

Meeting of the Meridian Planning and Zoning Commission of July 9, 2020, was called to order at 6:01 p.m. by Chairman Ryan Fitzgerald.

Members Present: Chairman Ryan Fitzgerald, Commissioner Lisa Holland, Commissioner Andrew Seal, Commissioner Rhonda McCarvel, Commissioner Nick Grove and Commissioner Patricia Pitzer.

Members Absent: Commissioner Bill Cassinelli.

Others Present: Chris Johnson, Adrienne Weatherly, Andrea Pogue, Bill Parsons, Sonya Allen, Joe Dodson, Alan Tiefenbach and Dean Willis.

Item 1: Roll-call Attendance

<input checked="" type="checkbox"/> Lisa Holland	<input checked="" type="checkbox"/> Rhonda McCarvel
<input checked="" type="checkbox"/> Andrew Seal	<input checked="" type="checkbox"/> Nick Grove
<input checked="" type="checkbox"/> Patricia Pitzer	<input type="checkbox"/> Bill Cassinelli
<input checked="" type="checkbox"/> Ryan Fitzgerald - Chairman	

Fitzgerald: Okay. At this time I would like to call to order the regularly scheduled Planning and Zoning meeting for the date of July 9th and let's start with a roll call.

Item 2: Adoption of Agenda

Fitzgerald: Thanks, Madam Clerk. The first item on the agenda is the adoption of the agenda. Unfortunately for our time frame this evening we don't have anything that's changing, so if we could have a motion to adopt the agenda as presented this evening.

Seal: So moved.

McCarvel: So moved. Second.

Fitzgerald: I have a motion and multiple seconds. All those in favor of approving tonight's agenda as presented signify by saying aye. Opposed same. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Item 3: Consent Agenda [Action Item]

Fitzgerald: The next item on the agenda is the Consent Agenda. We don't have anything on the Consent Agenda tonight, so we are going to skip over that.

Fitzgerald: We will move on to -- kind of let me walk through how we are going to do this. We have kind of a quasi in-person -- Mr. Seal being a champ in -- in person at the chambers headquarters, along with our staff. But on your screen you will see the rest of the Commissioners who are present for this evening's meeting. Also on the call or present are the city attorney and city clerk, staff, as well as our Planning staff. Everyone else that is online is either going to be on Zoom. We may have some-in person attendees who will be in chambers. So, you may have observe the meeting and you can see that we are here both online and in person. During the public testimony portion of the meeting you will be unmuted if you are on Zoom. If you have previously sent in a presentation that staff will help work to make sure that that presentation is running for your discussion. The Clerk can also assist you with bringing up slides if you are on Zoom. So, just let them know. If you are simply watching from home tonight we would ask that you use the city's YouTube channel, which is -- you can access that at meridiacity.org/live and you can do that. If you are in person, obviously, we will go through the normal process. When public testimony is open the Clerk will call the names of those who have signed up to testify. If you are on Zoom you will be unmuted. If you are in person you can go up to the dais and be heard. I will call on you individually. Please state your name and your address for the record and you will have three minutes to present to the Commission. After that time we may ask questions for clarification and, then, once we do so, if you are done, you can sit down in public or you will be muted and, then, moved into the participant -- or the non-participants if you are on zoom. Once all those that sign up in advance are called on, we will do one more check-in to make sure we have heard from everyone and, then, we will close the public -- public meeting and we can hopefully deliberate and make a recommendation to City Council. We do have a couple that may have -- of applications tonight that may have some input from an HOA. If you do signify you are from an HOA and representing a group of people you will have ten minutes to testify and we will make that determination at that time. So, any questions before moving forward? Madam Clerk, are we ready to go? Everything is squared away?

Weatherly: Yes, Mr. Chair, we are ready.

Item 4: Action Items

A. Public Hearing Continued from May 21, 2020, for Modern Craftsman at Black Cat (H-2020-0022) by Baron Black Cat, LLC, Located in the northeast corner of N. Black Cat Rd. and W. Chinden Blvd. (SH 20/26)

1. Request: Rezone of a total of 21.59 acres of land for the purpose of reducing the C-C zone from approximately 7 acres to 0.74 acres and increase the R-15 zone from approximately 15.1 acres to 20.85 acres; and,
2. Request: A Short Plat consisting of 2 building lots and 2 common lots on 21.59 acres of land in the C-C and R-15 zoning districts; and,

3. Request: A Conditional Use Permit for a multi-family development consisting of 195 residential units on 20.13 acres in the R -15 zone; and,
4. Request: A Modification to the Existing Development Agreements (Inst. #' s: 106151218; 107025555; 110059432; and 114054272) for the purpose of removing the subject property from the boundaries and terms of previous agreements and enter into a new one, consistent with the proposed development plan

Fitzgerald: Okay. Let's move to our first item on our agenda, which is the public hearing, which was continued from May 21st for Modern Craftsman at Black Cat, File Number H-2020-0022, and let's start with the staff report. Joe, are you with us?

Dodson: Yes, sir. Thank you. Can you guys all hear me all right?

Fitzgerald: Yep.

Dodson: Okay. I know we have had audio issues, so just wanted to make sure we are good. This is a long one, so bear with me. The application before you is a request for rezone, short plat, development agreement modification, conditional use permit and private streets. The private street application is a director level administrative review and is not specifically being voted on tonight. However, the -- any motion will include all of the applications. In addition -- my apologies. The subject site -- apologize. Just bear with me, Commissioners.

Fitzgerald: Joe, while you are doing that, Commissioners, I need to disclose something to the Commission while he is -- Joe is getting squared away. I live in Spurwing and I feel like I can be fair and balanced on this application, but I will leave that to the Commission to determine if you would like me to recuse myself during this -- or do we have a quorum without me and I can just run the meeting and let you guys deliberate, but if you don't have a concern with me standing in for this application --

Holland: I don't see any concerns. I appreciate you disclosing.

Seal: I was going to say something, too. My mother-in-law lives in Spurwing as well, but she doesn't really like me, so I think we are good.

Fitzgerald: Thanks, Commissioner Seal. Appreciate that. Joe, are you ready, sir, to continue?

Dodson: Mr. Chair, we are joining the Zoom meeting. That was something we missed on the front end, so we will get that going and I will restart.

Fitzgerald: Okay. Perfect. Commissioners, did everybody get a copy of the outline for tonight's meeting in the mail or in front of you if you were at the office? Someday this is all going to be easier and we are going to be able to hang out together again. Oh, we can see what you are working on. I like it.

Dodson: Perfect. Okay. Now we are all good to go. Thank you, everybody, for being patient. So, again, Item No. 4-A before you is Modern Craftsman at Black Cat, H-2020-0022. The application before you is a request for a rezone, short plat, development agreement modification, conditional use permit and private streets. The subject site consists of approximately 23 acres of land, currently zoned C-C and R-15. The requested rezone is to simply move the boundaries of the existing zoning, but not to change the zoning designations. The future land use designation on this property is mixed use community, which generally requires three distinct land uses and any residential use to be constructed at six to 15 dwelling units per acre. Modern Craftsman is proposed with a gross density of 8.7 DU per acre, which is easily within that range. When analyzing projects within the mixed use community future land use designation, the approved and/or developed land uses nearby must also be taken into account. The proposed project offers an area of commercial zoning that should accommodate multiple future uses. The commercial area is proposed of two building sites that have multiple suites, so there is potential that multiple distinct land uses will be available on site. Staff has also taken into account adjacent land uses in nearby development. Directly to the east of the site is the future Rock Harbor Church site, a different use than proposed with this project. Within a half mile to the west and off of Chinden Boulevard, a mixed use project, Central Valley Plaza and the Pollard Subdivision, is approved and will offer multiple additional uses and employment opportunities that maybe these future residences could use. Within a half mile to the east the new Costco building has been approved and is in the process of receiving building permit approval and directly across North Black Cat to the west more commercial development is proposed within the Fairbourne Subdivision. Therefore, staff finds that the -- that there is adequate commercial proposed with this site and adjacent properties to satisfy the mixed use requirements. Access for this development is proposed via private streets off of North Black Cat Road and West Tree Crest Way, which is the street abutting the north of the property. The two proposed access points to Black Cat Road have been approved by ACHD, but typically access to Black Cat, an arterial, or collector in this sense -- in this instance, is limited by the city. The applicant may request from City Council to keep the two access points as proposed in accord with UDC 11-3A-3. The applicant is also proposing an access in the northeast corner of the property that connects to a shared driveway with the Rock Harbor Church site. Private streets are propose throughout the development with two running east-west and two running north-south. Three running north-south. Access via Chinden Boulevard is prohibited and is not proposed. Due to the nature of the proposed use staff believes private streets are appropriate in this development. The proposed private streets appear to meet all UDC requirements, except for the requirement that they be on their own common lot or within an easement. Staff has recommended a condition of approval to revise the plat and correct this. Other than future commercial and proposed -- the proposed use on this site is multi-family residential. However, it is not traditional garden style apartment buildings, it is a hybrid of single family style homes within a multi-family development, which by

definition is multiple buildings on one building lot. The proposed units are a majority of single story, one, two and three bedroom detached units, without garages. The applicant is proposing traditional apartment style parking, but some units do have attached one car garages. Townhomes are also proposed along the perimeter of the site on the west side and the east side and all of these units have attached garages on their first floor. Largely the proposed residential units in this development look like detached single family homes, but have on-street parking and less private open space than a standard 4,000 or 8,000 square foot lot. Off-street parking is required to be proposed -- or sorry. Is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit. A submitted and revised plan and conditional use plan shows 497 spaces for the entire development. Four hundred and thirty-six are proposed for the residents, 28 reserved for the clubhouse and the remaining 33 for the proposed commercial. Of the 436 for the residential, 179 are uncovered, 134 are covered carports and the remaining 123 our garage spaces. The minimum amount of parking required for the multi-family portion of this development is 360 spaces, with 196 of those required to be covered. Therefore, the proposed parking counts exceed the minimum UDC requirements. The commercial areas proposed in the southwest corner of the site is shown as approximately 12,800 square feet that would -- that is to be spread across two building pads. The smaller pad, approximately 2,000 square feet, shares a plaza with the tot lot and open space near the west central portion of the site. For commercial uses the parking requirement is one space for every 500 square feet and the proposed commercial area would require a minimum of 26 spaces. The applicant has proposed 33 for the commercial area, exceeding the minimum amount. A portion -- a portion of the proposed parking directly abuts the street -- the private street on the southern end of the site and those utilizing the commercial parking would have to back out or back into or drive directly onto the private street in order to exit those spaces. This is not specifically prohibited by code, but is far from ideal. Staff believes this type of parking setup may cause additional accidents and, therefore, recommends a redesign of the parking for proposed -- for the proposed commercial area. This redesign should minimally include a five foot wide landscape Island along the edge of this proposed parking area to eliminate this conflict and the applicant should still provide the required number of parking stalls based on the gross floor area of the commercial area. Here is a blow up of the commercial area in the southwest corner. Hopefully you guys can see that a little better. Open space requirements for this project are two tiered. The project must meet the general ten percent open space requirement and the common and private open space requirements in the specific use standards for multi-family development. Based on the proposed plat area, which is 21.59 acres, a minimum of 2.16 acres of qualified open space should be provided to satisfy the ten percent requirement. Based on the size of the residential units, 55,000 additional square feet or 1.26 acres of additional qualifying open space should be provided to satisfy the specific use standards. In total, the minimum amount of common open space to be provided should be 3.42 acres. The applicant has proposed a total of 3.78 acres of qualified open space, of which 2.36 acres qualifies for the minimum ten percent requirement and amounts to approximately 10.9 percent. The remaining 1.42 acres of open space meets the requirements of the specific use standards -- or I should say exceeds them by approximately 10,000 square feet. In addition to the common open space, the applicant is proposing vastly more private open

