well as going through a CUP in the future and, you know, a higher level of design.

Lorcher: Okay. I was just kind of curious when I saw this come up for the agenda tonight and, then, I also saw that for sale, I was wondering how that was all tying in together. Thank you.

Seal: Anymore questions for the applicant or staff? Okay. At this time we will take public testimony.

A.Wheeler: Thank you.

Seal: Thank you very much.

Weatherly: Mr. Chair, we have one person signed in and that's Caryn Bitler.

Bitler: I'm Caryn Bitler. I live at 3055 Northwest 13th Street in Meridian. Okay. Hello, everybody.

Seal: Go ahead. And thank you.

Bitler: Okay. My concerns with the suggestions are as followed: The townhomes that are proposed for the east side of the development, we still feel that they should be single family detached homes or patio homes to alleviate density. Also the mixed use plan will increase traffic noise, congestion, pollution, crime and we suggest you limit the residential to detached homes, patio homes. Also the mixed use should only be considered for 40 acre parcels, of which this is not. One Commissioner mentioned the eight acre parcel should not be considered for this project. That means eight acres would not support the mixed use development and I just want you guys to do what's right only. Also, both Commissioners Yearsley and Cassinelli stated their support for detached homes and patio homes on the eight parcel acre -- the eight acre parcel on December 2nd and we support developing these types of homes. And also the patio homes can attract another demographic, which would be the older group, and I think that would be attractive to the area. Also negative impacts would be in perpetuity, that's why we suggest the -- the single family homes. Also -- they are also building townhomes just a few blocks away on Ustick and also a big development is going in on the northeast corner of Linder and Ustick and also we are concerned about building close to the flood zone. I know that you guys have discussed it -- discussed it, but I just wanted to say that our neighbors are feeling the same way. And also the person that owned the property next to the farm, I did go to his house after our meeting during Christmastime and I did speak with him directly and he was very upset, he was not for what was going on. He knew things would happen, but he wasn't happy about it. I asked why he didn't show. He said he was busy. So, that's how it goes. Also we are concerned about the flood zone as evidenced on the map that I provided your people. And it was provided by the Public Works staff and also Creason Creek was built on existing farmland and it's expected that all the homes would receive a high groundwater and that affected our crawl spaces of our entire community. We have come to realize that all communities that are built or will be built on existing farmland will have the problem of high groundwater. Although the corner of the upper edge of my lot is not in the flood zone per se, we did have flooding and it would -- and also my neighbors to the north of us who are not in a flood zone, they had worse flooding and everything was addressed. But, basically, I know they want to pipe the Kellogg Drain, which is in the flood zone, which there is extreme concern for these -- any and all buildings, because you really shouldn't build anything in that area. And the last thing I wanted to say that it makes no sense to have any kind of construction in a flood zone and it says to utilize -- utilize it as open space and when you still look at what he did and you compare what I sent -- what I sent -- and this was from Andrew Korn, who is in charge of flooding and he even said he didn't understand why things were being built in this flood zone. So, that just raised extreme concern. And when I put this over the architect's revived drawing you could still see in the red thatched area he still has homes. Townhomes. I'm not saying that we should have single story homes, as he mentioned before. I said single family detached dwellings, which means they could be two story, they could be one story, but to be detached and I just hope that you consider this. Thank you.

Seal: Thank you. Madam Clerk, do we have anybody else signed up?

Weatherly: We do not, Mr. Chair.

Seal: Oh. Come -- come right up. Just need to have you state your name and address for the record.

Sindon: Yes. My name is Carissa Sindon. I live at 914 North 8th Street, Apartment B4, in Boise. 83702. Okay. Hello. My parents used to own this property, so I grew up on that corner and I listened remotely to the hearing last time and I just wanted to give my perspective as to what my family has experienced with the growth in Meridian and I'm definitely for this development and a lot of the things that people were saying last time is traffic -- the complaints were traffic, losing views, quality of life, et cetera. When I grew up there in the early '80s there was a two way stop. Stop signs on Ustick and Linder. So, there was no stoplights or anything and we used to have a barn. That barn is now gone, because of the widening of the road and my parents have moved -- moved about 15 years ago, because of the traffic, because they lost their views. Their quality of life was diminished. You can't have a farm life there anymore. So, I just wanted to give that perspective, because I think it's inevitable that the land will be developed. That's just the way Meridian is going right now and I think that the development that they have proposed with the open space and the dog park and I think they are being very thoughtful about it and it will provide housing. I think it's good and I just wanted to let you know that perspective, because I'm a native Idahoan, been here for 40 years, and that's -- we used to have a farm there and there is not a farm there anymore. So, thank you very much.

