

Public Hearing for Windrow Neighborhood (H-2023-0031) by Conger Group, located at the northeast corner of S. Linder Rd. and W. Amity Rd.

- A. Request: Annexation of 46.133 acres of land with an R-8 zoning District.
- B. Request: Rezone of 19.62 acres of land from the R-4 to the R-8 zoning district.
- C. Request: Preliminary Plat consisting of 252 single-family residential building lots and 40 common lots on 65.10 acres in the proposed R-8 zoning district.

Lorcher: All right. The next item we have open for public hearing is File No. H-2023-0031, the Windrow Neighborhood, for annexation, rezone and preliminary plat. We will begin with the staff report.

Hersh: Madam Chair and Commissioners, good evening. The applicant is here to present their project for Windrow Neighborhood. The applications that were submitted were annexation, rezone, preliminary plat and an MDA. The site consists of 65.10 acres of land with 19.967 acres already annexed and zoned R-4, located at the northeast corner of South Linder Road and West Amity Road. History on the property is there is an existing development agreement for the portion that was annexed to R-4 as part of the South Meridian annexation. The Comprehensive FLUM designation is medium density residential. The summary of the request is the applicant proposes to annex in four point -- or 46.133 acres of land with an R-8 zoning district. A portion of the property, which was the 19.967 acres, was annexed into the City of Meridian in 2015 and zoned R-4 to help delineate this property would be developed as residential. The development agreement that was created as part of this original annexation dictated that the city would have services available as soon as possible and the rezone application would be free of charge. The stipulation regarding a rezone application was made because the annexation was city initiated and the property had no concept plan or specific development planned at the time of the annexation. The city understood future development may not match the existing zoning and gave future applicants the opportunity to propose a different zoning with redevelopment of the property. The applicant provided legal -- a legal description and map for the annexation area, the rezone area and the preliminary plat boundary. The -- the proposed preliminary plat consists of 251 building lots, one existing home, 40 common lots on 65.10 acres and a proposed R-8 zoning district. Lots range in size for from 4,725 to 10,000 square feet. The proposed gross density of the subdivision is 3.87 units per acre. The applicant is proposing -- proposing six phases within this development. Phases one through four are situated to the west of the Calkins Canal and phases five through six are located to the east of the canal. Staff recommends that the main entrance from South Linder Road and the main entrance via West Amity Road be constructed with the first phase of development. The first phase of development should encompass the construction of both the ten foot detached sidewalks and the entire street

buffers along the frontage of South Linder and West Amity Road. Staff believes that construction of the multi-use pathway along the Calkins Lateral should take place during phase four, instead of waiting until phase six. This modification aims to provide an extra amenity to the neighborhood at an earlier stage and staff generally supports the phasing plan. However, the applicant should provide a revised color phasing plan prior to the City Council hearing and staff did have a meeting with the applicant this afternoon and we are working together on that phasing plan. Just wanted to add that part that the dimensional standards for the proposed R-8 zoning district appear to meet -- the preliminary plat appears to meet those dimension standards required by the UDC. Access to arterial streets, which is South Linder Road and Amity Road and one temporary emergency only access is proposed -- proposed via South Linder Road and a secondary emergency connection is proposed across the northern end of the Calkins Lateral. One stub street is proposed to the north and west and three stub streets are proposed at the east boundary of the site for future extension in accordance with the UDC. Each phase of the development is proposed to have two accesses for emergency services. The main entrance from South Linder Road and the main entrance via West Amity Road shall be constructed with the first phase of development. Staff recommends, again, that the main entrance from South Linder Road be constructed -- constructed with the first phase to eliminate the need for the temporary emergency access as proposed by the applicant. Currently Amity Road is approved with two travel lanes and no curb, gutter or sidewalk abutting the site and Linder Road is also improved with two travel lanes and no curb, gutter or sidewalk abutting the site. Linder Road is listed in ACHD's Capital Improvement Plan to widen to three lanes from Victory Road to Amity Road between 2036 and 2040. The intersection of Linder Road and Amity Road is listed on the Capital Improvement Plan to be constructed as a dual lane roundabout with a westbound right turn bypass lane with four lanes on the north leg, four lanes on the south, four lanes on the east and four lanes on the west leg between 2036 and 2040 based on ACHD staff report findings concerning the traffic study. The applicant is advised to construct specific turn lanes at Site A and Site B access to mitigate traffic concerns. For site access A on Linder Road, a southbound center left turn lane and northbound temporary right turn lane are recommended. For the site access B on Amity Road an eastbound center left turn lane and a westbound temporary right turn lane were recommended. The measures -- measures should be implemented as an alternative mitigation until the roadways are widened. Street K and O do not conform to the ACHD policies, so the applicant is required to construct these streets at 33 foot wide street sections and the applicant should provide traffic calming design elements for Street A, B, C, J, L and M, N, O, because they are over the 750 feet in length. And the development of the subdivision is required to comply with the subdivision design improvements listed in the UDC, including, but not limited to, streets, common driveways and block face. There are three common driveways proposed and they all meet the UDC requirements. Block length is required to comply with the standards listed in the UDC and block faces should not exceed 750 feet in length without an intersecting street or alley, unless a pedestrian connection is provided, then the blackface may extend it up to a thousand feet in length. In accordance with the UDC a block face should not exceed 1,200 feet unless a waiver is granted by the City Council. In certain cases as specified traffic calming regulation -- measures may be necessary for blocks that surpass a thousand feet in length. Staff finds that street A, B, C and M each