space than is required by the specific use standards. The specific use standards require at least 80 square feet of private usable open space per unit. The applicant is proposing on average 419 square feet of private usable open space per unit, exceeding the UDC minimum requirements. The applicant and staff worked closely and diligently to design the open space in such a way to integrate the commercial with the residential as required in the mixed use community policies and goals. This integration and the proposed use allows for increased pedestrian connectivity. The open space meeting the requirements in 11-3G consists of a ten foot multi-use pathway within the Chinden Boulevard landscape buffer, common lots of open space areas and required street buffers along adjacent roadways. The area satisfying the specific use standard requirements -- I apologize. consists of MEWs between unit blocks, including a long vista that connects the east side of the development with the west side of the site and connects to the clubhouse and tot lot and plaza area shared between the commercial units and the residential. Some end cap landscape areas are also included in this and smaller areas of open space that meet the minimum 20 by 20 dimensions. All in all staff finds the proposed common and private open space as sufficient for a project of this size and the proposed use. There are a number of amenities proposed within this development. The multi-use pathway is the qualifying site amenity that meets the requirements in 11-3G-3. The following amenities are proposed to meet the specific use standard requirements. A clubhouse with offices for rent by the residents. A tot lot. A swimming pool. Picnic shelters with barbecue areas. A plaza. And a community garden. There is also a proposed dog park area seen on the open space exhibit in the northwest corner of the site, but it is not a qualifying site amenity due to it not meeting UDC requirements as such. In addition, the applicant is proposing 102 self storage lockers, each one being 12 square feet, spread throughout each of the garage buildings, so that residents may store small amounts of personal items on site and near their units. This is also not a qualifying amenity, but staff finds that these will likely be very much used. The applicant has submitted a concurrent design and re-application for the submitted elevations and staff finds the submitted architecture of the residential portion of the development complies with the architectural standards manual, except for those elevations for the proposed townhome style units. To ensure compliance with the ASM, the applicant should create differentiation between some of the six-plex townhome buildings through different architectural designs and color palettes. Staff has recommended a condition of approval to correct this. Commercial elevations were not proposed -- were not submitted with this application, but future buildings should incorporate similar architectural features to ensure a cohesive design as envisioned by the Comprehensive Plan and the architectural standards manual. A separate design and re-application will be required for the commercial portion of the development. The city has received a number of written testimony for this application. There was at least 30, so I am not going to speak specifically to each one, but generally the main points of discussion throughout the written testimony were the following points: That the project was too dense. There is minimal open space, so the residents will flock to nearby subdivisions. There was a request to make the site more like Spurwing development to the northeast. Issues with school enrollment and capacities. And some offered the option of nearby residents would prefer a 55 and up gated community or more upscale retail space. To discuss a few of these, this development is in the future land use designation a mixed use designation, so it cannot be specifically like Spurwing. It will never be able to meet those

types of densities, unfortunately. It's just the way it goes with the Comprehensive Plan. If it were to be a gated community there would be significantly less units because of our UDC requirements with gates. I just wanted to make Commission aware of that. And as always school enrollment and capacities are definitely an issue. We understand this. Overall staff recommends approval of the requested applications with the DA provisions and the conditions of approval contained within the staff report. And I will stand for questions, Commissioners. Thank you.

Fitzgerald: Thanks, Joe. Questions for staff? Commissioner Holland, go right ahead, ma'am.

Holland: Oh. Actually, I didn't mean to unmute. I was just turning my camera back on. I don't have any questions right now.

Fitzgerald: Okay. Any questions for Joe?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go right ahead.

Seal: Just a quick question on the -- where they want to make the commercial property smaller, do you have a -- a map of that? I know there is one in here somewhere, but I can't locate it.

Dodson: Within the staff report I do, yes. Roughly it's being reduced from about seven acres to a little under two acres of the commercial zoning and, then, the R-15 is growing to take over the rest of that to the north of the southwest corner.

Seal: Okay. Thank you.

Dodson: Yes, sir.

Fitzgerald: Any additional questions at this time? Do we have the applicant in the building or on Zoom?

Weatherly: Mr. Chair, we are getting the applicant set up in the room. One moment, please.

Fitzgerald: Okay. Thanks, ma'am.

Riggs: Chairman, Commissioner -- Commissioners, this is Matthew Riggs with Baron Properties. 1401 17th Street out of Denver, Colorado. I'm representing Modern Craftsman at Black Cat. With me is Liz Schloss, who will also be speaking to some points here. Would like to start with a brief introduction of who Baron Properties is. My father Jeff Riggs founded our firm in 1983. We have been in the multi-family and apartment space over the last 37 years, having owned, operated and developed over 125 apartment

communities in the Mountain West. Meridian is a place that we are looking to grow our platform. We own one 220 unit multi-family community in town already, so this will be our first ground up development that we are proposing. Let me start with kind of what our objective was when we set out for this site some year and a half ago. We studied Meridian and the surrounding land uses and what we saw was, you know, the demand for a unique, highly innovative residential product and our team, in collaboration with local engineers, architects, general contractors, consultants, counsel and staff, have worked at length at coming to what is before you today we are excited about the product we have put in front of the Commission here this evening. We are proud of the work we have done with staff. We have held two neighborhood meetings, one in January, the other June 30th, about ten days ago, working with neighboring HOAs and look to incorporate much of that commentary and feedback into this proposed site plan. I will begin, I believe, with what will be a fly through rendering of the site and, then, jump into more specifics here.

Dodson: Matt, I will do it for you.

Riggs: Okay. Thanks, Joe. Go ahead and hit play on that if you would. While Joe is teeing that up, you know, I think overall our primary objective in this is to introduce a new element of rental residences into Meridian. Over the years studying the multi-family product and the demand drivers therein, we have identified a few things that we believe improved as -- as demonstrated here and we will get into in more detail in the site plan. Go ahead and hit play if you would. Thanks, Joe.

Dodson: Yes, sir. Sorry about that.

Riggs: So, as noted here, this is our general site plan. The southwest corner is proposed commercial, whereas the rest of the property is proposed as townhomes, duplexes and two and three bedroom single story, standalone residences. This is the northern entrance on Black Cat entering into the project. We did gain and pull a lot of inspiration from neighboring projects, including our neighbors to the -- to the north and further to the west. This is the north -- the northern -- northwest corner of the -- of the -- of the site. This is a large dog park and open space area. As you can see townhome and single family units abut it with nice -- nice space there. This is our clubhouse, on-site leasing office, a best in class fitness center. Parcel pending lockers. A work from home, very high end conference and workstation area. We do have a tot lot, high end pool deck and spa and, then, a large open area for the residents and community to -- to gather. After extensive conversation with our neighbors and staff, we have chosen to propose -- well, here is the -- here is -- I will get back to that. This is the clubhouse interior. Again, high end, best in class interior clubhouse. That's a community conference area. Kitchen. There is sporadic seating, conference rooms, and areas that we believe will -- will work well with our residents who telecommute, work from home, or just need somewhere outside of their residence where they would like to -- to spend time and congregate. Continuing to work through I believe into what is going to be the fitness center and another -- again, more -- more seating area. This is the fitness center. This is what I was referencing. This is -- this structure here is a pop-up flex space building that we think is ideal for a farmers market, artist studios, you know, all sorts of yoga, exercise -- really anywhere that they

don't need a permanent space. We have seen, you know, restaurants with new concepts like the -- like the setup, trial dates and host dinners for the residences. So, a lot of different areas that -- that that can go. This is a central corridor walkway connecting the open space and amenities on the western side of the project with the east side of the project. Our goal in this overall was to really give the users here choice as it relates to proximity to -- to different amenities. Many of our users we believe will not want to be close to pools and tot lots and, instead, prefer privacy, so we have -- we have balanced the site plan and site amenities accordingly. These here are the townhomes. There is 42 of them on site. Direct access two car garages and two stories of living space. Really nice, private patio space and -- and not too dissimilar to a lot of the high end townhomes that I'm sure many of you have already seen here in town. This is a unique feature of our community. Each one of our single family homes and many of our townhomes will have private outdoor space for the residents. I believe that the code mandates 80 square feet or so of private space. Our average is 420 square feet of private space outside. So, I think, you know, overall that -- that adds, you know, an element that we believe is unique to our -- to our building here. Jumping to the PowerPoint, Joe, if we could, I will jump into the site plan and kind of how we ended up landing on where things are located on the site. If I can control it. There we go. So, as I noted before, 1983 was our founding. We are in nine markets. Currently have seven active development projects underway. We have been working on Modern Craftsman at Black Cat for about 18 months now and during that time -- and especially over the last four or five months we have honed in on this site plan. Beginning in the southwest corner, which is the proposed commercial area, you know, we believe that -- that a commercial element of this is -- is definitely important to, you know, the community and our proposed development. We envision, given what is surrounding the area in terms of other employment and commercial uses, including the medical campus to the west, the new Costco and a number of other elements, that a large scale commercial development is not optimal for this, but, instead, looking for something to more service on the day care, medical office, dentist office, perhaps a high end restaurant and cafe, something along those lines is really what we would look to source a user for and, then, develop the -- the building thereafter. In the eastern part of the commercial area there, as noted on this, you can see a small community garden area that we have proposed. We envision that not only for our residents, but other -- you know, just open to the general public for those that would be interested in a plot of land to garden in. So, we have seen that before in some of our other developments and believe it would be a good buffer between the proposed commercial use and the residences immediately to the east. Moving north from there is the pop-up flex commercial space that I noted. Again, we think this is a great space for the more flex user, yoga, art studio, farmers market and that area opens up to our lawn, our tot lot, and further to the north our clubhouse. So, really, what we have envisioned between the southwest corner commercial area and the flex space into our leasing office and amenity clubhouse is really a nice community congregation area that we believe, you know, will serve not only the needs of our residents, but of the surrounding community. We did after conversations over the last few months add elements of two story townhomes on the west side of the -- of the space -- of the site plan here. You can see two of those buildings proposed, one about mid block and further up to the -- up to the northernmost boundary. In between those are a couple of two and three bedroom single story dwelling units with large private

backyards. As we move further east in the project this is where the -- the density of our single family units is concentrated. We -- we believe that this single family for rent model horizontal apartment, if you will, is unique and highly valuable to -- to what the community needs here. We own a lot of two and three story walk up suburban product and what this offers is a little bit higher end, different living -- living experience than that. The one bedroom units in this product type are duplexes, so they have a shared center wall and they all have private backyards. The two and three bedroom product type are all standalone structures, so nobody living above or below the residents, nobody on either side and, again, private backyards of varying sizes between about 250 square feet up to almost 900 square feet of private outdoor living space. You know, this community overall features -- I think it's seven different floor plans across five building structures and our -- our goal here was to achieve a semi-custom feel. We have each of the residences, you know, under a number of different color palettes and roof lines, so when you drive through this community as demonstrated in the fly throughs, it is not a replication of the same structure over and over and over again, but, instead, we have drawn from our neighbors and high end, you know, single family residences throughout Meridian to pull into -- to what our design standards are here today. On the eastern north side of the site is where the concentration of our townhomes are. Those townhomes abut Rock Harbor Church and, then, complement the townhome development -- the for sale townhome development that's currently under construction north of Rock Harbor. A lot of this is what I just covered, you know, we -- we really were looking towards making resident choice and resident privacy a big -- a big component of this community. We have added the private direct access garages. We have added the private garages, standalone carports and surface parking as a means to park all of the residential and as noted by staff we -- we did add over a hundred self storage lockers, as that was another common theme of -- of a resident need is more storage in these type of dwelling units. These are a couple examples of what we are building here. This is the one bedroom, one bath, duplex model. As you can see it is relatively modern, high end exterior and interior finishes is what we are envisioning there. A couple of different two bedroom options, including the two bedroom with direct access one car garage. The three bedroom two bath surface park and, then, the townhome that we have already talked about, of which there will be 42 of those proposed. Where we drew our inspiration from and where we see the residents is really a couple of different areas. We think that newly forming households, call it Millennials, are going to be a big component of this resident base. This is a type of product type that is great for an early -- an early household, maybe they have young kids, maybe they don't, but they are not quite ready for homeownership and this is a good step over the traditional apartment experience. The other pillar that we have seen really draw to this product type is retirees and baby boomers who are looking to simplify and downside -- downside their house into a more management free call when -- when you -- when you have something of need with on-site management, use the amenities and work from home space as necessary. Both of these require a lot of storage and that private yard space as noted and, then, quickly here, Liz, I know I am running out of time. If you would jump into -- or I will cover it. You know, some of the more, you know, high level community amenities that we are looking for, 24 -- seven day a week management on site. We will plan a valet trash service that picks up the trash from each -- each resident's door step. We have on-site coworking space and conference rooms. We have great outdoor living

space and connectivity as mentioned, multiple sustainability initiatives and -- as it relates to our construction. Lots of shared space for entertaining and congregation and the ever increasing need for online delivery parcels are all highly considered. The apartments are all spacious floor plans with ten foot plus ceilings. Very good light. That's really one of our main focal points. We will have security systems and smart technology in all of the units. High end finishes and, again, ample storage. That kind of wraps up my quick 15 minutes and looking forward to questions and any other detail I can provide to the Commission. Thank you.

Fitzgerald: Matt, we appreciate it. Any questions for the applicant?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go ahead.

Seal: Just real quick. Could you show us again the -- exactly where that pop up is located?

Riggs: Yes. So, it is immediately north of our proposed commercial area, between our clubhouse and the commercial area. So, the pop up is that structure right there.