Seal: Thank you. Come on up. Please state your name and address for the record.

Stinnett: Pamela Stinnett. 3036 Northwest 13th Street in Meridian. And I'm not impacted by people viewing into my backyard, because I'm on the other side of the street, but I see that the housing is encroaching on the people that are right across the street from me. My issues, though, go beyond that. They go further than just the -- the impact on our development, because one of many developments, but it's going to impact all the other developments, including the other one that's going across the street, because as it is getting out of the subdivision is really tough. You are fighting -- if you have to go south you can't go out on Linder without dying and if you try to go -- you know, if you come out of 12th Street it's also very difficult. If you have to -- wiggle through and go through Crossfield, it's still not much better, but, then, you are holding them up. The problem is that --

Grove: I'm sorry, I can't hear you.

Stinnett: Oh, I'm sorry. Oh, I'm sorry. I meant to put it higher. Sorry. Didn't stop to think that she was shorter than I was. Anyway. So, the problem that I have is traffic in the surrounding areas, because you have all these other developments. Another problem I have, which I don't think many people really thought much about, because the gentleman that talked about the schools said, well, they are at 20 percent now, but they could see themselves being okay at 80. Well, with all the developments going in the school is not going to be at 80, it's going to be over a hundred. It's going to be impacted greatly. So,

you are going to have a lot of kids putting a lot of burden on that school and I, honestly, think that's going to impact the quality of their education and those kids are going to be -- some kids from our neighborhood, as well as a new development. Additionally, I want to make sure if they do -- if this development goes through as -- whether as planned or if you make adjustments to it, are we going to be able to walk through their dog park or is that going to be -- are there going to be limitations? Because, you know, to me that precludes us easily going -- you know, we have to go all the way around to go to another park or to walk down the street going, you know, around, if that -- if that's going to be an issue and it just seems to me that there should not be a limitation on who can use that open space. So, those are the main things. But I do think it's going to impact quality of life, safety issues, traffic issues. I already -- when I first moved in three years ago I could get to Cole Road and Franklin in 15 minutes easy, sometimes 12. Now it takes me 45 and it's just going to get worse and I don't expect it to stay perfect, but I do think that -- my time is up. Thank you so much for listening.

Seal: Thank you very much. Do we have anybody else in chambers that would like to come forward and -- no? Nobody online raising their hand?

Weatherly: I don't see anybody, Mr. Chair.

Seal: Okay. Would the applicant like to come back forward?

Dodson: Mr. Chair?

Seal: Go ahead.

Dodson: I would like to make a couple comments first just to clear up some of the --

Seal: Absolutely. Please do.

Dodson: Regarding the floodplain or floodway, yeah, like 90 percent of the site is in some kind of flood zone. It's a very -- that's why I know that this property hasn't been developed, because it's going to take a lot of work to get it out of there. However, what they are going to do with the Creason Lateral and piping the Kellogg Drain will immediately change that entire facet of that, which is good for the neighboring sites as well. There is also a geotech that was done and specific construction recommendations within that, which we have a condition already in there that says that they have to meet those specific recommendations. So, we should be handled on that. I have full faith that we -- we will monitor that as we do with any project that's in the floodway. There was another point and I forgot. I will come back around.

Seal: Okay.

Dodson: Thank you.

Seal: Thanks.