include a pedestrian connection that meets the conditions outlined in the UDC above. Staff has determined that Street L should incorporate a string connection and that is on the west side within Block 11 that connects to east to break up the block length. The applicant has initially proposed a block length of 1,229 feet for Street J and that is next to the canal in the center of the plat. However, upon verifying the measurement staff found that Street J actually exceeds the length of 1,800 feet. The applicant is seeking a Council waiver for the block length. However, staff believes in order for the Council to grant the waiver the applicant should extend a public street across the northern edge of the Calkins Lateral in the location where the emergency access is as proposed. So, that is to the north of the street. The applicant has indicated that the irrigation district wants to limit the number of crossings over the lateral. However, staff doesn't have any written documentation of such a request. Staff recommends that the applicant provide written documentation from the irrigation provider stating that another public street connection is not desired prior to the City Council hearing. Staff recommends that the application -- applicant incorporate an additional pedestrian connection and pedestrian -- pedestrian bridge over the Calkins Lateral from the north side of the road through Lot 46 or Lot 47, Block 7, and that would be close to this roundabout. Incorporating -- incorporating a pedestrian bridge in the center of the development enhances accessibility to the open space and amenities within the area. If the applicant doesn't want to extend the road and install the additional open space and pedestrian bridge -- bridge as recommended, the block length for Street J should not exceed 750 feet as required by the UDC and staff did also talk about this in a meeting -- in a meeting with the applicant and they are actually working on redesigning the street with some of -- some other details that we gave them from past projects to look at -- or examples. Sidewalks and pathways. According to the master pathways plan a ten foot wide detached multi-use pathways required along South Linder Road, a detached ten foot wide pathway along West Amity Road and a ten foot pathway is required along the Calkins Lateral. The common driveway is located at the northwest corner. That would be up here. And the southwest corner of the development should incorporate micro paths adjacent to the five foot landscape buffers to enhance walkability within the neighborhood. Staff recommends the applicant revise the plat and landscape plans to include the dimensions of the pathways and micro pathways on the plans. The landscape plan does not depict landscaping on each side of the ten foot multi-pathway along the Calkins Canal. Landscaping is required along the pathways in accordance with the UDC. The applicant is showing -- let's see. The applicant is showing 25 foot landscape buffers next to South Linder Road and West Amity Road. So, those meet the UDC requirements. Fencing. The applicant is providing six foot vinyl fencing and four foot -- or five foot tall wrought iron. So, those meet -- both fencing types meet the UDC requirements. The qualified open space is -- for the 65.1 acres requires 15 percent for the R-8 zoning district. The applicant is providing 16 percent. So, they are meeting that qualification in the UDC. Overall staff supports the proposed open space and their locations being centralized within the development for fairly equitable access on both sides of the Calkins Lateral, with fire access available from the north and the pedestrian bridge across the south over the lateral. Staff does recommend the applicant incorporated additional pedestrian bridge and pedestrian bridge over the Calkins Lateral from the north side of Street J, again, through Lot 46 or Lot 47, Block 7, to align with the cul-de-sac, incorporating an additional pedestrian bridge in the center of the development