Seal: Okay. Another quick question. On the response you said you were in agreement with pretty much everything in the staff report, with the exception of 2.9. When I looked that up it has to do with the selection of trees. Is that the one that you were referring to or --

Riggs: No. I believe it had to do with the timing as it relates to some of the horizontal infrastructure that goes in place. I think it's necessary for, you know --

Borton: Matt, you're breaking up a little bit. We can't hear you very well.

Riggs: So, our intent was not to talk through the -- the trees, it was to discuss the street signs that are to be in place. The sanitary sewer and water system shall be approved and activated, roads -- road base approved by ACHD and the final plat for the subdivision to be recorded prior to submitting for building permits. That is what we would push back on. Not be in agreement with.

Dodson: Mr. Chair?

Fitzgerald: Go right ahead.

Dodson: Thank you, Mr. Chair. Commissioner Seal, the -- that is a standard condition for Public Works and the point in there that's the hiccup is the final plat. This is a request for a short plat, so there will not be a final plat, so that condition is -- that portion of the condition is not necessary. They will be able to go to building permit prior to that recording.

Seal: Okay. Thank you for your explanation.

Riggs: And I would add that -- apologies. I would add, Commissioners, that we envision this as a single phase residential development, so we will go in and build the roads and -- and an infrastructure and, then, build the residences from west to east all in one construction time frame if you will. We do envision the commercial as being a future development as soon as we source a user for -- for that area, just to put that on record.

Fitzgerald: Joe, do we need to be specific about that in our recommendations or whatever our direction is?

Dodson: Mr. Chair. No, that shouldn't be necessary. If you strike out the whole condition we will still be able to take care of everything, sir.

Fitzgerald: Okay. Additional questions? Commissioner Holland, did you have questions?

Holland: My question was the same as Commissioner Seal's about the location of the flex space and if that was an addition to the commercial product. I think that that is pretty clear that that's an additional piece.

Fitzgerald: Additional questions? Commissioner McCarvel.

McCarvel: Mr. Chair. Yeah. Could you -- in the staff report -- or in the staff narrative they talked about the parking spaces on -- by the commercial abutting up to the main road and could you talk about what your thoughts are on redesigning those parking spots?

Riggs: Yes. Absolutely. Thank you. So, we are open to redesign those parking spaces. Our -- our concept here that we put out -- we tried not to put a very detailed commercial site plan here, as our expertise is primarily residential, so, you know, we would more than adhere to what staff is recommending and any conditions therein and -- and make sure that the future daycare or whatever it is that goes there meets those standards, including making sure that the parking doesn't need to back up onto that roadway -- that private street there.

McCarvel: Okay. Thank you.

Holland: Mr. Chair?

Fitzgerald: Go right ahead.

Holland: One -- one thing I -- well, first of all, I want to thank you for creating the visual, because I think it's always really helpful when we can kind of visualize exactly what your concept looks like. You have clearly done a lot of work getting ready for this presentation, so we certainly appreciate all that hard work and effort that goes into it. One question I have for you are is all of the units that are going to be along Chinden Road, are those all

the single story kind of units that you were -- you were showing us? And, if so, what's the plan for buffering those from the highway.

Riggs: Thank you. Yes, those are proposed to be single story residences and duplexes there. Our plan is to have a large landscape buffer with the appropriate landscaping thereon. I believe we will have a berm that is -- a berm and a wall -- combination of berm and wall that is -- that's required by code. And we actually -- we like the idea of incorporating some of that berm and wall into the single family homes. In our experience in our tours of Meridian we think that it's pretty unique what the community has relative to the berms, walls, and heavy landscape buffers along all the major roadways, like Chinden, and we think that it actually provides a pretty unique living experience for the residents that will be adjacent to or near that berm. So, that's something we have tried to -- we have talked at length about and believe will be received very well by the user base that will end up at this property.

Holland: I know one -- one recommendation, if I may, Mr. Chair, follow up.

Fitzgerald: Go right ahead.

Holland: One recommendation we have given to some other projects that have been off of Chinden Road, especially if they have residential, would be to increase the amount of the landscaping buffer height, instead of increasing the fencing on top, just to give a little bit extra buffer because it's a very busy highway and I know I have been stuck on that highway many times driving to and from different places. So, it's certainly something that you -- you see a lot of traffic and you can hear a lot of traffic noise and so we want to make sure that it's -- if there are residential behind it we want to make sure they are buffered well.

Riggs: Understood. Uh-huh.

Seal: Mr. Chair?

Holland: That's all for now.

Fitzgerald: Okay.

Seal: Mr. Chair?

Fitzgerald: Yes, Commissioner Seal, go right ahead.

Seal: I just -- a question on the -- the pop up area. Since potentially a business might operate out of there, is there -- more of a question for staff. Is there some -- something we should consider in that as far as a potential business operating out of that, since it's not -- it's not a commercial space?

Dodson: Mr. Chair, Commissioner Seal, it is going to be zoned commercial, so it -- it is a commercial space. So, there won't be any issues. It -- what Mr. Riggs is stating is it's not necessarily intended for more outside commercial, but it could be used by residents within the community, which I thought was a good integration of the commercial with the residential.

Seal: Okay. Thank you.

Dodson: You're welcome.

Riggs: Thank you, Joe. And if I would add to that, I would say it's -- we envision the -- the community residents using this and, then, like I said, I think there could be community involvement. Where it differs from a traditional commercial space I believe would be the duration of use. You know, we don't envision a nail salon setting up a shop in there for a three or five year lease period, but instead shorter duration users that are starting businesses, maybe only need the space part time and don't want to commit to, you know, a year's long lease, something in those effects. I have used the example of a farmers market as another, you know, potential use to set up a farmer stand in there. Obviously, that could be led by our management and/or residents on site, but it could very well be led by, you know, people outside of our community as well. So, it is -- it's a little bit of a nuanced space with the spirit of it being to bring people together and provide a little bit of a different option for individuals and businesses over a traditional, you know, in line retail or commercial space that you will see in other developments around town.

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer, go right ahead.

Pitzer: Thank you. So, maybe I'm -- I thought I knew where this was and now I'm confused again. So, is that pop up area where I'm looking at the map here and I go to the north of this and I see like four little gray pieces in a -- and a green tree, is that the pop up, that right there?

Riggs: Yes. Believe so.

Pitzer: And that's going to be part of the two acre commercial?

Riggs: Yes.

Pitzer: Okay. Thank you. Thank you for that clarification. I appreciate it.

Grove: Mr. Chair? Question. It would be -- we had a lot of public comment and feedback. How -- how have you integrated that feedback from your two sessions into what you have brought in front of us tonight?

Riggs: Thank you. Yes, we did. We have had -- we have, I believe, received over 30 letters from -- primarily the residences to the north of our community, as well as other neighbors and in the two neighborhood meetings that we have -- that we have hosted and talked through our plans for the development with, we believe that we have in essence alleviated a lot of those concerns in that this is single story unique for rent products. We are not proposing three or four story traditional walk-up apartments here, but instead looking for something that will be -- or looking to develop something that will be much more subtle and much more complimentary to the high end residential that abuts our community to the north and eventually to the northwest. We have also integrated and moved our -- our clubhouse and open space from its original location to the proposed location it is today. We have added the pop up concept that we have discussed here. We have added the community garden. We have added more easterly open space and community gathering areas and really aimed, you know, on our amenity packages to be best in class and a fully self contained site. A lot of what we heard from our neighbors was concerns about, you know, overflow into their community and what we have aimed to do here is -- is mitigate those -- those risks and that overflow potential by providing, you know, on-site trails, dog parks, and extensive amenities for our residents to use, so that, in essence, they will not have a need to go northwest or -- northwest or northeast into the abutting single family larger lot areas and, instead, you know, can -- can remain in large part on our site. So, again, we have -- we have worked hard on that. Obviously we can't fulfill every concern, but we have opened up to that discussion and made significant evolutions to our -- to our site plan and our product looking to accommodate, you know, some of those concerns that have been brought up. I would also add that, you know, parking was -- was another concept that we have touched on. I believe that according to code -- I don't know the exact count, but I believe we are -- we are above the parking requirements by 76 spaces on our site. Again, not only looking to alleviate, you know, parking concerns from our neighbors, but also to alleviate any potential for that one off time where things are quite busy on site. Our resident base and the anticipated rental rates that we foresee here are going to be very high touch folks with -- with high expectations of how this site lives and if one of our residents is having a Super Bowl party and doesn't have any areas for three or four friends to come over to park, that would be a major concern for them and -- and in tow us. So, we have looked at those types of elements and looked to design around that with -- with really an aim and a target of finding a tenant base that is renter by choice and that tends to stay in these types of residences for longer than a typical apartment renter would stay in their apartment home. We have seen that through our other communities of -- of similar single story for rent living that we have owned, operated and managed in different markets, albeit this product has taken that to the next level as it relates to quality and -- and some of the other design considerations that we have layered in here, such as the large private backyards and storage areas and high end clubhouse with work from home space.

Fitzgerald: Mr. Grove, do you have follow up there? Thank you for that.

Grove: No. Thank you. Appreciated that.

Fitzgerald: Any additional questions? Well, we will come back to you gentlemen shortly after -- after we take public testimony. So, hang tight and we will be back momentarily.

Riggs: Thank you, Chairman, Commissioners. Thank you.

Dodson: Mr. Chair?

Fitzgerald: Thank you. Bill, go right ahead.

Dodson: Before we go real quick I just wanted to clarify on the condition that we were discussing, 2.9. I think it would be better if we leave the condition and add an additional condition that says that construction can occur prior to plat recording, but all other improvements are still required. We don't want to strike through a condition and possibly run into issues with those improvements not being required in the conditions.

Fitzgerald: Thank you for the clarification, Joe. We appreciate it, sir.

Dodson: Yes, sir.

Fitzgerald: Madam Clerk, do we have folks that would like to testify on this application?

Weatherly: Mr. Chair, we have several people signed in, several of which have indicated a wish to testify. The first of which Mr. Scott Freeman. He is on the phone. Scott, you have the ability to unmute yourself.

Fitzgerald: Scott, welcome. Please state your name and your address for the record. The floor is yours, sir.

Freeman: Mr. Chair, Commissioners, my name is Scott Freeman. Address 4699 West Star Hollow Drive. I'm across Tree Crest directly north of the proposed development. Can you hear me okay?

Fitzgerald: Yes. Sounds good. Go right ahead, sir.

Freeman: How long -- how long do I have? Is it still like two minutes?

Fitzgerald: Three minutes.

Freeman: Oh, excellent. I have got plenty of time. A couple of quick ones and, then, I would like to actually propose a condition for consideration. First one is -- and maybe staff can answer this or maybe a Commissioner can when I'm done. I noticed that at the east end of Tree Crest and on Tree Farm there are no parking signs posted along the street and those postings are not occurring on Tree Crest where we live at Spurwing Heights Subdivision and I don't know if that is going to be designated no parking or not. It certainly should be. That's probably outside your purview and more in the highway district's, but still that's something that ought to be considered and I haven't heard whether

that's addressed or not. Second quick thing. On that commercial lot it seems like it's already been greatly reduced and I -- not that this is important, but I'm actually an architect, designer by trade. Actually used to sit in your seat, Mr. Chair, for several -- several years under -- under Mayor de Weerd.

Fitzgerald: Very good.

Freeman: Yeah. Well, I won't -- I won't comment on whether you enjoy that or not, but, anyway, that lot is already so small that in order to fix that parking it looks to me like it's either going to -- the commercial space is either going to have to expand or the actual square footage of that commercial space is going to be further diminished in order to get that parking in. So, it kind of makes me hesitant to say, hey, we will -- we will fix that parking issue, because I think unless the commercial lot is expanded that's not going to fit and I just don't see it without reducing whatever that footprint is we see even smaller and I would be surprised. The last -- the last thing I want to touch on real quick is just if -- I know there is a lot of opposition to this. I also am opposed. However, recognizing that this very well may be passed, a condition I would propose would be this: In the original iteration of this plan I thought that it was very appropriate and well thought out by the developer that the -- the two story townhomes were actually over on the east side only. It kind of created a natural graduation from the east of their property, which is already -- already two story townhomes, to two story townhomes on the east side of their lot and, then, moving west and north it moved into the more single family, single story kind of thing -- not necessarily single family, but single story. Almost every house along Tree Crest to the north is single story and any two story that's along that north side along Tree Crest is going to essentially look down into all of our properties and it's going to reduce our privacy to some degree. So, as a -- as a proposed condition for discussion anyway, I thought it would be appropriate to limit the townhouse -- townhouse units over to that east border where they already are or internal to the development, because they seem very inappropriately placed along Tree Crest where they effectively will look down into the properties along there. That's all single story, except for the far northwest corner, which is the only two story there. That seems more appropriate to me. So, if it does pass I was disappointed to see two stories being directly across from us in Spurwing Heights, rather than single story and it will reduce our privacy in our backyards. I don't think there is any way around that. I was pleased to see a tot lot. That was one of my written comments, instead of a dog park, a tot lot, and/or playground seemed appropriate. I see that that's there. That's a good thing. And I think that's it. I don't know if you now ask me questions or I'm done and you go onto the next one, but thank you for your consideration and I hope to hear answers on the no parking along Tree Crest and whether that's a possible condition that might be reasonable if it passes.

