

**Public Hearing for Baratza Subdivision (H-2024-0016) by Ella Passey,
The Land Group, located at SE corner of N. Black Cat Rd. and W.
McMillian Rd.**

- A. Request: Annexation of 80.3 acres of land with R-8 (26.98) and R-15 (53.32) zoning districts
- B. Request: Preliminary Plat consisting of 347 building lots, 29 common lots and 1 right-of-way lot
- C. Request: Council Waiver for block length on six (6) street segments that exceed the maximum 750 ft. block length requirement on land that is currently zoned RUT

Lorcher: Okay. The next item on our agenda is for -- Baratza Subdivision is requesting annexation, preliminary plat and a proposal to the City Council for a waiver for block length and we will start with the staff report.

Ritter: Can you hear me now? So, tonight we are here for an annexation and a preliminary plat. So, this site consists of 80.3 acres of land, currently zoned RUT in Ada county and it's located at the corner of Black Cat and McMillan Road. The applicant is requesting to annex the property in the city with 26.98 acres of land zoned R-8 and 53.32 acres of land zoned R-15 for their proposed preliminary plat consisting of 377 lots, 348 buildable lots, one common lot, 20 common open space lots and one right-of-way lot. There are structures at both 4023 and 4375 McMillan Road and they will be removed and the existing wells and septics will be abandoned as required. So, because the applicant is proposing an R-15 zoning staff recommends that the applicant provide a mix of dwelling types, such as single family attached or townhomes, within Block 5, Lots 2 through 15, Block 12, Lots 1 through 12 and Block 13, 1 through 12, of the proposed development as allowed by the Comprehensive Plan for R-15 as the smaller lots in here that we would like to see a different type of housing -- a mix of housing within this development. The subdivision is, again, the R-15 and R-8 zoning. The subdivision is proposed to develop in five phases as shown in the phasing plan here. The first phase will include all parameter and arterial roadway frontages with multiple use pathways. The North Grand Lakeway collector for public street connections and the primary common area amenity. Again, development of the subdivision is required to comply with the subdivision design and improvement standards in the UDC. There are seven common driveways that are proposed with this subdivision and there are six block faces that exceed the maximum block face standard and the applicant will be requesting a waiver from Council for those. So, a 25 foot wide landscape buffer is required along Black Cat and McMillan Roads and a 20 foot wide buffer is required along the internal collectors. Landscaping will be done according to the UDC standards. So, staff recommends ten foot wide detached sidewalks are provided along all collectors and arterial streets within the abutting site for the public safety. The Pathway Master Plan depicts a ten foot pathway along the internal collector streets and along the north side of the Calkins Lateral. So, the landscape plan reflects a buffer from North Black Cat Road, ranging between 70 feet from the south to 90 -- about

97 feet in the width on the north. The Creason Lateral and the Milk Lateral, as well as the maintenance road are both located within those buffers. Along McMillan Road to the north there is a buffer shown with a width of 101 feet from the end of the pavement. The Creason Lateral is also located within this block. There are landscape strips of at least 25 feet in width between the lateral and the exterior property fences. Both arterial buffers meet the minimum requirement for at least one tree per 35 feet in width. These areas contained in the lateral are shown to be sod. Buffers of at least 30 feet in width are provided on North Grand Lakeway. Twenty feet is required. Eight feet wide. The landscape parkways are provided along most of the interior -- internal local streets. All required buffers must comply with the UDC. So, the applicant is proposing no more grass within the landscape buffer along McMillan and Black Cat Road. So, the staff is requiring the applicant to change this to regular sod as from past experience once the area has been transferred to the homeowners association this area will be mowed as the perception will be it looks and feels unmaintained. So, this is a diagram received from the applicant. So, this is like regular sod and this is the no mow -- no mow grass and these are pictures of it. So, we just feel that the -- it won't be maintained as it is perceived to be or recommended to be. We feel that the homeowners will not like the look of that and also staff is requiring the applicant to revise the landscape to incorporate landscaping within the areas to the -- on the -- along the south border of the property, because right now they are just showing gravel along that area. We want them to work with the irrigation district to enter into some type of agreement to provide landscape and other than gravel in the common open space area. The applicant will need to revise the landscape plan accordingly with the understanding that trees will not be allowed in this area, but grass and maybe shrubs may be allowed to be added if negotiated with an agreement with the irrigation district and we are asking them to add grass in the borrow ditch along Black Cat Road. So, based on the standards in the UDC a minimum 15 percent of qualified open space is required to be provided within the development. The applicant has met that requirement. They -- a minimum of 16 amenities -- amenities are required to provide. The applicant proposed a barn style open air gathering space with restrooms, open grassy play areas, natural play areas, picnic areas, open space common shelter playgrounds, sports fields, pedestrian and bicycle circulation, large pond water feature, meandering pathways are planned within the centralized amenity areas. All the common space areas are required to be landscaped with one deciduous shade tree for every 5,000 square feet of area and include a variety of tree, shrubs, lawn and other vegetated ground cover per the UDC. So, this is a picture of the current roadways in the area. So, it is at the corner of Black Cat and McMillan Road and as we can see Black Cat and McMillan Road are just two lane roadways, so they have their -- two lane roadways with no curb, gutter, sidewalk. So, North Black Cat Lane is scheduled to be -- so, let's see. To be widened in -- sometime in the future around 2031. So, this development -- again, it proposes like five access points for us. The primary access will be a collector street off of McMillan Road, which will be north of Lakeway, which will come in around here towards the northeast side of the property and the property and connecting into Quartet Northeast No. 2 and at the southeast corner of the property there are three accesses which will be local streets. One is a western access to North Black Cat Road, which aligns with West Quintale Street and an eastern access which connects to West Vizio Street from the Volterra Heights Subdivision and an additional southern access which connects to North