would enhance the open space and amenities within the area. So, the applicant is required to provide 13 points in amenities for five -- projects five acres in size and over. So, the applicant has provided 15.5 amenity points that exceed the amenity points required and they do provide a playground park in phase six, a fenced dog park in phase one. A picnic shelter on Lot 6, Block 5, and on Lot 3, Block 9 in phase two and five and three segments of ten foot wide multi-use pathways equaling approximately over 4,000 linear feet in length in phases one and six. Staff has concerns, even though that they meet the -- the required amount of amenity points provided across different phases within the development, staff recommends that the ten foot pathway along the Calkins Lateral should be constructed with phase four, instead of waiting until phase six. To address the issue of timing, staff recommends that Lot 10, Block 8 in phase four should include another qualifying amenity for the northern portion of the neighborhood, ensuring that residents are not waiting until phase six for the proposed playground on the eastern side of the lateral. Additionally, in the interest of enhancing the enjoyment of open space, staff finds that the picnic areas on Lot 6, Block 5, and Lot 3, Block 9, should be equipped with tables and benches with the proposed shade structures in accordance with the UDC. According to the GIS imagery, the Calkins Lateral bisects the site and continues north -- northern boundary and the -- and the eastern part -- bisects the eastern parcel of the proposed development. The Calkins Lateral runs across the northeast corner of the site with a 51 foot wide easement. The applicant proposes to leave the waterway open and improve the area as a linear open space with a pathway, which is allowed by the UDC. It is presumed that -- there is another lateral, the Carlson Lateral, is being tiled and relocated as part of construction of this development. The applicant is required to comply with the UDC and ensure that the irrigation facility bisecting the eastern property line is tiled or relocated. Staff recommends the applicant graphically depict the relocation of the easement on the plat prior to the City Council hearing and the applicant has submitted three building elevations with field materials of lap siding, stone accents for the detached homes. Overall staff finds the submitted elevations to comply with the minimum standards, but hopes future elevations depict more variation in finish materials to help differentiate the building facades along public streets. Written testimony. There is none. Staff does recommend approval of the requested annexation, rezone, preliminary plat and MDA applications with the requirement of a new DA per the approval of the findings in the staff report and this concludes staff's presentation and I will stand for any questions.

Lorcher: Okay. Commissioners, are there any questions for staff before we bring the applicant up? Would the applicant like to come up, please?

H.Clark: Good evening, Members of the Commission. Hethe Clark. 251 East Front Street in Boise representing the applicant and I have a presentation that I'm sure is on its way, right, Stacy? Okay. So, we are here to discuss Windrow Neighborhood and I wanted to -- maybe that will fire up. Good. All right. No problems. So, I want to start out by talking a little bit about the -- the vicinity, kind of give a little bit of context and, then, also talk a little bit about the -- the history of the project, because I think that that -- understanding where this comes from and what the city has done since 2016 in relation to this property is important as we -- before we jump into the details. So, the property is located at the corner of Linder and Amity in southwest Meridian and there are a couple of