A.Wheeler: Thanks, Joe. That's very helpful and on the details as always. So, to address a couple of these -- these issues, to speak about the floodway, I mean, first of all, yes, we are dealing with a site that is challenging and has taken a lot of creativity and thought and, you know, time to put a solution that's viable here. We are staying completely out of the floodway and we are designing the homes to be a foot above the base flood elevation. So, that's how we are addressing the flood concerns. As far as the detached homes on the east -- Joe, can we pull up to my presentation there. Just wanted to get to one of those beginning slides. While Joe is pulling that up, you know, the comment was that, you know, height doesn't matter, that it's the width and being detached. When we pull up a map here you will see that the existing single family lots are about just as wide as two of our lots as is. So, we are no much wider in our single structure than the existing homes that are there, which are two stories in some cases as well and much wider than what we are proposing. So, I feel that from a massing perspective we are aligned to what is already existing on the eastern boundary. Regarding the use of the site -- yeah, just to move on to that point -- go back to the very beginning here. Yeah. So, you can see on the right there is -- those black lines on the very far edge are the property lines of the existing single family and approximately, you know, encompass two of our lots. So, to put a visual to that. As far as regarding the use of the area, that will be determined at a later point through an HOA of how that will be managed, whether the dog park will be open, whether the play structures will be open. At a minimum the -- the ten foot pedestrian path, which we already had provided and, then, we have extended that further to the northeast -- or northwest to the bike parking, would be available and usable by -- by anyone. So, that is a part that would be used for anyone on the site, not to mention any of the commercial uses that go in there, that would -- you know, could become a very viable, desirable place to go for the existing residents. I would just urge that the council take consideration to this development and consider the challenges that we have ran into, the needs of the City of Meridian for housing and the time, effort, energy and thought that's gone into this project to bring something that's going to solve a complex problem in a sophisticated way. So, with that I will stand for questions.

Seal: Joe, did you remember what you forgot?

Dodson: I do. Yeah. It was regarding the -- the dog park, just to say that the multi-use pathway, as Andrew covered, will be shared for sure regionally, but the use of the open space typically is not shared between developments, only because only one HOA is paying for that area and to maintain that area -- the same as these residents won't be able to use the Creason Creek open space. Technically. Does it happen? Sure. I'm sure it does. But that's just typically how it goes. But if this HOA wants to do that they are more than welcome to keep that open. But, again, that's not -- not usually something that the city puts their hands on.

Seal: Okay. Thank you.

A.Wheeler: Thank you.

Seal: Thank you very much. Actually, I should have asked -- did you have a question? No? No more questions? Okay. At this time can I get a motion to close the public hearing for Item No. H-2021-0071?

McCarvel: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to close the public hearing for Item No. H-2021-0071. All in favor say aye. Opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Comments?

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: I -- some of the concerns that were brought up -- I'm not as concerned on the floodplain issue, because I know that there is going to be -- like staff has said about the engineering requirements and things of that nature on that, plus the developer doesn't want to put his money into something that's going to be sunken later and he's trying to get a return out of it. So, I know that they are going to do what they can in order to build it up and take care of those issues with that. The transitional piece on the eastern side with the townhomes, I think that that makes a nice little segue or transitional part on the eastern side of the property as it goes from some commercial there next to a -- if we count the decel lanes, you know, six lanes or into a residential subdivision there. That seems -- that seems to be a good use of that eastern side of it and I like the use of that open space and created with a dog park in that cornered area there, that's going to be interesting, especially with the way that they are also tying it into the -- the pathways there. So, this is -- seems to be a good project that, you know, for corner of six lanes by six lanes with stoplights and everything, it seems like it's a -- a good use of space.

Seal: Okay. Anybody else want to jump in?

Lorcher: Mr. Chair?

Grove: Mr. Chair?

Seal: Commissioner Lorcher, I think you were first.

Lorcher: I will agree with Commissioner Wheeler. This is going to be developed like everybody had said. It would be nice that everybody was a hundred percent in agreement. All four corners are going to be residential with a little bit of commercial into it and as long as the floodplain issues are resolved -- have been resolved and there is

connectivity with the pathways. Going opposite direction on either Linder and Ustick is always going to be a problem, unless more lights are done. I know I go out of my way to turn right and not try to turn left at any given time, even if it means going around the block for safety reasons, because people just jut out from everywhere. Sometimes that can be inconvenient, but it can also be a safety concern. But the transition I agree with Commissioner Wheeler, from 12th Street and 13th Street over to that -- with those building lots seems like a good transition.

Seal: Commissioner Grove, did you want to jump in?

Grove: Awesome. Thank you, Mr. Chair. A couple of thoughts that I have on this. I appreciate the changes that the applicant made in coming back to us with a revised plan. It looks like they -- they put some real thought into how to address the concerns that we had and they were able to do in a way that I hadn't fully foreseen and I like the changes. I think the -- that open space is -- is very large for a development of this size and it looks great, kind of coming off that arterial road and being able to see that large open space. The future land use map shows this is mixed use and I think this is a good way to show that intent of what the future land use map shows as mixed use. Getting the diversity of housing types in there is -- is a great option and I think we need to have those options as we continue to grow. You know, when I moved here from Boise years ago I moved here because it was a great -- you know, we had all the awards for being a great family city, a place for families to move and raise and grow your family and I think having those options of different types of houses, different price points, things like that really helped build the strength of our community. So, I applaud them and the types of choices that they made for this. I also think that the movement that they put for traffic for the commercial space makes a lot of sense and they have really done a good job of both separating and integrating at the same time, so I'm in favor of this project.