Bartok Avenue also in the Quartet Northeast No. 2. So, per the ACHD's staff report due to high water table in the area permeable pavers may be necessary internal to the site to accommodate high groundwater. Permeable pavers are allowed provided they are designed in accordance with ACHD policy and the best management and, then, based on the proposed development ACHD is requiring the applicant to improve North Black Cat Road and West McMillan. They need to dedicate 50 feet of right of way from the center line of North Black Cat Road abutting the site, improve McMillan Road with 17 feet of pavement and three feet of gravel shoulder. A 12 foot wide gravel irrigation access road as proposed and a ten foot wide multi-use pathway abutting the site to tie into the existing east of the site. Construct a dedicated westbound turn lane on McMillan Road when Grand Lake Way is constructed to intersect with McMillan Road. Dedicate right of way as necessary to accommodate the left turn lanes. Improve Black Cat with 17 feet of pavement from center line, a three foot wide gravel shoulder and five feet -- five foot wide sidewalk -- concrete sidewalk as proposed located a minimum of 47 feet from center line and tie into the existing improvement south of the site. Other than specifically approved this application direct access is prohibited on McMillan, Black Cat and Grand Lake Way and should be noted on the final plat. So, Jamestown Ranch Subdivision is Baratz was formerly known as this. It was requested to annex into the city and subdivide the 80 acres of land with R-8 zoning into 294 building lots and 25 common lots. The proposed development was denied by City Council in 2022. Council stated the reason for denial was the proposed annexation is not in the best interest of the city and would be detrimental to the community for the following reasons: The proposed development would generate additional traffic on West McMillan Road and North Black Cat Road. West McMillan Road from North Black Cat Road to North Ten Mile Road would not be widened at three lanes until 2023 at the earliest. North Black Cat Road from Ustick Road to West McMillan will not be widened to five lanes until 2023 at the earliest. The new staff report for ACHD anticipates that the -- to exceed ACHD's acceptable level of service plan and thresholds in the p.m. peak hours as a three lane road under the 2025 total conditions, but meets ACHD's acceptable level of service plan and threshold in the shoulder hour under 2025 conditions. Shoulder hour is defined by ACHD as one hour before and one hour after the peak hours, during which traffic is rising toward a decrease from peak and congested conditions are infrequently occurring. These are the traffic counts from the -- and I apologize, these are labeled backwards. This is from the 2021 report. At that time ACHD said with this existing project that the level of service for -- I can't even see behind this -- McMillan Road would be F. So, with the new report they are saying better than E, but it does not meet the acceptable level of service plan and threshold in the p.m. peak hour and for Black Cat Road they -- it was better than D and with a new one it's better than E. So, the traffic went up in these areas with the projects that have been entitled in this area and so with this development they are saying better than E, but it does not -- but it exceeds ACHD's acceptable level of plan and thresholds in the p.m. peak hour. So, in the -- there is a roundabout that is scheduled to go at the intersection of McMillan and Black Cat Road, but it will not be constructed until 2029 at this point. They had previously said it would be in '20 -- I think it was 2025 at one time, then, it got pushed back to 2028 and now it is saying 2029. So, five conceptual building elevations were submitted for the proposed subdivision. The applicant states that the house and products throughout the development are single family detached units featuring a variety of regional -- regionally