really important themes here. First, one is that this completes this square mile. This is an area -- there is a few annexed -- properties to be annexed just off to the east, but ultimately this is what completes the -- the square mile, which is developing east to west from Meridian towards Linder and, then, second, that there has been significant city infrastructure investment in both water and sewer in this area, all of which followed from that 2016 annexation that Stacy mentioned and that I will go over a little bit more. This project helps to complete that plan and I will show you how. As we look at the Comprehensive Plan as a snapshot today, the area is planned as medium density. We are on the low end of the medium density -- density spectrum, which as you know is from three to eight units per acre. This is our annexation map. It shows that the portion of our project on the east is already annexed, with the remainder having contiguity to the city on the north. Now, that annexation question is very important to consideration of this application and so back in 2016, as you are probably aware, there was 1,300 acres that was annexed as part of a -- a large annexation for the city. You can see our property is up on the northwest corner up top, maybe, if the thing is working. Well, you can see my -- my arrow. I don't -- the computer seems to be lagging a bit. Here is another view, along with a picture of how this relates to Kuna's growth I will call it on Meridian's southwest flank. There are a couple of elements of the annexation that are key, though, tonight. The first was that the annexation was consensual and that it was arrived at through negotiated development agreements with each of the property owners, that the city reached out to those property owners, made certain commitments to the owners and the owners made commitments back as part of that annexation. The city's commitments included investments in water and sewer facilities in this area, so that those properties, if they come into the city and -- and took on those additional obligations, that they would also have the -- the ability to move forward with development. So, back in 2016 our predecessor signed an agreement with the city. That included the language that you see on the screen. Among other things it calls for, quote, advancement of sewer and water infrastructure facilities -- or infrastructure -- utility infrastructure for the benefit of the subject property, the City of Meridian and adjacent and adjoining properties. So, those benefits would be in the form of these utility extensions, which were planned out to take place over two phases. There was a phase that took place in two years and there was a phase that took place in four years and, then, as that development -- that infrastructure built out, then, those property owners would have the opportunity to -- to submit development agreements that were consistent with the FLUM. This is exactly what Stacy said to you a few minutes ago. So these -- this shows you the -- the two phases of the utility extensions. Phase one in blue. Phase two in pink. Our property is in phase two and as you could see from the -- the -- the comments during -- in the staff report and from the agencies, Public Works noted that sewer and water are directly adjacent and have been built out. This is what it looks like. You can see the city has constructed the water mains that ring the property in blue. Water does not have to be extended with this project, it's already there. You can also see that the city has constructed a sewer main to our property line. That's the -- the red line there on Linder Road. We will take that down to the new lift station that's located precisely where it's called for on the city's sewer master plan. Here is a -- here is a snippet from that and you can see on the map I just showed you -- you can -- we had the lift station on the southwest corner and that's where the -- the city's phasing plan calls for it as well. So, to summarize what you are seeing here

tonight is fulfillment of this process that the city worked on with this property owner. Both sides lived up to the bargain. You know, the city's made significant investments in utilities that make the property ready for development. So, with that background let's look at the site. As -- as has been mentioned, 64 acre project. We are proposing an R-8 zone, 251 homes, 16 percent open space. The proposed zoning and density are consistent with the FLUM. A couple comments while I have this up. You know, there was a few comments about block length and in large part the block length is driven by the location of the Calkins Lateral that I think makes sense to everyone. We will be doing the traffic calming measures that were called for by ACHD that would largely include bulb outs and -- and those types of like visual prompts to help calm the -- calm the traffic. Another point I would make is that the Carlson -- so, this is the Calkins Lateral. The Carlson on Google Maps looks like it might be on our property, but it, in fact, is not and so that we don't have to worry about the -- about the Carlson. With regard to open space and pathways, I like this map, because -- I actually really like this site plan, too. But it -- it really emphasizes how interconnected the property is going to be and the way that the design uses the Calkins as a -- as an amenity for the project. But you can see all of the amenities that are proposed, we have, you know, not -- not one, not two, but three components of the regional pathway network that are on the property. All of the internal neighborhood walking loops connect the various half acre and up parks, including the -- the half acre dog park that was mentioned during the initial presentation. The amenities exceed code. They include a play park, dog park, pathways, seated -- shaded seating areas. They do include tables, which was one of the points that staff mentioned is that we will have the tables there. More examples of what it would look like and, again, we exceed the overall amenities requirement with 15.5. You have seen the home designs. These are, obviously, the -- you know, the base design. There will be tweaks on this and there will be variety. Overall -- excuse me. Lot sizes from 4,725 to 10,000 square feet, with homes from 1,350 to 2,750 square feet. So, a good variety and appropriate for the FLUM designation in this location. So, what's next? We would ask for a recommendation of approval and to move this forward to Council. We are generally in agreement with the conditions with -- that have been discussed, but there are -- there is some work that needs to be done. The -- and -- and this is always the -- the kind of stuff that happens as you get the staff report and, then, you scramble for -- for the meeting is that you try to address as much as you can and as you heard we have been meeting with staff to review a few items and try to improve things and -- and -- and come to a -- a compromise position on other items. So, we will be following staff's direction to update the landscape plan. We will be showing the road calming measures as I mentioned previously. We will be providing a written confirmation from Boise project as to their -- their direction to not have so many crossings on their facilities and the -- the way that the staff report is set up I think that's appropriate, that if we provide that from the irrigation district, then, that would address that issue. So, ultimately, I think what -- what we should be doing and what we would ask you to include in a recommendation is to work with staff to revise the phasing plan to address the questions that staff raised about timing for certain of the amenities and for timing of the improvements on Linder on that frontage. We are -- you know, there are some items there that, you know, there is going to take a little bit of arm wrestling on, but, ultimately, what we are trying to do with that revised phasing plan is to move up that timing to -- in order to address staff's concerns. So, that's what we would be hoping for

in a -- in a recommendation. With that I'm -- I'm happy to answer any questions from the Commission.