Seal: Okay. Commissioner Yearsley? Commissioner McCarvel? Anything to add? Any motions to be made?

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go ahead.

Yearsley: You know, I think they did a fairly decent job trying to meet most of the concerns. For me personally I just don't like it. I guess it comes down to personal preference. I think they should have put single family homes at least on the east side to provide a different -- a better transition. But -- but overall I think it's -- it works and I won't -- I will just leave it at that.

Seal: Commissioner McCarvel?

McCarvel: Mr. Chair, after considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2021-0071 as presented in

the staff report for the hearing date of December 2nd, 2021 -- or January. Let's do January 17th, 2022.

Dodson: January 20th, 2022.

Seal: Twenty. One more time.

McCarvel: 20th? You want the 20th. I was just picking days out of the air. January 20th, 2022.

Seal: It's almost like this is the last time you are going to do that.

McCarvel: Almost.

Wheeler: I second that. I think. I think.

Seal: It's been moved and seconded to approve Item No. H-2021-0071.

Dodson: Mr. Chair?

Seal: Oh, Joe.

Dodson: Real quick. Just want to make sure we are clear. Do they need to include the -- with the modifications of my memo in there?

Starman: I understood the motion to incorporate that, but maybe I will ask the maker of the motion is that -- was that your intent?

McCarvel: To include all the staff notes?

Starman: Correct.

Dodson: Thank you.

Starman: I think we are good.

Seal: All right. It has been moved and seconded to approve Item No. H-2021-0071 to include the staff notes. All in favor say aye. Any opposed?

Yearsley: Nay.

Seal: Got that?

Weatherly: For the record, Commissioner Yearsley, was that a nay?

Yearsley: That was a nay.

Weatherly: Thank you.

Seal: Okay. Motion carries.

MOTION CARRIED: FIVE AYES. ONE NAY. ONE ABSENT.

7. Public Hearing for Pine 43 Pad G (H-2021-0097) by CSHQA, Located at 1492 N. Webb Way

- A. Request: Conditional Use Permit for a drive-through establishment within 300 feet of a residential zoning district on 5.31 acres of land in the C-G zoning district.

Seal: All right. Okay. So, at this time I would like to open the public hearing for Item No. H-2021-0097 and we will begin with the staff report.

Parsons: Thank you, Chair, Members of the Commission. Next item on the agenda this evening is the Pine 43 Pad G conditional use permit. This site consists of 5.31 acres of land. It's currently zoned C-G and it's located at 1492 North Webb Way. This property was pre-platted and a development agreement modification was approved in 2017. So, this site has not been formerly final platted yet, but it is part of the Pine 43 pre-plat and staff has not -- again has not received a final plat to create this particular parcel, so in -- by that not being completed the applicant would be required to develop the entire five acre site for this building to be constructed on it. I would mention to the Commission that we have approved a -- what's called a staff level certificate a zoning compliance and design review for one of the office -- or for one of the retail buildings on this site already. It's currently under construction. So, the applicant is aware of those conditions and proceeding with those as set forth as stated in the staff report. As you can see here this project is part of a larger mixed use community designated area. This small commercial area was anticipated to support a residential --

Yearsley: Mr. Chair? Bill, can you share your screen?

Parsons: Oh. I'm sorry. I thought Joe had that shared for you. You know what they say when you assume things. Is that better for you? I thought you could read my mind. We have been working together so long. Perfect. Everything else clear now? So, there is the mixed use area that I was talking to you about and, again, this is just -- what the applicant's proposing this evening is consistent with the concept plan tied to that development agreement. So, here is that one pad site. It's in the southwest corner of that 5.3 acre site. Again, the pad site to the north of this is under construction, along with those frontage improvements and the -- the associated parking. So, as staff pointed out in the staff report, they need to final plat it if they just want to develop this single parcel, but because they haven't final platted and because we have already approved all of the site work under certificate of zoning compliance, the applicant's basically complying with the conditions of this particular conditional use permit. Again, the -- the reason why we are here for a conditional use is because the associated drive through is within 300 feet