appropriate designs. Per the applicant the public -- the project site's unique history about agricultural is captured within the site design and building designs. The homes are planned as a one and two-story single family detached. The homes will be designed in traditional modern farm and ranch theme and will be constructed using a variety of high quality materials. So, design review is not required for single family structure. However, because the rear and sides of the home facing North Black Cat Road, McMillan, North Grand Lake, and Quintale Way and North Bartok Avenue and Vizio Street will be highly visible, staff recommends a DA provision requiring those elevations incorporate articulation through changes in two or more of the following modulations. Projections, recesses, step backs, pop outs, bays, banding, porches, balconies, material types and the other integrated articular elements to break up monotonous wall planes, roof lines and visible -- that are visible from the public streets. Single story homes will be exempt from this requirement. Design review is, however, required for single family attached and townhomes. Design review will have to meet the requirements of the city's Architectural Standard Manual. A certificate of zoning compliance and design review application will also be required for the gathering barn and the pool area for submittal for review and approval prior to permit -- building permit issuance. The -- the city received a letter from the West Ada School District and it states that the elementary and high schools are over capacity. Pleasant View Elementary has no room to put another portable or space to create another classroom with the -- in the existing building. The children in the area will need to be bused to another school that may not have the capacity. So, the city did receive written comments from about 14 people. Kathy Roundy, Lisa Brittan, Shawn Freeman, Carma Wallace, Carrie Hovey, Cheri Starr and Danielle and Eric Williams, Nolan Halterman, Ritchie and Megan Abromiet -- sorry if I butchered that name. Stephanie Mathis, Brittany and Dave Williams, Matt Calvert, Patty Phipps and Craig Block. All of the -- all of the comments were opposing the proposed development for the following reason. Insufficient roads, overcrowded schools, in conflict with the goals of the Comprehensive Plan and the request for higher density. Based on our UDC code staff is recommending approval of the proposed conditional use -- of the proposed application with the findings and staff recommendations in the staff report and at this time I will take any questions.

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

Clemens: Jeff Clemens. Address is 804 South Eagle, Eagle, Idaho. 83616. Good afternoon -- good evening, Madam Chairman and the rest of the Council. I will admit that when I woke up this morning I did not know I would be giving a presentation in front of the board. Matt Adams, unfortunately, had an emergency, so you get my presence instead of his. I may lack a couple of the exact details he has, but my speech will be a little bit shorter. Can we bring up the presentation, please. Maybe not. I will kick it off while they are throwing up the presentation. There is one thing I'm hoping that comes out of the presentation, if nothing else, is that -- do I have -- great. Want to go back up to the top. Okay. That we were thoughtful. We tried our best and we spent a lot of time, energy and focus on how we can best integrate the community and bring some of the history with it and it starts with the name Baratza and so Baratza is Basque for orchard

and kind of going back to the roots of what that may be and that's why I love the first picture of a little kid with an apple sitting there saying, hey, I would like to have a little bite of it in the -- in the orchard; right? And so this kind of gives a high level what we will start with. We will start high level and, then, how we interact within the community, about the community itself and, then, I will wrap it up from there. First off, Baratza is located in the heart of a medium density residential zone. It's right on the southeast corner. It's approximately 80 acres. It's bordered by Black Cat and McMillan. All the things that have kind of already been said there. The one thing I kind of note is to the south of us is Quartet and to the east of us is Bridgetower West, fully are built out communities. So, this kind of is almost an in-fill community within the overall context when you look at it overall. Wanted to kind of give a higher level, because, then, it kind of brings in to where we go, which is -- you will notice the 16 -- do I have a little pointer that I can point on here? I guess not. The 16 is approximately one mile to the west of the property, which is due to be complete in the next couple of years. All of what we looked at -- we understand we are not an island. A lot of the comments that Linda had is your community is not an island unto itself and where -- there is things in how it impacts the world. When we set about going back as it was denied the last time it came through here we really set about how we can change how it was presented last time, change in what we are doing and affect the way that it makes it better before we start incorporating homes into the community and so first off -- yeah, it is not -- but -- okay. Streets is -- kind of looking at it. I'm sorry. I was just making sure I got the right -- okay. I didn't realize I had graphics. Mine's always this one set there. So, again, learning as I go. Is Grand Lake -- Baratza will be the last connection to Grand Lake, which gives a connection from Black Cat to McMillan. It is an arterial roadway and that would be part of our improvement, as well as dedicating the remainder pieces for the roundabout for ACHD to make the Black Cat and McMillan right of way. That would be done before any closing of any home that we have and most of these things I'm presenting to you right now are all things that we are doing up front to address those issues that were brought up by staff. Next is a pedestrian connection. Along McMillan and Black Cat we will be tiling the -- the canals, as well as incorporating the pedestrian walk, as well as connecting it to the east. There is a hundred foot or so section outside of our property boundary that would, then, connect the entire pedestrian path all the way along that road there. Ultimately what you see here -- okay. Back that way. What you see is everything in green and everything in gray will be installed up and complete before our first home is occupied. So, that allows for all of Grand Lake to be completed and that up and running. You will see that there is the pedestrians along and the road widening along Black Cat and McMillan prior to any homes going on to -- being occupied. Lastly, we had the incorporation in the 2028. I know Linda referenced 2029. Somewhere in there I do know that right of way has been acquired by ACHD with a large part of the right of way being the last piece. Now, the fun part. Baratza is -- is -- is about an identity, about a place and so there is a context in which we are in the overall community and there is -- how do we create a theme -- how do we create a place, a sense of arrival into and part of Meridian and that comes with it of -- when you look here you kind of see green; right? Linda mentioned that we -- 15 percent is the minimum, but when it comes down to it we are 23.8 percent open space, so -- and we took that purposefully, meaning we want to incorporate green. If it's an orchard it should feel like an orchard. If it's -- how do I go and make this sense where you have -- and everybody understands