Wheeler: Madam Chair?

Lorcher: Commissioner Wheeler.

Wheeler: It's Keith, is that right?

H.Clark: Hethe with an H. Yeah.

Wheeler: Oh, Hethe. Sorry.

H.Clark: It's a terrible name for introduction.

Wheeler: No. You are good. Hethe. Can you go back to the conceptual plan that you had with the city's -- with the streets that -- yeah. Right there. So, you are talking about like having to bulb some of the -- and I know that the mouse doesn't work super great for you there, too, but to bulb some of the streets there, how is that going to affect your lot sizes?

H.Clark: Overall it really shouldn't affect the lot sizes, because what you would be doing would be working on the edge of the right of way and, Commissioner Wheeler, let me -- let me point out one item that is likely to occur as part of this conversation and -- and Bill may have some more to -- to add to this. But one of the things that we can do to try to address the block length is to reorient this intersection that you see here, because this is, obviously, the longest of the streets and so if we reorient this, turn it down so that that connection comes in so it breaks the -- the straight flow through there, it's my understanding that that would be one example of items that staff would consider as breaking that block -- block length. Otherwise, on some of those other streets the -- the bulb outs would primarily occur at like intersections like this. So, it would be, essentially, extending out into the right of way a little bit.

Wheeler: Okay. Because I'm -- it is that long stretch, obviously, that's the biggest concern, right, on that and the bulbing and the -- how to mitigate traffic flow on that and there -- there is not a lot of space there to -- to move within that street and there is not a lot of places to bulb except for right there or to dead end it or to redirect or something like that. So, do you have any other sort of thoughts of mitigating some of the traffic flow on that or any other sort of concepts?

H.Clark: The -- you know, the basic concept -- when we -- when we drafted it the way we did, one of the -- one of the ideal items of -- of following the dimensions of the Calkins is that you have that wavy element to it that in and of itself does provide traffic calming and, then, we would -- again, we would -- we would reorient over here and we would use the bulb outs at all the -- at the intersections. That's going to be primary -- the primary elements of it. ACHD doesn't want to have speed bumps, for example.

Wheeler: Right.

H.Clark: So -- but we would be working with staff and ACHD to do what -- what they would approve beyond that.

Wheeler: Okay. On that same -- you said that the irrigation district doesn't want to have a lot of connectivity going over the top of there or a lot of roads or pathways going over the top of the canals and you said that you do have that or you could get that in writing, then, is what you are saying?

H.Clark: Commissioner Wheeler, that's correct and I can -- I can add to that if you would like. You know, the -- one of the items is -- we do have this crossing here, which is going to be full trafficked and, then, we have the crossing of the north that is initially emergency only eventually will not be emergency only, because we will have -- it will -- well, it won't be an emergency crossing I guess I should say. You know, let me -- let me say that one more time. So, initially, will be emergency and pedestrian. Eventually will just be pedestrian, because these other accesses will be open and putting in a full access here due to the topography is extremely challenging, but the main concern is that Boise Project does not want, you know, what could be three connections with one of them being very close to yet -- to the main connection down here and -- but we will work with Boise Project and get written confirmation of that for you.

Wheeler: Okay.

H.Clark: For the City Council meeting, which is the way the staff had it set up in the staff report.

Wheeler: Okay. And, then, one of the other points you said that you would be willing to accommodate has to do with the -- the -- the benches and the tables and things. That's easy for you guys to put that -- accommodate on that.

H.Clark: That's already in the plans.

Wheeler: Perfect. Okay. And, then, there was another thing about the -- the timing based upon phase four instead of phase six for the pedestrian -- for the regional pedestrian pathway. Are you guys willing to go ahead and put that -- I mean to -- to -- to construct that during phase four?

H.Clark: Commissioner Wheeler, that will be part of the arm wrestling with that revised phasing plan, but part of that will be to address staff's concerns to make sure that that timing is where staff would like it. But I don't think that the numbering is going to be the same, I guess is the long and the short of what --

Wheeler: Okay.