Fitzgerald: Mr. Freeman, we appreciate it and thank you for your service to the city before. Appreciate that, too.

Freeman: Thank you.

Fitzgerald: We will see if there is any questions. Do we have any questions for Mr. Freeman? Thanks, Scott. Have a great evening. Thanks for being a part today.

Freeman: Thank you. You, too.

Fitzgerald: And we will get you some answers from staff on the no parking signs.

Freeman: Thank you. I will go ahead and mute.

Fitzgerald: Thanks, sir. Madam Clerk, who do we have next, ma'am?

Weatherly: Mr. Chair, next is Joe Warchol. If you want to head over there with Chris, he will help you with the testimony. We can't use the podium tonight due to technical issues. Thank you.

Warchol: All right. Good evening. My name is Joe Warchol. I live at 7045 North Callery Pear in Meridian. And just in case I run out of time, I -- the first thing I would say is that I'm not in favor of the proposed apartment complex. Looking at the entire area kind of like a systems approach, the project is in the middle of a very congested area already, which will only get worse with the new Costco, the megachurch, the townhomes, the New Fairbourne housing projects and our houses that are already there. I won't beat up the project when it comes to traffic. It's already been written up. But the parking seems to be an issue for me and, then, last of all, going into it, apartment complexes in general I have noticed they have access to public transportation and I don't see where that's going to really be helpful. I understand that there has been a number of attempts to, you know, talk about recreation within the project itself. But, you know, I just -- I'm a math person and you have 194 units and you had only two people in there and they all showed up at the pool or they all were taking a walk at similar times, there is not enough room and because of that -- and there is not enough recreation around that development to help out. So, that's some of the concern of -- of the residents of Spurwing that -- that comes into thinking that there is going to be an overflow of residents going in there. The last thing I wanted to say was last year I spent a wonderful ten, 11 months in apartments. They were advertised as high end. They were costly. They are expensive. It's a very transient population. I realize that -- that people doing this project have high expectations for high end people coming in there, but the population in there -- you know, if you are -- if you are going to rely on, for instance, income from Costco, Winco, and small shops and whatever else that's going on there, there is not enough income. Those people make 15 to 18 dollars an hour and if their gross is 2,800 dollars a month, they are not going to be able to afford these apartments. When I lived in these apartments in -- in Meridian, brand new, it was transient, there were plenty of drug deals going on. There were abandoned cars. There were break ins. My car included. There were even people trying to make ends meet, which, you know, I feel for them, but you had two and sometimes three families living in the same apartment. So, you know, overall I think it's a great project. I think that apartments are needed in the community, but I think that the congestion and with all the building going on it's not a good fit. Thank you very much.

Fitzgerald: We appreciate your time tonight. Thank you. Andrea -- or Adrienne, sorry, who else is next?

Weatherly: Mr. Chair, next up is Nancy Everard. Nancy, you have the ability to unmute yourself.

Everard: Hi. Thank you. Can you hear me?

Fitzgerald: Yes, Nancy. Welcome. Please state your name and your address for the record and the floor is yours, ma'am.

Everard: Okay. This is Nancy Everard. My husband Steven and I are residents in Spurwing Heights at 6935 North Exeter Place. Thank you very much for -- first of all, for hearing our concerns and while I appreciate the effort that the developer has made to address some of the concerns, there still are concerns that we have with respect to the City of Meridian's commitment to the smart growth initiative. It's been kind of touched on in some of the previous comments that this area already at this point is quite congested and the different areas of smart growth with a density of a project of this size there are specific things that I would ask be addressed. One is how will the City of Meridian provide an additional four acres of park land for our immediate area? Currently there is no public park or recreation area that is located north of Chinden in our area. A deficit already exists in the commitment of four acres per one thousand residents in Meridian. This development particularly being quite dense would further increase that deficit. So, are there -- I was unable to find online in any of the plans that shows that there is a future public park area that is planned, so if there is could you, please, share that. Second, Meridian, which was also touched on in general, is severely lacking in public transportation. Northwest Meridian is the furthest removed from what little public transportation exists, as well as from the higher density employment areas. How will the city be able to promote alternative forms of transportation by approving the proposed high density apartment complex at this location, particularly when land does exist in other areas that are closer to the I-84 corridor, closer to the higher density employment centers where a high unit rental complex might be more appropriate. Secondly, are there plans -- we are very disconnected here in northwest Meridian to bike paths. We have no service really safe links to the greenbelt or to other ways that would promote alternative means of transportation. So, are there any plans in place that I am unaware of that would solve that -- that concern? Also the opportunity for entry level home ownership is severely lacking in this area. Developing a rental property in absence of those opportunities for smaller square footage homes that are affordable leads to individuals who won't ever be able to buy a home. How can high end rental development meet the need of Meridian's housing opportunities better than a development and the design and idea of the single level units and multi-family is great, but in my mind it being a development that is for purchase for first time home buyers for the young millennials, for the true empty nesters that don't want to downsize to a 2,500 square foot home, that really would like something that is small. But it's something that enables the first time homebuyers, particularly in our rising real estate market, to enter the market. Without an opportunity to do that they will find themselves chasing it and never be able to truly call northwest Meridian home by

having that entry into the market. And the last -- and this is really kind of a bad one, because it was something that particularly when we made the choice to purchase our home looking at the plans for the area we really liked the idea that there was going to be community commercial that was planned both for that seven plus acre area there on Black Cat and Chinden, as well as on the other side of Black Cat adjacent to where the Fairbourne development is going to be. Because we like the idea of having the ability to walk places, have local businesses to have restaurants, a coffee shop, somewhere that we could walk a short distance to -- to enjoy. So, were very disappointed to see that area reduced. Even as it was originally planned, seven plus acres still is not that large. The plans that they would have the commercial integrated into, yeah, it might be great for the development, but I would say that's more development commercial and not really community commercial, because it's just way too small. If that were left as community commercial, combined with the other commercial and the feature that was mentioned in the staff report, that could be done in very level ways to link everything and make it something that expands the area and creates truly a multi use. I kind of feel like the small size --

Fitzgerald: Could you wrap up your comments, please?

Everard: Okay. Just thank you very much. I would like to see the commercial (unintelligible). Thank you very much.

Fitzgerald: Perfect. Thanks, ma'am. Madam Clerk, can you give us our next public testimony person, please. I will remind everybody on the -- online and in person we are trying to stick to our three minute timeline. I know it's kind of awkward. I have a timer in front of me and I know you guys aren't standing in front of a dais where it normally is, so I don't want to cut you off, but try to keep your -- your testimony to that three minute time frame, please.

Weatherly: Thank you, Mr. Chair. Next up is Richard Gilkey. Richard, if you want to meet Chris over there he will help you out.

Gilkey: My name is Richard Gilkey. I live at 4629 West Star Hollow Drive. My property backs up to Tree Crest, so I will be looking out at the project. I am strongly opposed to the project. I am strongly opposed to the retail area being reduced. It will look like a postage stamp, look like kind of sort of out of place. I'm a former builder, home designer. Forty-five years. And a lot of what I see in this project I'm not particularly fond of, but that's a personal thing. My concern is that the postage stamp commercial area -- by the time you put parking in there it's going to be even smaller. I would like to see more of a buffer zone between Tree Crest and the development, mainly since they have added two story units to the west end of the project, because they will be looking into the backyards into our houses, so that's pretty much everything else that's going to be said and what has already been said. There is no sense in duplicating it. So, I thank you for your time.

Fitzgerald: Mr. Gilkey, we really appreciate your candor and -- and your points. So, thank you for being here tonight. Madam Clerk, who is next on the list, ma'am?

Weatherly: Mr. Chair, last signed up is Dave Jacobs.

Jacobs: How are you doing? Dave Jacobs. I live at 6980 North Exeter Place. Simply put, not to reiterate a lot of the things that have already been said, one of the things I would like answered is how many parking spaces are allocated for the development. If you have 195 units, a lot of them being two and three bedrooms, you are going to have a lot of young people living together. Roommates. Not so much families, but roommates. What we all did when we were young. You have 400 parking spaces and also for their guests you have an additional 30 or 40. Because if not they are going to be parking in our neighborhood. On top of that, the postage stamp is -- to use the phrase just used -- or the putting green that the -- the green space has, is that enough for the influx of five to six hundred people, including some families? That doesn't look big enough to be able to facilitate the green area for, you know, five or six hundred new -- new people coming into the neighborhood. Where are they going to go? They are going to go across the street, guys. And, then, finally, is -- there is a white elephant in the room -- literally property value. I have talked to at least a half a dozen realtors that have said if you are in close proximity -- especially within a quarter mile or so, you can expect future loss on equity because of where you are at. So, with that said is the City of Meridian willing to compensate us should we lose future property value. It's hypothetical, but, again, I'm just putting it out there. And that's about it.

Fitzgerald: Mr. Jacobs, we appreciate it. That was the end of our list. Are there additional members of the public who would like to testify on this application, either via Zoom or in the audience tonight? Mr. Seal, you can be my eyes.

Weatherly: If anybody else in the room wishes to testify, please, raise your hand. That goes for the people listening online as well. If you want to use the feature in Zoom to raise your hand. Mr. Chair, no one has raised their hand either in person or on Zoom.

Fitzgerald: Okay.

Weatherly: Excuse me, Mr. Chair. We do have one more.

Fitzgerald: Okay.

Weatherly: If you want to go see Chris he will help you out. Thank you.

Fitzgerald: Thanks, Madam Clerk.

Southam: My name is Lynn Southam. I live at 6408 North Salvia Way. That's in Spurwing Greens. I really don't have any testimony to give, I just simply have a question and it's something that the developer and the city could perhaps address and tell all of us, which is has the developer or the city anytime in the past ever compensated the owners of property for their loss of value as a result of their development and that's the question. Thank you.

Fitzgerald: Thank you, sir. Last chance for additional comments from anyone online or in the hearing room? If not, I will turn it over the applicant to answer some of the questions that have been presented.

Weatherly: Mr. Chair, at this time no one else is indicating a wish to testify.

Fitzgerald: Thanks, Madam Clerk. Mr. Riggs, are you still on with us, sir?

Riggs: Yes, Chairman.

Fitzgerald: Do you want to go ahead and close.

Riggs: Yes. Would love it. And I'm sitting here with Liz Schloss, who is the president of our operations and management division of our -- of our firm. She will speak for the record here as well. I think overall, you know, I would like to emphasize that the proposed development, you know, does meet and exceed the Comprehensive Plan in terms of its use. The seven acres of C-C -- currently zoned C-C ground I believe does permit high density residential within that area and we are looking for this rezone, you know, not to change the use by right, so to speak, but instead upon staff's request as we work through the pre -- pre-development and short plat process. I would also like to add that as it relates to the privacy for the residents immediately to the north, we meet or exceed all of the setback, landscaping buffer and other requirements as it relates to privacy. The vast majority of our dwelling units on the northern side of our community are single story. There will be fencing along the northern boundary and fencing within the private residences. In addition, the west and east end where we are proposing townhomes, those dwelling units are oriented east-west, their patios and livability will be viewed to the east and to the west, not to the north and the south. So, it's natural for the residents in our townhomes to be looking east or looking west, as opposed to looking due north. As it relates to the parking, again, I would like to emphasize that we do meet the Comprehensive Plan and have exceeded all the requirements therein as it relates to the number of spaces. We do not envision a circumstance where overflow parking comes off of our property as, you know, supported by the 76 access spaces that we have proposed here over what is required. I would like to turn it over to Liz here to talk about our resident base and how we see, you know, the -- the demographic and who will actually live here, as well as some more on-site management related items, to address some of the concerns stated. Liz.