what Baratza is and that means you go and have more open space. Sixteen is the minimum. We are at 21 with regards to amenity points required for the community. So, going above and beyond, not -- really because we want this to have a thought to it and we thought putting a Costco in the middle of it would be awesome on that park, but, really, the reason for the Costco representation is that is the size of our park, 6.3 acres right in the middle, the heart of the community, the soul of the community sitting there. Also along with a sense of arrival when you see that connector coming off the left-hand side and, again, I wish my -- oh, there -- it's just really slow. You will see the east-west road or the left or right road. That's not just a road, it is the -- that leads into where we have a ten foot parkway, an eight foot sidewalk and another ten foot landscape zone, in which we can tree line the streets. So, if you can imagine when you are going down that street you have large trees that are double stacked on both sides of a walkway heading into the park that feeds also off of Grand Lake. When you come off a Grand Lake you go right into the park and you overlook the space onto a lake, onto a rec center, so -- and, then, you also have all the interconnected walkways throughout. So, this is a thoughtful design in which we are bringing in different types of home sizes and different types of product within the community that are all interrelated and part of this community. Part of our thoughtfulness and part of our wanting to be here in front of you is also to kind of present with that image that it should be and could be. This is actually a 3D rendering from The Land Group and what our vision is of the rec center of the -- the gathering barn as we called it, you have the pool, you have the lake that's about an acre and a half, if I have the acreage right, across the way leading into the tot lot that's not just a tot lot, it's actually a themed tot lot in which kids can play and they kind of have this feel like it's -- you are in a barn. You have an identified split rail. So, if you kind of look along the bottom you see railing that's not just your typical three rail. It's like how do we go and bring in the identity, as well as the orchards? We will go and have a space with which we will have orchards within the overall park itself, as well as a big park and, then, when you have the themes within -- you got the cool barn that you can walk up and slide down. You have logs on the side. Again, it's -- it's all coming together to bring a sense of identity within the community itself and, then, you end up with an overall concept of the zones of the homes as well and we really thank staff, they have been great to work with. Thank you very much. And we pretty much concur with every condition that they have in front of us and we will be more than happy to -- to incorporate them. The one that we have a little bit of a problem with in which we think within the context of the community is incorporation of attached product. For us we want differentiations of product, but we also think we can arrive at that same place with differentiation of home site sizes. So, what you see here in the yellow is our lower density product, which I think is important, because the surrounding community is Bridgetower West and Quartet and matching up property lines and making sure we have the same size home sites along the boundary should be as a buffer, so that we are living adjacent to our neighbors. Thoughtful about that. Once you get inside we went for a little bit more dense to try to achieve a few more homes inside, but also keeping it detached. Right now we have detached homes within Meridian and because of the smaller home site sizes and because of, you know, trying to create a value for that buyer with a nice community, we think we can achieve the same value, same pricing we could with an attached product and -- if that is the goal of the city there is to try to make that achievable. Here is our product size that is there. Overall it was about also listening to the neighbors,