H.Clark: -- won't be one through six, it will be some other numbering pattern with more property in certain phases and less in others. But the -- the goal is to get onto the same

page with staff in terms of the timing of that phasing plan and so that's why we are asking for you to -- to recommend that we work with them to get that done before City Council.

Wheeler: Okay. So -- so, the phasing plan that's currently here that's going to probably adjust the boundaries on how that's going to look?

H.Clark: One hundred percent will adjust.

Wheeler: Okay.

H.Clark: Yes.

Wheeler: So, I can just tell you that from the Commission standpoint, based upon history, we have been big proponents of not only of just having those pathways, but getting them operational soon. So, we like the connectivity. We like to see all that kind of stuff. So, that will be something that we would support that coming on board sooner rather than -- than later just, as you understand, just -- just so you know.

H.Clark: But it's -- it's a -- it's a big selling point for the project, too. So, we -- we want to -- we want to make sure it's done. We just need to make sure that it's done in a way that, you know, the project can still be functional -- you know, still be viable.

Wheeler: Okay. And, then, one other question there is this big lot over here in the -- in the southwest -- or the southeast portion here. That's -- that's just by itself. Yeah. You are getting there. That's it. Yeah. What's -- what's happening there?

H.Clark: Yeah. Commissioner Wheeler, that's an existing home.

Wheeler: Okay. I think -- I think I'm all done.

Lorcher: Any other questions? I do have a couple of questions. I noticed that you have got three private drive -- driveways, one at the top north -- I guess west corner and, then, one at the bottom. Are -- it kind of appears just based on this picture that they have access to Linder. Is -- will those be through streets?

H.Clark: Commissioner Lorcher, no. So, these are -- these are just common drives up here. This -- down here this is the temporary emergency that we have proposed, but it would go away as soon as the access on Linder is -- is done.

Lorcher: Okay. And, then, the -- the Carlson Lateral, the city mentioned that it was your responsibility, but you are saying it's not. Where is it located?

H.Clark: Sorry, Commissioner Lorcher, didn't mean to speak over you. So, it's -- it is not on our property. It's east of our property.

Lorcher: Oh, it's east of the property. Okay. And, then, the roundabout for Linder and Amity and the widening of Linder and Victory between -- and Amity is not until 2036 to 2040. That's a long time and a lot of things can change in the next 13 to 17 years. You said you have water. You said you have sewer. But what about the -- the rest of it, I guess, you know, the -- the fact that, you know, fire can't get there within their proposed five minutes of time and I know you are going in phases, so it's not like it's next week or anything like that, but how are you going to, you know, manage the fact that ACHD is not going to be focused on this area for over ten years?

H.Clark: Commissioner Lorcher, there is -- there is a couple of -- there is several questions there, so I will -- I will try to pick them off one at a time. So, with regard to ACHD, ACHD has a capital improvements plan, we are all aware of that. That capital improvements plan and the five year work plan is a work in progress. They plan those -- for those improvements when they believe that they are going to be needed. If you look at the ACHD report, the Linder capacity right now is at about a third, like the --Linder's capacity is -- Linder is doing fine on capacity. As the city decides to develop in this area, my expectation is that some of those improvements would move up on the capital improvements plan, but as it stands right now there is not a traffic capacity concern and there is not a concern with -- with those intersections that ACHD is deemed to be a problem for this project.

Lorcher: Okay.

H.Clark: With regard to the service times, you know, we scratched our heads a little bit at the -- at the fire response time. Here is the map. Google Maps shows a four minute drive for the typical vehicle from the existing fire station number -- I think it's six and so from our view in -- and fire is not here to ask, but from our view this is well within the response time and you also have the new station that's just off to the east that's just opened as well. So, we don't see this as a -- as a concern in terms of ability to serve and, in fact, you can see it's pretty much a straight shot and, then, when our access opens -- when we have an access -- this is the conservative approach; right. This is just showing our -- our entry on Amity. But when we have our entry on Linder open that will shorten it up even more. So, we -- we just -- we don't see a -- a fire response issue.

Lorcher: Okay. Thank you. I think that's all I had. Commissioner Stoddard, did you have any questions for the applicant?

Stoddard: I do not.

Lorcher: All right. Thank you very much.

H.Clark: Thank you.