Schloss: Good evening. My name is Elizabeth Schloss. 17550 North Perimeter Drive, Scottsdale, Arizona. As Matt stated, I oversee all the operations and the management of Baron Property Services. Excuse me. One of the things that I wanted to highlight on that we have received a lot of comments on and/or concerns regarding the residents, the surrounding residents of the Modern Craftsman, is the management piece of everything and what we have to offer. Baron Properties is a best in class management company. We have been since 1983. I, myself, have been in management for the last 20 years and our on-site teams are extremely qualified as well and have a lot of experience on the overall management perspective of what we have to offer on a daily basis. Mr. Warchol,

he had commented a little bit about -- regarding the transient population that we do have within -- that he has experienced within his community that he lived in prior. I do believe that the management base that we provide as -- at Baron Properties will -- and the specific rental criteria will flush any of that activity out within the community. We also offer courtesy patrol opposite -- excuse me -- courtesy patrol services to help manage the noise, as well as unwelcomed activity after hours. So, just to highlight on that. And, then as it relates to the demographic that we are trying to achieve here -- and we actually have experience with this in our Phoenix portfolio in managing this type of product -- is what Matt has mentioned to the barbell, where we do have the -- it isn't the entry level renter, it is the more established renter that is -- that does have it, you know, they are more established within their career. They are probably wanting -- wanting to start a family. And, then, on the opposite side of that we do have the -- you know, the baby boomer generation, if you will, that is ready to just lock and go. They want to go travel. They don't want any responsibility of a pool or any maintenance within the community or their home. Excuse me. So, we will provide all of those services to the residents that live within our community and I -- we think that that will be an addition and it will be very complimentary to what -- to the surrounding neighborhoods.

Riggs: Thank you, Liz. This is Matthew Riggs again and just to add to that a little bit as it relates to our resident base, I think Mr. Jacobs noted, you know, between five and six hundred people may live at this community. In our portfolio and what we have seen in our history, we anticipate closer to 400, if not under that, as folks living on -- on site to be determined, the demographic of that, but if our Redtail luxury apartments on Meridian Road and Victory are any indication, we believe that upwards of 50 percent of this tenant base will be retired or at least in the later stages of their careers. Redtail has over 25 percent of its resident base today being retired without a permanent job and that is three story walk up product. We believe that this product without the stairs and with the enhanced amenities and private outdoor living spaces will attract a lot of retirees into the community. As it relates to the public transit aspect of this, we emphasized our connectivity to Chinden and our plans and obligations to build the pedestrian pathway along Chinden to the north side there and whatever public transit is available along Chinden Boulevard will be readily accessed by our residents. I believe that's about everything I have to touch on here. Thank you, Commission.

Seal: You are on mute; right?

Fitzgerald: Commissioner Seal, yeah, go right ahead.

Seal: I just had a few follow-ups here. I will just -- I will start with the easy one. As far as the -- since the -- the residences will have private yards, are they responsible for caring for that or is that something that's going to be taken care of?

Schloss: Yes. So, it will be a combination. They will be monitored by the onsite management team, but we will also be going in on a quarterly basis to help maintain those, as they will have small shrubbery. But most of the landscaping back there is rock and turf.

Seal: Okay. So, for the grass areas they will be responsible for trimming that?

Schloss: It's actually artificial turf.

Seal: Oh. Interesting.

Schloss: Yes.

Seal: Okay. That solves that problem. On the -- there is a couple of things before we close down the public comment. In looking at this and the reduction of the commercial part of the property, would you be amenable to basically moving where the clubhouse is and everything to the east and keeping that as commercial? The entire area.

Riggs: To clarify -- this is Matthew Riggs. To clarify moving it to the east adjacent to Black Cat?

Seal: Moving it -- sorry. I meant the west. I have got my directions messed up here. So, moving that -- that area to the west and keeping that -- that area that's being reduced as commercial.

Riggs: Thank you. Matthew again. As we have proposed and designed this, you know, the mixture of uses that we have incorporated between the different residence types, townhomes, duplexes, single family and, then, incorporating, you know, not only the corner commercial space, but also the pop up space, the storage units on site, the work from home space on site, we believe that, you know, we are meeting the intent of the Comprehensive Plan as it relates to multiple commercial uses, so to speak, within our residentially zoned community.

Seal: Okay.

Fitzgerald: Commissioner Seal, do you have follow up? Go right ahead.

Seal: Yeah. I like the idea of the -- the pop up space in there, you know, and understand we have to -- we have to -- we have to take in everything that's being said. So, I mean, essentially, there is a lot of public comment that's in here about the reduction of the commercial space. So, my question was more leaning towards, you know, trying to find harmony in the project and I think that if there were more commercial space that was left in that area, that people would be more amenable to it, simply because it lends itself to being a -- you know, a local coffee spot, a restaurant, a business that they can frequent, basically, and it cuts down on the residential that's -- that's abutting Black Cat Road there. So, that's the reason for my question on that. I do like the pop up and the ability for that. So, you are aware that Boise State does have an SBA incubator program that would probably be really good. Because that's exactly the kind of spaces that they are looking for, for different things like that. So, our community already does have things like that that are available to help grow that as it would be. And, then, if that commercial space

isn't -- isn't going to be -- or where the commercial space is being reduced would you be amenable to keeping everything along that to a single story?

Riggs: Thank you, Commissioner Seal. So, I would like to emphasize the collaboration we have had with staff as it relates to how the commercial lays out and how the commercial integrates into the surrounding community with all of the other commercial uses to the east and west of our -- of our site. That in large part is where we felt it appropriate to -- to reduce the -- the size of purely commercially zoned area and looking at it a little bit more as a whole. I would also like to comment that as it relates to the single story versus two story along Black Cat, in collaboration with staff we landed on a mixture there to not only buffer the community from Black Cat, which will get ever -- ever busier as the community continues to grow, but also we think it gives a good semi-custom mixed use, multiple roofline appearance of the community from the exterior and from off site of the property, which is why we landed on the proposed two townhome -- row home units along the west side there. So, we would -- we would aim to keep the -- the development and the residences as laid out here if possible.

Seal: Thank you.

Dodson: Mr. Chair?

Fitzgerald: Commissioner Holland, go ahead, then, we will go to -- oh, Joe, did you have a comment?

Dodson: I did, yes, sir, regarding this -- since additional commercial has come up. One of the discussions that staff did have with the applicant was, you know, in order to help them keep their unit count was due vertically integrated along the west side, to have retail and commercial on the first floor. I'm not sure if that's an option for anybody, but that is something that has been discussed in the past. Would offer the same type of two story integration and truly mixed use integration.

Holland: Thanks, Joe. And, Mr. Chair, if I may?

Fitzgerald: Go right ahead, ma'am.

Holland: So, my -- my background, as most people on the Commission know, is economic development and so I work with a lot of people who have projects and trying to figure out where commercial makes sense and typically, from my experience, four to five acres is kind of a sweet spot for size of what a commercial project should be, because commercial projects don't like to tend to locate by themselves. If you have a one acre lot it's usually enough for one independent user, if you are going to look at a fast food retail or you are going to look at a coffee shop or you are going to look at a small restaurant. If you are looking at a larger restaurant sometimes they need more space, so they can have enough parking. So, typically, retailers don't want to be by themselves, they want to be in kind of a complex that brings people to the area and certainly you are on a highway and you have got great -- great accessibility and it's a killer spot to try and attract retail services

to, because they have got great visibility and you have got Black Cat close by with the ability to get in and out relatively easy. I was going to bring up the same point that Joe did, that seeing some vertically -- vertically integrated mixed use commercial might help to make it a little bit easier on the concepts or maybe you could kind of have that four to five acres of commercial, but some of it might be first level commercial, where maybe that's where your -- some of your flex spaces are and you have got your -- kind of apartment units above them. Just some thoughts for consideration. But I also know that you have got a great visibility corner with Chinden and rather than seeing big berms and landscaping buffers and fencing there, I would love to see a little bit more kind of a commercial appeal, instead of just this small little window of one commercial building that you have got after you have passed the big brick wall. So, my hope would be that maybe we can have you look at removing some of those units off of Chinden and widen the space that you have got for commercial there and I think that the comment made earlier by one of the gentlemen testifying that to fix the parking really the only way you could do that is either reduce the amount of commercial building space or to increase the amount of commercial and I think that that was pretty spot on. So, my hope would be that you would consider adding at least a little bit more commercial and maybe we can find some middle ground between where you were approved at originally or what it was zoned at and where it is now, that maybe we can look at somewhere in that four to five acre sweet spot.

Fitzgerald: Commissioner Holland, appreciate that. Additional comments or questions for the applicant? Hearing none -- no?

Riggs: Is it my turn? Sorry, Commission. This is Matthew. As it relates to the commercial land use and four to five acres, in evaluating the surrounding land uses and the, quote, you know, more destination retail or commercial areas, we see that on both sides of the property, you know, very close by. Between Costco and the medical campus to the west there is intermittent larger commercial areas that are designated and planned for under much larger development parcels. We are over 20 acres here when you count, you know, all buffers and right of ways and what have you, but as we -- as we view this community we don't envision the access and the location as one that should be centered on a destination retail or commercial area, but rather a use that will service the neighborhoods and -- and the needs therein without major -- without major development standards. We also have access issues as it relates -- you know, we don't have any -- any access off of Chinden, but for Black Cat and as it stands right now, you know, we have our northern entryway to -- to Black Cat and are looking to Council to approve a right-in, right-out only. So, if the commercial area were to grow we would still run into issues as it relates to access and, you know, I believe our -- our belief is that as proposed the development, you know, provides that neighborhood commercial or retail use while complementing the larger retail and commercial developments that are very close by to -- to our property.

Fitzgerald: I didn't mean to cut you off there in answering the question. So, in regards to that, I mean I think the history of Spurwing was to be like Bown Crossing -- and you may not know that development or maybe you do in east Boise. The same developer developed Spurwing. It's been chopped up now into a -- a significantly over -- it's

residential dominance, where it was supposed to be a pretty mixed use community with a significantly dominant commercial component to it. Lots of restaurants, coffee shops, small retailers. That was the original concept and so for me it's -- it's challenging to shrink this thing down significantly to two acres. I agree with Commissioner Holland's point that it doesn't leave much and I understand there is -- there is stuff to east and stuff to the west, but the original concept for this development long term was significant mixed use and so as that's my -- I guess my concern is that without a significant commercial component we are missing the original design that's been barred -- kind of taken away from it and I would like to see some more commercial as well. But that's just my thoughts. Do you have any feedback there?

Riggs: Thank you, Chairman Fitzgerald. I understand what you are saying, but I think I would reiterate that given the size of the community being, you know, roughly 20 acres -- or the property being roughly 20 acres and ingress-egress challenges related to it, combined with the surrounding commercial uses, you know, we -- we aim to develop what we have here as this mixed use community development, incorporating, you know, multiple different uses that are -- that are commercial. You know, 106 storage units, work from home offices and conference rooms, community gardens, you know, multiple, you know, pedestrian plazas, we have -- we have really aimed to -- to lay out a site plan and a proposed development that albeit doesn't have seven acres of purely commercial, does in our mind meet, you know, the intent of these multiple commercial uses throughout the -- the property and -- and, you know, again, I think in our evaluation of the C-C zoning in place, you know, this -- this medium to high density residential is a component of that zoning and believe that, you know, by -- by backing off of the purely commercial side of things, you know, we are meeting, you know, the intent of the Comprehensive Plan with this submission.

Fitzgerald: Appreciate that. Commissioners, we have one person that's raised their hand that has not testified previously. Like to give her a chance to speak and, then, we will allow Mr. Riggs to finalize his comments. Is that okay? Becky, you are currently joining us. I think we will unmute you really quick or, please, click unmute. Or, Adrienne, can you help her, please.

Weatherly: Becky, I just asked you to unmute. It's not giving me the ability to unmute you, but you should have the ability to unmute yourself. Sometimes there is a delay.

Fitzgerald: Bottom left corner of your screen. Yeah.

Pogue: Mr. Chair?

Fitzgerald: Oh. Go right ahead.

Pogue: Yeah. I think I would like to weigh in at this point we have had the applicant respond. There were no other public at that point on to testify. The applicant responded. To stay on process, on track, we should actually now turn it back to the Commission.

Fitzgerald: Agreed. Thank you. Sorry we couldn't grab you as far as technical difficulties. Mr. Riggs, you want to finalize just a couple minutes -- a couple quick points and, then, we will close the public hearing.