because in our neighborhood meeting about the condition for attached product, there was a common theme and that theme was, well, we don't -- what kind of density, what are you guys going to do there, are you going to make something that feels right within the community that doesn't stand aside and that part I think we have tried to achieve with the fact that all of our homes, all of our streets are tree lined -- a majority of them I should say are tree lined. They all have parkway separate sidewalks. We have more open space than I would say most of those other communities even adjacent to us as well to get there. And, then, trying to create that sense of community with those homes along those roads. Beyond that on the waiver request I was told we have to ask for this request. The maximum length is 750 feet. We are requesting the maximum length of the 776 feet. So, three percent more or whatever that percentage is more. We are very conscientious and conscious of the fact that this wants to be a pedestrian community and we are going to be putting in traffic calming throughout the locations, bulb outs, ways that we can make sure that the pedestrians get around, because that's as important as anything else, besides the cars getting through here as well. I also just mentioned on Grand Lake we actually created a larger buffer than required, because we thought that also would make that part of the entry and through there even better. With that I thank you for your time. Hopefully I kept it under my ten minutes and I really do appreciate it. I'm here to take questions for anybody that has it. I have got a host of people here to help me answer questions, too.

Lorcher: All right. Thank you very much. Commissioners, do we have any -- hold on one second. Do we have any questions for the applicant? Commissioner Grace.

Grace: Thank you, Madam Chair. So, can you touch on that -- I have a couple questions. Can you touch on that last -- maybe not the last, but the -- the -- the issue related to the mixed product type and you said you talked to the community --

Clemens: Yes.

Grace: -- and your -- the feedback you received is they would prefer more of the -- the single family home and not the -- the townhome type or the --

Clemens: That was our take away. That was our -- we didn't have specific writing notes. I think we had close to 20 or 30 people attend. All of them were -- how is it -- what is going on in the community? How is -- what kind of homes are you going to build? What are they going to look like? And I won't speak to specifics or say I don't want townhomes, but the general feeling was attached product was not -- they had more detached. We want -- people are going to be living there, we don't want rentals and that was kind of the theme. So, I -- I'm kind of condensing it down and I don't want to speak for anybody, but that's what we took away from it.

Grace: So, in 2022 the city thought it wasn't in the best interest of the school and I'm trying to -- other than maybe that diagonals -- excuse me -- that diagonal street that you described that kind of goes from southwest to north --

Clemens: Uh-huh.

Grace: -- what have you changed? I mean the issue with the schools, the McMillan --

Clemens: McMillan and the location of where Grand Lake was coming through it's been completely changed. The fact that we are tiling the canals and creating all the pedestrian connections has changed from that one. As far as -- we are also assisting on a turn pocket -- I don't think it was part of the -- I don't know all the specifics to it. If there is anything else I'm missing -- to the specifics on that and between the two that were there and I also admit that -- yeah. So, yeah, that -- that's different. Sorry. What did I do? I was looking back at the -- the land plan. And, then, the -- the overall pedestrian connections in and throughout the entire community are different.

Grace: Okay. Last question, Madam Chair. The -- the -- the gathering barn, is that like a clubhouse?

Clemens: That's a clubhouse. It's -- it will be a thematic clubhouse that is going to be a barn themed type of space where you would have gatherings and there is a small kitchen, you know, you are having a little party for the HOA and those kind of things.

Grace: Is this envisioned to be all one?

Clemens: Yes. So, in other words, everyone will have access to these amenities. Baratza is one community. It's 342 homes, all one community, integrated with the walks and integrated with the themes and the fencing and the parkway separated sidewalks and -- and everything about it. This is all about one community.

Grace: And you have one pool.

Clemens: One pool and five acres of other stuff for that, yes.

Grace: Right.

Clemens: And, again, a gathering barn and a shade structure and a tot lot.

Grace: Okay. All right. Thanks so much. Appreciate it.

Lorcher: I do have a question. So, does the new owner for this parcel from the last --

Clemens: Correct.

Lorcher: -- application -- so, we want to treat it as its own. I'm just kind of curious, knowing that it had gotten denied before based on the application previously, you chose to go with R-8 and R-15. Why was that?

Clemens: Within the context of the plan for R-15 that allowed up to 15 to the acre is actually currently at the medium density for the higher and in discussion with staff that was the direction -- even to the point where the tax would make it even more dense than that. We were trying to come up with a balance within the community itself for -- for allowing for the -- the open space and we really wanted a theme with all the open space.

Lorcher: But also knowing that with R-15 you have to have a variety of products, not just attached homes, but you are telling us that --

Clemens: I -- sorry.

Lorcher: So, you are telling us that you would prefer just to have all detached homes, but just different sizes to be able to accommodate the zoning of R-8 and R-15; is that correct?

Clemens: Within our reading of R-15 we are not aware of anything specific that says you have to have a type of attached and detached home within R-15. I do know it's in that -- the town and design plan itself, but I -- I -- we weren't -- we weren't able to find it within the code itself and -- and maybe we are wrong on that, but that we did go look for it to say is that specifically are we asking for something outside of the code for R-15.