Lorcher: Mr. Clerk, are there anybody signed up to give public testimony?

Johnson: Madam Chair, there is not.

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

Johnson: Madam Chair, I don't know if anyone in person --

Lorcher: Oh, I'm sorry. How about all you people? Does anybody in Chambers would like to come up and speak on this application? Okay. I think we are good. All right. May I have a motion to close the public hearing? There is somebody there? You are good?

Rivera: I make a motion to close the public hearing.

Wheeler: So moved -- or second. Sorry.

Lorcher: All right. It's been moved and seconded to close the public hearing. All those in favor say aye. Any for nay? All right. Public hearing is closed.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: Commissioners, this is a recommendation to City Council. It's a big project in a place where there is nothing right now. I know I drive Victory on occasion and right now there are starting to be stoplights, but mostly it's stop signs and that could be, you know, adding 252 houses -- can't add that fast, but, you know, it's going to be in phases, so I know it's not all done in one time. But adding 252 houses to an area that doesn't really have anything going on, but it seems to be a cross ways for people to move around town, you are -- and no infrastructure for roads for, you know, ten to -- ten years or so, I'm wondering if that's going to kick us in the butt later?

Wheeler: Madam Chair?

Lorcher: Commissioner Wheeler.

Wheeler: So, for me I like the -- I -- I really like the project in the sense that it's -- it's keeping some of the natural flows and I like the fact that even on the long stretches of the street it is following the contour of the -- of the canal. It breaks it up well. It seems like a lot of these issues that we might -- that we might be contemplating might be able to be worked out with staff as they are going to adjust some of the phasing plan or the phasing -- some of the pedestrian walkways even and, you know, we are just recommending this. Not approving the plan itself. So, it's kind of -- and it's coming within the -- the zoning that it has and it's on the lower side of it on the density. It -- it -- I mean it is a lot of homes like you are saying for sure and it does come in with the -- the roadways, but I mean that's pretty -- I mean that's a pretty well thought out plan. I would -- I would support this as a -- as a recommendation for annexation based on what they have presented and knowing that they are going to be working with staff on some of the -- the finer details of -- of how this is put together and how it ultimately looks within the UDC.

Rivera: Madam Chair?

Lorcher: Commissioner Rivera.

Rivera: So, looking at the map we are looking at now is Oakwood Estates on -- on Victory, is that already there? Has that already been -- is that existing already homes?

Lorcher: Looking at this map it looks like they are already there, yes.

Rivera: But Brundage Estates is -- it looks like here it just received a second time extension for that. So, Brundage Estates -- has that been approved already or it's just -- it's on a second extension?

Hersh: Mr. Commissioner, yes. So, the Brundage Estates went through a second time extension, but the project was already approved through Commission and Council.

Rivera: Okay.

Hersh: And they are allowed one time extension director and a second time is -- goes to City Council.

Rivera: So, with the -- with the flow that I'm seeing just -- Commissioners, I think it's -- Windrow -- this project, which is kind of slide into that -- you know, that next -- next to Brundage Estates, I mean I like the floor -- I like the -- that there is already, you know, existing homes there and it's just kind of the continuation of -- from Victory Road to Amity Road it will have -- it will be in phases. It will have the -- you know, the access to Linder Road. Yeah, I would -- it's -- it's a big project, but, you know, in phases it's -- it's -- it kind of flows with what's going on here. Yeah. I think I would -- I would support the recommendation to -- to City Council.

Lorcher: Commissioner Stoddard, do you have anything else to add?

Stoddard: No. I just want to say I agree. I think with the staff's recommendations for modifications -- I agree with those and I -- I think it is a well thought out project. So, I'm in agreeance with the modifications.

Lorcher: Okay. I would be open for a motion.

Wheeler: So, after considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of File No. H-2023-0031 as presented in the staff report for the hearing date of September 5th, 2023, with no modifications.

Rivera: I second the motion.

Lorcher: It's been moved and seconded to approve File No. H-2023-0031. All those in favor say aye. Any opposed? Motion passes. Thank you. Today's September 7th. Did you say September 7th?

Rivera: I -- I think it reads September 5th, so it should be, sorry, September -- should it be September 7th?

Lorcher: So, to -- to adjust, the motion will be reading as September 7th as September 5th.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: Can I get a motion to adjourn?