Riggs: Sure. Thank you, Chairman Fitzgerald. Without reiterating too much of what I just covered, you know, I would like to emphasize the consideration and time that we have spent really laying out the details of this community and how each dwelling unit integrates with its neighbor, with the open space, and with the proposed commercial, as well as the surrounding community. You know, it was -- it is typical in Meridian to see, you know, three and four story walk-up apartments and we sought to do something highly innovative, highly unique in proposing what we have here. We believe it meets a resident demand that is -- that is really not available in Meridian today, this high end, you know, renter by choice, single story product, emphasizing private backyards, best in class amenities, best in class on-site management and integration with, you know, the different commercial uses, whether it be the corner parcel, our amenity and work from home, storage uses, et cetera, you know, we have -- we have worked hard to -- to fulfill, you know, as many of those as we could and we believe that if approved this product will be something that garners significant local and national attention. We think that the product type and the quality of it is something that very few developers have -- have built to date in the western U.S., let alone Idaho or in Meridian and we are pretty proud of that and believe that, you know, if able to develop what we are -- what we are looking to do here, it will be very well received by not only the future residents, but the community. So, really appreciate everyone's time, especially our neighbors and staff. We spent a lot of time working with, you know, staff and all the approximate agencies to -- to hone in on -- on the details of this and as it stands, like I said, we are pretty proud of where we landed and -- and encourage, you know, a positive outcome here this evening. Thank you.

Fitzgerald: We appreciate it. Can I get a motion to close public hearing?

Pitzer: So moved.

Seal: Second.

Holland: Second.

Fitzgerald: I have a motion and a second to close the public hearing for H-2020-0022, Modern Craftsman at Black Cat. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Okay, team. The application is properly in front of you. Anything -- anyone want to kick off?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer, go right ahead, ma'am.

Pitzer: I will start out. You know, I like the concept of what -- what these guys are trying to do with the modern -- putting it out there. I think it's an innovative product. I like the style of it. The modernness. And having a lot of community assets. I think that where my problem is coming in with this project is the lack of commercial. As they have stated over and over again, they are on 21 acres. If I am at the end of that 21 acres and I am in this community, where is my coffee shop? Where is my -- all of those type of amenities that should be within that corner commercial and it's not going to fit. If there is a daycare I think that's what you are going to have is a daycare. I think Commissioner Holland was spot on. It needs to be at least double that. I'm not opposed to seeing that go to five or six acres. So, while I like the project, I think there needs to be some give on that commercial. And that's my initial thoughts.

Fitzgerald: Appreciate your comments, ma'am. Commissioner McCarvel. You took yourself off mute, ma'am. You are fair game.

McCarvel: Yeah. I think I would have to agree with Commissioner Pitzer. I love the project overall. I just -- being on that corner I -- I would like to see just a little more commercial be part of it. That little itty bitty spot just isn't going to do much. But I hate to take away from -- I think the innovativeness of the amenities that they do have is a nice change, but somehow -- you know, Commissioner Holland referenced going vertical and I would just say it needs to be a couple more acres, but overall -- I mean I really like the change and the differentness of the product. It -- it would be I think a welcome change to what we traditionally see as far as multi-family projects go.

Fitzgerald: Commissioner Holland.

Holland: I apologize. My husband's mowing the lawn, so sorry if there is any feedback behind me. I would say overall there is a lot of things that are really nicely done. I think they -- they certainly put a lot of work into the visuals that they brought to us. We appreciate that. I like that they are single family multi-families -- or single story multi-family. That's pretty rare to find. And I think the amenities package, the -- the thoughtful design -- they did do a really nice job with that. Twenty acres is a lot of land for a multi-family project. I mean when I think about what size lot my house sits on, you know, if you are on a quarter acre lot you have got four houses within a -- within a one acre square and you are talking multi-family where they is much -- much more dense in their -- in their smaller -- smaller square, so you can fit a number of units in a 20 acre space. I still think they have got the option of going vertical to do some of that mixed integration, so that they don't lose the number of units if they do it right and they could still, you know, put some other flex space in there and have that -- that capability to have the yoga studio, to have the workout gyms or a pop up coffee shop or whatever it is, maybe it's even food trucks that come in there. But I would still lean towards wanting to see a little bit more commercial. One of the other comments I made was if you are driving down Chinden it's really awkward to pass a big brick wall with a bunch of nice landscaping and, then, see this small little gap where you have got one little commercial building. So, that's why I

said I think four or five acres of commercial -- and especially utilizing that frontage corridor would be a good advantage for them. I know there is certainly access issues whenever you are trying to go off of a highway and they may have to have some further conversations with ACHD and ITD on that to figure out what makes the most sense on -- on how that access can be reconfigured and work with staff on that. On the specific conditions, if we want to get into that, I don't see a problem with adding a condition that they could do construction before the plat recording. I do agree, though, that the commercial lot still needs to be bigger and I thought the other proposed condition of two story townhouses on the east side only, single story in the west and north, was an interesting concept, but it made me feel a little bit better that the units aren't facing to the north or south, they are facing to the east and west. I appreciate that they put some thought into that. I don't know that I feel like I need -- we need to condition that specifically, but I would be leaning towards almost asking the applicant to continue the project and bring it back to us with some different configurations for the commercial. Otherwise, I would be probably leaning towards recommending denial just based on the -- the lack of commercial there.

Fitzgerald: Commissioner Grove, thoughts?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove, go right ahead.

Grove: I will jump in real quick. I agree with, you know, what everyone has said so far, with just a few things. But before I do that, I always like to comment on the community feedback, especially when it's very constructive and informative and so just wanted to commend the community that had weighed in tonight. Thank them for being constructive in their feedback. I appreciated that. To the developers, I -- I really like the innovation and the uniqueness of this project to provide something different and I like, you know, the overall layout and concept that has been given to us. I would like to see, you know, as everyone said, more commercial. I -- I particularly like the, you know, quick comment by Joe for, you know, adding commercial on the first level on -- on that west side and putting residential up above. I would -- I would be a huge fan of being able to do that along that entire west side if possible, just to do as Chairman commented with the Bown Crossing concept of, you know, that mixed -- true mixed use development. I really am a huge fan of what the developer has done, especially in terms of that pop up section and that whole community aspect that's built around the clubhouse, pool, pop up space, I think that's a -- a really unique way to approach this. So, overall I really like this project. If there is a way to add in additional commercial somehow I would be even more in love with just being able to move forward.

Fitzgerald: Thank you for your comments, Commissioner Grove. And I agree completely with your comments on the constructive feedback from the community. I think they were extremely good comments that came back. Commissioner Seal.

Seal: Mr. Chair. I'm in agreement with what everybody else has said. I really like kind of the valet trash service. I have seen some things in some of the multi-story high density residential that are somewhat appalling as far as the -- basically the trash becoming heaped over. I mean just -- just saw that last week in a -- in a residence. So, knowing that that's going to be something that's taken care of takes one of my questions off the table right away in an area like this, you know, with the folks coming in and it being -- you know, people moving in and out and everything, I mean there is all kinds of stuff -- furniture being thrown in the dumpsters. So, having a valet and somewhat monitored controlled is something that's -- I really appreciate. I like -- I like the way that it's laid out. I think everybody having an individual space is going to lend itself to not pride ownership, but, essentially, just pride in appearance, you know what I mean. That is your space where if you are going into a multi-story building you don't necessarily have that, you are just walking up a set of stairs that aren't yours into a door that nobody else really knows is yours, unless they know you. So, in this it's your residence, it's a place that you are going to live, you are going to have your family there and, of course, you are going to want it to look as nice as it can. So, I think that does help with some of the concerns that are out there as far as pride in ownership, so -- I do have to say there is other things about it -- the -- the pathway coming down the middle, tying the whole thing together, I really like that. Walkability. Rideability. All of that seems to exist within this space. So, I'm just a huge fan of that. I wish we had more of that everywhere else -- that we had anything even close to this. So, very innovative. Really like the concept of how the clubhouse ties into the pop up and how that space is utilized. But I do agree with the other commissioners, though, I would like to see that commercial space come back. More of it. You know, doing the integrated commercial with the first story to me seems like a homerun, you know, as far as trying to make more commercial -- commercial use out of that space with a minimal amount of change. Again, with our local universities having small business incubators that would be something that might even be financial -- might be a financial boost for you to get in there, because I know they have money to help out with things like that. So, that said I mean the overall project itself I really really like, but I do agree that the commercial needs to come back.

Fitzgerald: Thank you, sir. Commissioner Holland, are you getting ready to have additional comments?

Holland; I was thinking about it. I was going to say I have looked at -- I knew that there is 47 pieces of public testimony earlier and there is 49 in there now. Since 4:00 o'clock there were a couple of additions in there. So, I wanted to thank the community, too, for -- for showing up and giving some good constructive comments. I had a note that -- about the -- the no parking signs and I don't know if we answered for one of the people testifying, so I wanted to make sure we covered that as well.

Fitzgerald: Yeah. You were reading my mind. Andrea, I need your comments and probably feedback on the discussion on reduction in home pricing, because I don't think that's something we ever get involved in, so -- but I want to make sure general counsel has a chance to weigh in on that and, then, I'm going to ask Joe to weigh in on the no parking signs.

Pogue: Mr. Chair, that's correct. That shouldn't become part of your consideration. There is not evidence or testimony presented with any data or statistics to go along with it, but it isn't something that we can evaluate in terms of meeting code or --

Seal: Mr. Chair?

Fitzgerald: That's not our job as -- yeah, Commissioner Seal, go ahead.

Seal: And part of that I would just like to thank -- thank the previous Planning and Zoning before I got here and City Council for helping my home value in six years to go up a hundred percent, so I think we are all going to get -- get through this.

Fitzgerald: Agreed. I -- it's one of those things that there is lots of impacts that come from a lot of different places and I -- that's not something that comes in -- our job is to determine if this project meets our code and future land use planning map and all of our requirements in the city and that does not plug into our decision making. That's for other people to work through. Joe, can you comment on the no parking signs on Tree Crest. Is that something that you are aware of?

Dodson: Mr. Chair, yes, sir. I have been educated recently and --

Fitzgerald: Okay.

Dodson: -- North Tree Farm Way is a collector, so it should be no parking. However, it was not conditioned to have no parking signs, so we will have to reach out to ACHD and make sure that they are labeled as no parking.

Fitzgerald: Perfect. Thank you.

Dodson: You are welcome.

Fitzgerald: And just as we are finishing up, my comments I think -- kind of got the gist of my comments. I think you guys -- I -- vertical integration of product is not done enough in the city. I have lived in a couple different places and we talked about the apartment complex that they are building next to Kleiner Park that they are parking underneath. Pool is on an upper deck and it's vertically integrated. We need to see more -- something like that. So, I would love to see -- with the innovation that's in this product -- because I am really impressed with the innovation of a rental product that is bringing exceptional design kind of amenities in their packaging, but there is a -- there is just one piece missing and that's that commercial side. I think if it could be solved with that vertical integration down the west side. I would be happy with that. The comments about not having access -- there is a light there and so I don't know how that cannot be utilized for access. I mean it's the businesses that don't have a light that I would be more concerned about not having access to. So, I think there is plenty of opportunity to utilize that. The -- you know, Costco spent 45 million dollars putting -- you know, expanding that road and putting a new light in there that's going to get done here pretty quick. That could be utilized to make sure

that there is access for that community with additional commercial. So, that would be my thought. Even though I do want to commend the applicant, because it is an exceptionally innovative product, lots of amenities, different thinking, much like Commissioner Seal said, the different aspects they brought into services I think are impressive as well. So, I -- it's just not one piece that's bugging me, it's the commercial piece that's missing and we have broken up so far from this original concept that it's bumming me out, because I think it would be -- it would fit if that commercial was a little bigger. Commissioner Holland, I think you are trying to speak.

Holland: Mr. Chair, I was just going to say with the comments that we have made I think we are leaning towards the continuance to see if the applicant will be willing to make some changes and bring it back to us and if they don't, then, we would probably lean towards a denial. So, I'm going to make a motion to reopen the public hearing to ask the applicant if they would be willing to continue the project to come back to us with another concept.

Seal: Second.

Pitzer: Second.

Fitzgerald: I have a motion and a second to reopen the public hearing for input from the applicant on a continuance. All those in favor say aye. Any opposed?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Mr. Riggs, are you with us, sir?

Riggs: I am. Thank you, Chairman and Commissioners. Really appreciate everyone's time, community and all of you -- your time. We are taking to heart the commentary about the commercial side of things. It's definitely something we will revisit and reconsider. We aim to fulfill some of the commercial uses through the flex space, but -- but clearly we are going to go back to the drawing board or to other concepts that we have discussed and look at ways at mitigating your concerns as it relates to the commercial. You know, ultimately our goal here is this residential single story and townhome product and integrating it well with the community and the adjacent commercial on the property and so, yeah, we will -- we will definitely revisit, continue the process and -- and look to pick this back up again with the Commission at a later date.