Lorcher: Okay. Thank you. Commissioners, other questions for the applicant before we open public testimony? Thank you very much.

Clemens: Thank you very much.

Lorcher: All right. Madam Clerk, do we have anybody to testify for this application?

Lomeli: Thank you, Madam Chair. We have Craig Bock.

Lorcher: Hi. If you can state your name and address for the record I would appreciate it.

Bock: Yes. My name is Craig Bock and I live on 3894 West Viso Street in Bridgetower West, formerly known as Volterra Heights I guess.

Lorcher: Okay.

Bock: Okay. So, I'm -- I'm adjacent to the project, as well as some of the -- several other folks here. Madam Chair, Commissioners, thank you for the time. Can you hear me okay?

Lorcher: Yes.

Bock: Okay. Yeah. Hey, I think, yeah, they -- there are some design features that I do like of the -- of the -- I think they did a great job there from a design standpoint. However, from a community standpoint and our -- and -- and the -- the facilities and services, I do think that it is still a detriment to our community. Okay? And -- and some of those are --

and were mentioned already for the schools and -- and, honestly, I was here for also the -- the -- the apartment complex that was going to be -- that was approved right next -- that's going to be built next to Walmart, okay, and there were -- so, there were traffic studies done for that and this one's using a 2021 traffic study and so I'm confused as to these numbers. Okay. But -- as well as what the school is providing. West Ada School District -- yes, they -- they -- they state that everything is at or above capacity at this point. This project will add 171 -- is what's projected -- students to this. The apartment complex that was approved in 2022 they were projecting 94 for that. So, that's 265 additional students. All right? That's on top of that. And at that time for that project West Ada School District stated that, you know, at -- not even considering those -- that project and, of course, not this one either, these -- considering all of the approved development they were going to be far exceeding the -- the current capacity of the schools and they -- they threw out numbers there that -- in their table that showed about 3,000 additional students over the approved developments of what's happening out there. So, you know, I understand 265 is a drop in the bucket according to 3,000, but it does just keep adding up here. Okay? So -- and -- and -- and school facilities are essential facilities for this kind of community. Safety on McMillan Road and pedestrian crossways are not considered in the traffic study and these communities and the proposed as well -- my community where I'm at and the proposed are in the school walk zone for Pleasantville View Elementary School and at the time of the conditional use permit for that project the school itself, ACHD recommended that a crosswalk with a beacon crosswalk be installed at San Vito Way and McMillan as that -- as the residential development occurs, which I now live in across and south of McMillan. Am I over?

Lorcher: You can finish up, yes.

Clemens: Yes. So, thank you for this extra time. So -- and at that time the vehicle traffic study showed about 4,000 vehicle trips. Okay? And the October '22 study showed 9,650 and, then, this project is projected to add 2,804 additional to that and so the traffic study did not account for any of that and so it -- it -- it -- it -- as a school walker it -- it does cause a detriment to our community to be able to get over there.

Lorcher: Okay. I'm going to have to stop you there. Thank you. Just to let everybody know who is going to come up, we have read the public comments, we have read the staff report, we have read the ACHD reports, we have seen those numbers, so -- and we have seen the West Ada School District numbers as well. So, we are very well versed in all of the numbers that are there. Madam Clerk, who is next?

Lomeli: Thank you, Madam Chair. We have John and Cindy Caldwell.

Lorcher: Okay. Just John? Mr. Caldwell, if you can state your name and address for the record, please.

Caldwell: Which one of these is live? Are they both?

Lorcher: They both are.

Caldwell: My name is John Caldwell. Like the city. 3843 West Viso. So, right down the street from this new --

Lorcher: Okay.

Caldwell: First, I'm in strong agreement with my neighbor Craig Bock. My concern is -- I will be brief. My -- my concern is that the needed infrastructure will be built five or six years after this development adds about 3,000 additional vehicle daily trips. That block of McMillan is already a parking lot. I'm not an expert, but it sure looks like the ACHD admits there is a problem already. As staff pointed out, the summary findings in the traffic impact study of the subdivision concluded that McMillan Road west of Ten Mile Road is anticipated to exceed ACHD's acceptable level of service planning thresholds in the p.m. peak hours under the 2025 conditions. This seems like putting the cart before the horse. It seems like we should make the needed infrastructure changes and, then, add the homes.

Lorcher: Thank you. Madam Clerk?

Lomeli: Thank you, Madam Chair. We have John Caldwell.

Lorcher: Oh. Mr. Caldwell just spoke.

Lomeli: Oh. Sorry. That name is listed there twice. Thomas Snook.

Lorcher: Nope. Not online. I don't see it. Okay.

Lomeli: And, Madam Chair, that's it.

Lorcher: Okay. Is there anybody on Zoom that would like to speak?

Lomeli: Madam Chair, no one is raising their hand.

Lorcher: All right. Would the applicant like to come forward to address some of the concerns?

Clemens: Jeff Clemens. Same address. First off, I concur on the infrastructure and that was our focus in making sure all the infrastructure is in with regards to the primary roads and the collectors before our first home is occupied. So, back to our focus on making sure whatever we can do around the area, which includes a crosswalk across the street at Grand Lake as well getting across the street. So, just kind of get that focus there. Thank you.

Lorcher: So, before you walk away, when you say crosswalk are you just talking about painted lines or is there actually a signal?

Clemens: Signal.

Lorcher: So, like the safe -- where you press the button and it blinks?

Clemens: Yes.

Lorcher: Got you.

Clemens: A signal.

Lorcher: And then -- so, the ACHD improvements are projected. They have been postponed once, if not twice, to 2029 for the roundabout.

Clemens: Yes.

Lorcher: If -- if you get approval for this project when would your product become available? 2030?

Clemens: If we get approval our first occupancies are in 2027, 2028.

Lorcher: Okay.

Clemens: Time frame -- by 2029 we have approximately a third of our homes maybe. So, about a hundred or so.

Lorcher: You have got five phases; correct?

Clemens: Yeah. Five phases.

Lorcher: Okay.

Clemens: The first phase is only less than a hundred.

Lorcher: Okay. Commissioners, any other questions for the applicant? Thank you very much. Can I get a motion to close the public hearing?

Rust: So moved.

Grace: Second.

Lorcher: It's been moved and seconded to close the public hearing for Baratza Subdivision. All those in favor say aye. Any opposed? All right. Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: Commissioners, any thoughts about this proposal?

Grace: Madam Chair, I -- I see some things that are positive and negative and, you know, the density compares. It's comparable to that which -- which is around it. The -- you know, the developer doesn't -- the applicant doesn't control the streets. I appreciate that last comment about the phasing and when these might be completed. It looks like by 2029 when some of these improvements are done it will be about a third full. So, I mean I appreciate that the applicant's worked with the community on this. You know, the school is -- the school issue is a problem. It's -- it's -- you know, it's -- it's these kinds of things that lead to the overcrowding that -- I didn't like the potential busing. Eventually it might lead to a bond and -- but this is what it's zoned for. I -- I think they tried to make some adjustments to it and on balance it's -- it's a -- it's a -- an appropriate fit for that area.

Lorcher: I -- I live in this area and I'm also in the impact area of Highway 16 and frequently Ustick, McMillan, Black Cat are closed for various reasons to support the highway project and I think we had about 60 days in which we were required to take Black Cat to McMillan down over to Owyhee Storm and come around again while the bypass road was being created and Owyhee High School is in that area and soon to be Cole Christian. So, even though it's not directly at this intersection, everything around it -- surrounds it does impact it. I'm disappointed to see that this new applicant is pursuing R-15. The density is -- is medium density. Single family homes is what will eventually go here. I think your farmhouse style is lovely and the lake is fabulous, but one of the reasons why it got denied -- and the last time around was there were too many houses and they were at 294 and you are proposing 347 and that's 53 more units. You have got six or seven different private little streets where it feels like you are just kind of filling in space because you can and I will tell you these little private streets, whether there is two or three houses, when it comes to services like whether it's trash or snow removal or anything else, becomes a real cluster at these corners. So, the design to be able to put all these houses into this space the way it is just seems too cluttered for this area. Besides the fact that it's been reiterated before, you know, we cannot control the infrastructure. ACHD is on their own timeline. If we waited for every road to be built their house would never be built; right? So, it's just kind of the way Idaho goes. But this will be a great project, but I do not think it's in the best interest of the city at this point in time. Not with the density at McMillan and Ustick and Black Cat. When Highway 16 opens possibly in 2025-26 to alleviate some of that traffic. They are also looking at extending Linder to make it five lanes between Pine and McMillan, which would also alleviate some of this to be able to create some flow, then, at that point in time. So, I am not in favor of this project, even though it has a lot of great elements, but for a person who lives in this area and drives McMillan, Ustick and Black Cat every day and sometimes caught up in a mile behind where I have to be, it is not the right time for this project.

Sandoval: Madam Chair?

Lorcher: Not appropriate. Not appropriate. Commissioners, any other thoughts?

Sandoval: Madam Chair?