Fitzgerald: We really appreciate your -- your willingness to look through it and consider the comments that were provided and, Joe, do you or, Madam Clerk, do you guys have a date -- or Mr. Riggs, do you have a date that you would need to get everything squared away and come back to us? We have a pretty full agenda the next six months, but we want to make sure we fit you back in, so any -- how much time do you need?

Riggs: You know, with -- with our team anxious to continue work on this, we would love to -- to get back in front of you as soon as we can. As discussed we have had -- we have

had discussions about other ways to integrate different commercial uses into it, so we will not be starting from zero here, so to speak. So, as soon as -- as soon as possible we would move to try to get back in front of you.

Fitzgerald: Thank you, sir. Joe and Adrienne, do you have feedback on a -- on a next opportunity we can put them back in our calendar?

Dodson: Yes, Commissioner Fitzgerald. I have three projects on August 6th, so, please, don't. But my wedding got postponed, so I can do the Planning and Zoning Commission hearing on August 20th now, so that would work if we are aiming towards a continuance.

Fitzgerald: Okay. Commissioner Holland? Or Commissioner McCarvel, go right ahead.

McCarvel: Okay. I --

Seal: Just to confirm, was that the 6th or the 20th?

Fitzgerald: Hold on one sec. Yeah. Andrea, do you have a comment?

Pogue: I just wanted to suggest that the person making motion consider limiting for reopening -- or the continuation for the purpose of receiving more information and, you know, other options on the commercial side of the project. So, to limit testimony for that, so that we don't have to re-hear all the testimony on the whole project.

McCarvel: Okay.

Fitzgerald: Thank you. Good feedback.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: I move to continue file number H-2020-0022, to the hearing date of August 20th for the sole purpose of reviewing the applicant's new proposal for additional commercial.

Seal: Second.

Fitzgerald: I have a motion and a second to continue the public hearing on file --

Holland: Mr. Chair?

Fitzgerald: Yes, ma'am.

Holland: Just one comment to Andrea's point. Do we need to be more specific in the motion to say that we are going to only reopen the public testimony for the purpose of

discussing the commercial and not for the multi-family component? Or if we are just opening it up for the applicant. I'm not sure if we have to open it up for -- for public comment, so -- but --

Pogue: I think the public would be able to -- to comment on the -- what's brought back for the -- for more commercial and if that impacts on -- in a new way on the rest of the project they would be able to testify about that, too. But it's -- the purpose that I'm hearing the Commission wanting to base its continuance on is on the commercial -- wanting to see more commercial brought into the project.

Fitzgerald: I think that we are -- the motion seems fine, I believe, so I have a motion and a second to continue the public hearing of H-2020-0022, Modern Craftsman at Black Cat. All those in favor say aye. Opposed same? Okay. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thank you all. Mr. Riggs, thank you and your team. We will see you in August.

Riggs: Great. Thanks, everyone. Appreciate your time.

B. Public Hearing for Epic Storage Facility (H-2020-0058) by Jarron Langston, Located at 1345 W. Overland Rd.

1. Request: Rezone of 4.43 acres of land from the R-8 zoning district (Medium-density Residential) to the C-G zoning district (General Retail and Service Commercial) for the purpose of developing commercial storage on the site; and,
2. Request: A Conditional Use Permit for a 29,400 square foot storage facility and associated outdoor storage on 4.43 acres in the C-G zoning district.

Fitzgerald: Moving on to the public hearing for Epic Storage Facility, H-2020-0058. Joe, I'm turning it back over to you for the public -- or for the staff report, sir.

Dodson: Thank you, Mr. Chair. Can everybody see my screen now? I want to make sure I did this right. I think we are good. Okay. So, yes, as stated next item, Item No. 4-B, Epic Storage Facility. The request before you is for a rezone and conditional use permit for Epic Storage Facility, a 29,400 square foot storage facility. The applicant is requesting a rezone to change the existing R-8 zoning to C-G zoning, general commercial. The applicant is also requesting conditional use permit approval for a storage facility. The subject site is surrounded by existing City of Meridian zoning and development to its northwest and south. Directly to the east is a new residential subdivision that the city is currently processing. Directly across West Overland, an arterial street, there is I-L zoning with two RV users currently existing, Bish's RV and Camping

World of Meridian. Directly to the west along the northern half of the site is the new Meridian Fire Station and abutting the site on the southern half of the west boundary is a multi-family residential development. This parcel has both the commercial and medium density residential future land use designations as seen in the future land use map on the left-hand side of my screen here. The addition of the commercial designation spawned this proposal to rezone the property. There we go. The propose new land use is a form of RV storage and is a conditional use in the proposed C-G commercial zoning district. However, the proposed use is not a traditional self -- RV self storage as our code depicts. Staff must assess proposed uses with those listed in the UDC Table for each zone. Precision Storage Concepts, the actual business proposed here, is a more encompassing commercial business than traditional self storage by providing a valet -- valet drop and go system that requires customers to only drop off their trailers and RVs. They will not park them, nor store them themselves. Precision Storage Concepts is intended to be a full service RV and trailer business that includes they wash before each use, supply stocking of the vehicle and maintenance checks on standard items, such as batteries, water, refrigerator and tire pressure. In addition, a majority of the storage and business will occur within a large single story building. That is the 29,000 square foot storage facility. There is also intent for ancillary outdoor storage of vehicles and trailers that will be stored on the asphalt area between the office and the back of the parcel, the southern end, and the main building that is closer to Overland Road as seen on the site plan. Because this property is already zoned residential and development to the south, southwest, and to the east is residential, or planned to be, staff has concerns with the requests for C-G zoning. This concern lies with the potential for a higher intensity of commercial use next to said residential if this property is rezoned to C-G, but never develops as proposed, barring any bad economic downturn. Staff would prefer to see lower intensity zoning on this property that is still commercial and would help staff ensure a more disruptive use is not principally permitted and so easily attainable if this project is not completed fully. Therefore, staff is recommending changing the requested rezone of C-G to be C-C instead. Self service storage, the use staff has to place this use into, is still a conditional use in the C-C zone and will not affect the future operation of this use. Access to this site is proposed via an existing curb cut from West Overland Road in the northeast corner of the site. ACHD approved this access point as the proposed use as -- it's only a commercial use and vehicle trips to location is presumed to be minimal when compared to a residential development. The specific use standards for Self Service Storage require a secondary access for storage facilities and the applicant is proposing one at the eastern boundary that lines up with the proposed common driveway and the adjacent Sagewood West Subdivision currently being processed by the city. This applicant and the applicant for Sagewood West have worked together to align this emergency only access. As part of proposing a commercial zoning and use, a 25 foot landscape buffer is required adjacent to any residential uses. The applicant is showing this buffer on the submitted landscape plans as seen on the screen, but the buffer does not appear to meet the UDC requirement of landscape -- the amount of landscaped vegetation within the buffer. Staff has recommended a condition of approval to correct this. That condition is that all of the landscape buffers, the 25 feet, need to be at least 70 percent vegetated at the time of maturity. The applicant submitted conceptual renderings and conceptual elevations of the new proposed storage building. The originally submitted plans do not meet all the

standards as required for commercial development in the architectural standards manual. This application does not include design review, but staff recommended certain conditions to ensure any future building on this site is built to a premier standard as intended by the ASM. In response to these conditions, the applicant has provided revised renderings that appear to respond to most of staff's concerns to some level. I will click through a few of these for you. Staff believes some additional tweaks should take place, but these can happen upon certificate of zoning compliance and design review application submittal. Overall the revised elevations are very much improved. There was no written testimony on this, at least as of 4:00 o'clock'ish. Staff does recommend approval of the requested rezone and conditional use permit pursuant to the DA provisions and conditions in the staff report. Because the applicant has responded to my condition about the elevations, I recommend that Condition Five in the staff report be stricken as it is no longer applicable and we will handle the rest of it through certificate of zoning compliance and design review. Thank you.

Fitzgerald: Thanks, Joe. Are there questions for staff? Okay. Hearing none, Madam Clerk, do we have anyone signed up to testify or in the audience that would like to testify?

Weatherly: Mr. Chair, would you like to hear from the applicant first?

Fitzgerald: Oh. Sorry. Yes. Thank you. I'm discombobulated with all the different things going on. Yes. Would the applicant like to come forward and testify or join us online to testify. Are they joining yet?

Walker: Mr. Chairman, Members of the Board, my name is -- excuse me -- is Glen Walker. 1891 North Wildwood Street, Boise. I am representing the ownership group for this project, which is -- this project is actually called Precision Storage Concepts. That's the name we would like to use. We have submitted this project for a rezone and a conditional use permit application. We originally were requesting to rezone to a C-G zone, but after reading the staff report we would agree that a rezone to C-C zone would work if the facility works in that same zone. I apologize, because I will probably be restating same -- some of the same statements that Joseph read, but I would like to restate it again. The site is located at 1345 West Overland Road, which it has been designated a commercial zone under the future land use map. We feel this project will fit in nicely with the surrounding uses. This site is surrounded by existing City of Meridian zoning and development to its northwest and south. To the east this site is a new residential subdivision. Across Overload Road is the I-L zone, which has two facilities or projects, one being the Bish's RV and the other one being Camping World, which we feel this facility will fit in nicely with those two users across the street. To the west is a new fire station, which is really a nice convenience and as mentioned to the east of us is a residential subdivision that's being proposed. There is an existing home and accessory building on the site. The home will be removed upon the development of this project. However, the -- however, the accessory facility we are going to be keeping and in that accessory building is the ADA restrooms and an office, which is going to be used for this new proposed Precision Storage Concept facility. The new facility we are proposing is a high end storage facility for storing RVs, trailers, boats, et cetera. The storage facilities is a more encompassing

commercial business that -- than that of a traditional self storage facility. Precision -- Precision Storage Concepts was established with a valet system that comes with a drop and go system, a wash before each use, and includes maintenance checks on standard items, such as batteries, water, refrigeration and pretty much an overall check of the RV that's going to be stored in that facility. Precision Storage Concepts -- it will -- it will -- this facility will blend in nicely -- we feel that it will blend in nicely and perfectly with the convenience of the city and its beautiful surroundings. People move here to play with their toys and will love the valet system and the care and precision that this facility will offer. It will help the City of Meridian to continue -- to continue to offer all -- the people that live around this facility --

Fitzgerald: I think we are having some technical difficulties in hearing you, sir. Either speak into the mic or -- we have some challenges -- having some technical challenges hearing you, so if you could speak up a little bit or talk into the mic a little bit closer it would be greatly appreciated.

Walker: Sure. I will move in here and I will start from in there. Can you hear us?

Fitzgerald: Yeah. That's much better.

Walker: Okay. Great. And I apologize for that. It might be also the mask that I'm wearing. As Precision Storage Concepts is going to be a full service RV trailer, boat (unintelligible) for the community, we feel the location of this facility is ideal for the public use with the proximity to Bish's RV and Camping World where recreation vehicles and trailers are serviced and sold. In regards to CZC application, this project is subject to conditional use permit approval. This facility will be used as a commercial use for storage and light maintenance only. No manufacturing will be done at this facility. This facility will be separated by more than 35 feet on all sides. It will be fire sprinkled. The site will be surrounded by a screen vinyl fence and landscaping as well. The hours of operation for this facility will be 6:00 a.m. to 7:00 p.m., roughly, which falls under the allowed time for the city. We are providing a 25 foot landscape buffer between the residential zone, as well as a 25 foot street buffer, which should meet the landscape requirements from the city. We are also showing a secondary means of access for emergency purposes. We have aligned that access with the development to our east and we have worked with that -- that group and that development, so have lined those up together. The site itself -- we are proposing seven parking stalls with two ADA stalls. As mentioned, this facility is a valet-type system. We feel the seven parking stalls is in -- is in compliance with city code for the amount of parking spaces. The staff report does talk about providing a sidewalk from Overland Road to the rear building or office building. The owners will agree to provide some sort of path. We are asking that if we do provide a path, if we could provide some type of striping on the asphalt that goes across the asphalt to the -- to the building itself, if that would suffice. We will be submitting a design review and a certificate of zoning compliance as Joseph mentioned and at that time we will be working with the city with regards to the design of the building, the colors, the materials of the building. So, that is it somewhat in a nutshell. We hope that these two applications, the CUP and the rezone, will be acceptable to the Planning Department. We feel this project is a great fit

for the City of Meridian and will add quality, great architecture, and distinctiveness to the area. So, that's kind of it in a nutshell.

Fitzgerald: One question on the -- the fencing type and size, is that -- can you give me an idea -- is that eight foot fencing around, since you have -- RVs are going to be outside? And is it going to be screened?

Walker: We -- yeah. It will be a screened solid vinyl fence. We were thinking six foot, but if you guys are wanting eight foot I'm sure we can -- we can comply with eight feet. But we were thinking six feet, but it's what you guys would want. We will definitely comply with your guys' recommendations.