Lorcher: Commissioner Sandoval.

Sandoval: Yeah. Yeah. No, I'm -- I'm in agreement with most of what you said. I drive through there and that is backed up pretty much every day. Maybe waiting there for ten minutes to get past that stop sign. I think R-15 is definitely excessive for the area and the issues with the school I just can't look past that. I got young children in school and they are starting to get really crowded in the area. So, I agree, I don't think that would be the right project at this time.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I will try to keep it short, as I'm going to be echoing -- mostly echoing what you and Commissioner Sandoval said. I have a little bit less of an issue with some of the density. I think, obviously, this is probably a bit too much. But again -- again, it's a question of not just the level of density but level of density at this time if this were -- if this were proposed and, you know, in -- in five, ten years and we had a little bit more infrastructure in the area developed and built out, I would be more okay with tinkering on the margins and maybe asking for some revision to some of the layouts and some of the shared driveways and -- and -- and some tweaking here and there. But I think with this level of density at this present time with this level of infrastructure, given that this is specifically an annexation, I -- I -- I don't think I can support it. If this were, again, also a preliminary plat and not an annexation, there are a lot of if some -- if some things were slightly different I could see myself supporting something close to this, but this is not -- I think given all the circumstances I -- I don't think this is something that I can support at the moment. If -- if there was a proposal for lower density at this present time I could also see myself supporting it. But this is just the combination of factors for this specific application. I appreciate the open space in the middle. There are certain things about this that I actually really love and I would like to say, hey, in -- in a few years' time maybe we can have more of a clear headed conversation and more of an informed conversation with something like this and I would love to see it. I love a lot of the green space. I love a lot of the open space. I love a lot of the intention that went into some areas. But there are some areas and some things like the density that are just too much at this present.

Lorcher: Thank you.

Rust: Madam Chair?

Lorcher: Commissioner Rust.

Rust: I'm torn. On the one hand I resonate a lot with what you have said -- what Commissioner Smith has said. I also know from experience that a bird in the hand is often worth two in the bush and that density is -- this area is only going to continue to grow. Highway 16 is coming in. The applicant has increased density from the last time around and I feel -- I fear that density will only increase from here the next time we see this project if we do not pass it now and I do really like the open space and the pond, the

lake concept. So, on the whole I understand the infrastructure concerns, especially the schools, but I do think that this is a good design for the area and as the applicant pointed out it is getting phased in. We are only talking a hundred homes by the time the roundabout is in and other infrastructure items, you know, probably will be in place before the subdivision is fully complete. So, I do support the proposal as it stands, while recognizing some of the concerns that are outside of our purview.

Lorcher: Thank you. I'm not sure how this is going to go. We are the recommending body to City Council for this. What I also didn't mention is the school's -- Pleasant View is full. It takes three years to build a school. There is no -- as far as I know no elementary schools planned at least in the next year and busing the kids to Star Middle seems pretty far for me, so -- can I borrow your piece of paper, please? So, with that in mind I am allowed to make a motion, so I can give you a little break there. After considering staff, applicant and public testimony, I recommend -- I move to recommend denial to the City Council for File No. H-2024-0016 for the hearing date of October 3rd for the following reasons: The current timeline and traffic at Black Cat and McMillan cannot sustain the current use, much less than adding more homes to it. The schools are over capacity at this point in time and busing our kids is probably not in the best interest of the families. And that the density of the subdivision is too great for the space allowed.

Sandoval: Second.

Lorcher: It's been moved and seconded to deny Baratz Subdivision. All those in favor say aye. All those opposed? All right. We have got a tie. So, is it me?

Starman: Well, Madam Chair, you can ask the clerk to call roll, but I think it was a three-two vote in -- in favor of the motion. But to be clear we will have Madam Clerk call roll.

Roll Call: Lorcher, yea; Grace, nay; Smith, yea; Sandoval, yea; Seal, absent; Garrett, yea; Rust, nay.

Starman: So, the motion passes and the recommendation to Council is --

Lorcher: So, just to be clear, I want to make sure it's -- I'm saying denied. Is that right?

Starman: My understanding, Madam Chair, is you voted in favor of your motion, which was to recommend denial.

Lorcher: Correct.

Starman: So, that's how I understood and --

Lorcher: Just want to make sure.

Starman: To summarize for everybody's benefit, including the members of the community here as well, so the motion passes and the motion, to be clear, is a recommendation from

the Commission to deny the applications that were before you tonight, including annexation and preliminary plat and related actions.

Lorcher: Okay. Thank you very much.

MOTION CARRIED: THREE AYES. TWO NAYS. TWO ABSENT.