Fitzgerald: Okay. And the second question -- the auxiliary building that's going to remain on the property, is that being remodeled or revamped to come up to where the -- the design work that you guys are doing with the new building?

Walker: No, not at this time. We are leaving that facility as is. That's really tucked back down there on the south portion of the site. You're really not going to see that facility from the front, Overland Road area.

Fitzgerald: Okay. Thank you. Are there other questions for the applicant at this time? Commissioner Holland.

Holland: Just one follow-up question from your earlier comment about the fencing. I think if I remember right we are only allowed to do six foot fence in code, but the way we have kind of helped applicants around that in the past was recording a two foot landscaping buffer and put the fence on top of it if we wanted to see it higher, if I remember right. But that's a question for staff.

Fitzgerald: I think Joe and I talked about it earlier.

Dodson: Mr. Chair?

Fitzgerald: Go ahead, Joe.

Dodson: Yeah. Yes, sir. I'm -- Mr. Chair, Commissioner Holland, it's C-G, so you can actually go up to eight feet on the fence, not just the six foot as is required in residential.

Holland: Great. Thanks.

Fitzgerald: Commissioner Seal, sorry about that.

Seal: Yeah. Just a quick question on the -- the -- essentially what's going to become the office space, is that something that's going to still be a residence in terms of somebody will be staffing that for a security reason?

Walker: I apologize, I didn't hear the question. Was that directed towards me?

Seal: It was. The question was for what the office space -- is that something there -- is somebody going to stay there full time, like a security type presence, or is that simply office space?

Walker: It's going to be simply just an office space.

Seal: Okay. Thank you.

Fitzgerald: Additional questions for the applicant?

Grove: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Grove: Hey, Glen, question for you real quick. Just to try and get this in my -- when -- so, it's a valet service. Is that for parking -- do they pull -- does the person pull all the way to the back of -- where that small office space is or is it pulled up to that main building?

Walker: Well, it's going to be the employees of Precision Storage Concepts that's going to be taking the vehicle, driving it onto the site and, then, driving it into the facility. So, it's going to be the employee is taking it and bringing it to where they need to take it. The customers will not be doing that.

Grove: So, it's a valet service as a -- back to their homes?

Walker: Yeah. It is. It's a -- it's -- it's -- it's solely a valet type service. Precision Storage Concepts is going to be -- you know, taking the vehicle and bringing it into the -- to the building -- into the facility and, then, from there they will pull it back out and onto the site and we will most likely call the client and say the RV is ready for pickup and, then, the client comes and picks it up.

Fitzgerald: Commissioner Grove, did you have another comment?

Grove: That answered it. Thank you.

Fitzgerald: Yep. Any additional questions to the applicant?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer, go right ahead.

Pitzer: Okay. So, I'm like Commissioner Grove, I'm trying to wrap my head around this. So, they come to pick it up, but they don't come to drop it off; is that correct?

Walker: Well, I'm not sure exactly the process. We could get the ownership to talk about that. But I believe that for the most part, you know, when you come and you -- the client potentially probably would drive somewhat into the site, drop it off near the building, check in and, then, from there the -- the employees would take over and grab the -- grab the RV and, then, take it into the facility.

Pitzer: Okay. Thank you. That would make more sense to me. Okay. Thank you.

Walker: Uh-huh.

Fitzgerald: Any additional questions this time -- at this time? Seeing none, Glen, we will be back to you shortly so you can close, but we are going to see if there is any public testimony and, then, we will let you close up. Adrienne, do we have anyone wishing to testify on this application, either in person or on the line?

Weatherly: Mr. Chair, we had some people sign up, but no one indicated a wish to testify.

Fitzgerald: Is there anyone in the audience or online that would like to testify on this application? Please raise your hand or signify by raising your hand on Zoom. Or in the audience. Which ever one. And Commissioner Seal will be the eyes.

Seal: I see no one in the audience raising a hand.

Fitzgerald: Madam Clerk, are we good to go on the other side?

Weatherly: Mr. Chair, that's correct.

Fitzgerald: Okay. Thanks, ma'am. Glen, do you have any additional final comments you would like to make before we deliberate?

Walker: I would just like to say that we through the ownership group and myself really feel that this project will fit in very nicely within this area in that we are working with the storage of expensive RVs and boats and having Bish's RV and Camping World right across the street, which is kind of in the same use as -- as those, so we feel that this project will definitely fit in nicely in this area.

Fitzgerald: Well, we appreciate you being here this evening and are there any other questions for the applicant before we close the public hearing? Going once? Going twice? Sir, we greatly appreciate you being here tonight and can I get a motion to close the public hearing?

Holland: So moved.

Seal: Mr. Chair? Oh. Second.

Fitzgerald: Oh, Commissioner Seal, go right ahead.

Seal: No. Go ahead. I was just going to make the motion, but it's been made, so --

Fitzgerald: Okay. Can I get a second?

McCarvel: Second.

Fitzgerald: I have a motion and a second to close the public hearing on file number H-2020-0058. All those in favor say aye. Opposed same. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Anyone want to lead off?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go right ahead.

Seal: I really like the concept of this. So, being a trailer owner myself it's -- it's probably not something that I would -- would utilize, but I do know people that would utilize it and I mean it would help them out a lot of -- I would say elderly folks that are not so much mechanically inclined, but do have large motor homes would more than likely use this service a lot and being right across the street from the two dealers over there, I mean I can see that, you know, incentives for trailer buying and being able to use that service are probably -- probably in the works already. So, as far as it fitting in, you know, I mean I -- as far as a six foot fence or an eight foot fence, depending on the landscaping that's put in there, it may be moot, but I mean if -- if an eight foot fence is something that everybody thinks we should put in there, I mean that's -- I'm totally workable with that for sure, so -- but I think this was -- you know, location is everything and -- and I think it's well thought out and I think it will be a good addition to the community.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I would be in support of this, especially with the revised renderings. Just a couple little add-ons made a nice difference and, I agree, I think it will be utilized a bunch.

Fitzgerald: Commissioner Holland.

Holland: Mr. Chair, I -- I like the concept as well and I like that they are putting the RV units in the back and have the building up front. That's not something we typically see with RV storage, so I appreciate that and, you know, someday if this ever was repurposed as another use it's certainly a nice looking attractive building that could be used a number of different ways. One question I do have -- if we could go back to what the surrounding uses are around this, I don't mind the eight foot fence, but there may be some that we

don't need any fence on, if it's next to another commercial or whatnot. I can't remember exactly what's on both sides of it, though. I think an eight foot fence (unintelligible).

Fitzgerald: Yeah.

Holland: Okay. Then an eight foot fence it is.

Fitzgerald: I think -- I will let Joe give me direction, but I think it's residential on all sides. Except for the north.

Dodson: Mr. Chair?

Fitzgerald: Joe, is that correct? Yes, go ahead, sir.

Dodson: Yes, Mr. Chair, to the north, yes, is Overland and, then, I-L zoning east, south and to the southwest is residential. But directly abutting the site to the west is Fire Station No. 6, the brand new one. So, that's also not residential.

Fitzgerald: But to the south of that is residential neighborhood that runs along that east corridor; right? Or that east boundary? South of the fire station.

Dodson: Along the west boundary, yeah, that's where some multi-family residential is and R-15 zoning.

Fitzgerald: Okay. Thank you. Additional comments? Commissioner Pitzer, do you have a comment?

Pitzer: Yes. No. I -- and I'm just going to echo the sentiment here. I think this is -- this is a great idea to put right across the street from the other RV places and I'm in full support of this and -- yeah, six foot, eight foot fence, either works for me.

Holland: Mr. Chair?

Fitzgerald: Go right ahead.

Holland: I don't want to cut anyone off, but I will make a motion, unless anybody else has comments, but -- after -- after considering all staff, applicant, and public testimony I move to recommend approval to City Council of file number H-2020-0058 -- making sure I have got the right one. As presented in the staff report for the hearing date of July 9th, 2020, with the modification that they would be putting in an eight foot fence where the property lines abut two residential uses.

Seal: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0058, Epic Storage Facility. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Glen, thank you for being here tonight and good luck. I wish you guys the best.

Walker: All right. Thank you, Commissioners.

Fitzgerald: Does anyone need to take a break for any reason or you want to keep plowing forward and we get into a --

Parsons: That's -- Mr. Chair, that's up to you. If you want -- your purview. If you guys need a five minute break, happy to do that while we get set up for the next presentation.

Fitzgerald: Okay. Let's do that real quick. We are going to take a bio break.

(Recess: 8:35 p.m. to 8:44 p.m.)

Weatherly: Mr. Chair, we are all here and ready to go.

C. Public Hearing for Apex (H-2020-0066) by Brighton, Murgoitio, et al., Located generally located east of S. Meridian Rd. and north of E. Columbia Rd.

1. Request: Modification to Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. # 2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. # 2016-007074) to replace the agreements with one new agreement based on the proposed development plan.
2. Request: Annexation of 40.09 acres of land with an R-2 zoning district. Request Continued to a Future Date to be Determined
3. Request: A Rezone of 384.27 acres of land from the R-4 to the R-8 144.78+119.28=264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.

D. Public Hearing for Apex Northwest (H-2020-0056) by Brighton, Murgoitio, et al., Located at the Northwest Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

1. Request: Preliminary Plat consisting of 120 residential buildable lots, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts.

E. Public Hearing for Apex Southeast (H-2020-0057) by Brighton, Murgoitio, et al., Located at the Southeast Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

1. Request: A Preliminary Plat consisting of 237 residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts.

Fitzgerald: Thank you, Madam Clerk. So, moving on to the next three items on our agenda, we are going to open these in order all at the same time, so at this time I would like to open the public hearing for Apex by Brighton, File No. H-2020-0066, File No. H-2020-0056 and H-2020-0057 and start with the staff report. Sonya, it's all you, ma'am.

Allen: I see that, thank you. You always know, but it's after you say it. Thank you, Mr. Chair, Members of the Commission. We did have a request by the property owner late today that they would like to change the request for annexation and zoning of that westernmost green parcel you see on the map here, that was proposed to be zoned R-2, 40 acres of land, they want to actually continue this portion of the project to a later commission hearing date in order to re-notice the application to include R-4 and R-2 zoning. So, the annexation portion is being broken out of this application tonight and will be on a later agenda. So, the annexation will not be part of your motion tonight, Commissioners. The applications before you are a request for a development agreement modification, a rezone, and two preliminary plats. The rezone area consists of 384.97 acres of land. It's just generally located east of South Meridian Road, State Highway 69, half mile north of East Columbia Road and a quarter mile south of East Amity Road. This property is surrounded primarily by rural residential and agricultural uses, zoned R-4, RUT, C-2 and R-1. This property was annexed as part of the south Meridian annexation initiated by the city in 2015. The purpose of the annexation was to obtain easements and construct infrastructure for extension of city water and sewer service in the southern portion of the city. A placeholder zoning of R-4 was given to these properties and a development agreement was required as a provision of annexation that is required to be modified upon development of these properties. Two hundred and six approximate acres are designated medium density residential on the future land use map. Approximately 21 acres are designated medium high density residential. And approximately 120 acres are designated mixed use commercial. A future school site and city park is designated in the general area northwest of the Locust Grove-Lake Hazel intersection, north of the MUC designated area. Another school site is designated on the east side of North Locust Grove Road north of Lake Hazel Road just north of the subject rezone area. A rezone of 384.97 acres of land from the R-4 to the R-2 zone -- actually, that portion is being stricken, as I mentioned earlier. Two hundred and sixty-four point zero six acres to R-8. Approximately 77 acres to R-15 and 43 acres to C-C zoning districts is proposed, consistent with the associated medium density residential, medium high density residential, and mixed use community future land use designations. Only 123.38 acres of land to be rezoned is proposed to be sub -- subdivided with this application. The remainder will be developed at a later date. A master plan was submitted as shown on

the right that depicts how the property is proposed to develop with single family residential homes, two swimming pools, commercial office uses, a community center, amphitheater, two school sites, a charter and an elementary school, and future development areas with a conceptual street layout. A modification to the existing development agreements is requested to replace the agreements with a new agreement based on the master plan proposed with this application. In the mixed use community designated areas where a concept plan isn't depicted, the development agreement is required to be modified to include a concept plan prior to development of those areas to ensure future development is consistent with the general mixed use guidelines and the mixed use community guidelines in the comp plan. Two separate preliminary plats are proposed due to the right of way for Lake Hazel and Locust Grove Roads separating the sites. The preliminary plat for Apex Northwest -- and that is the area -- if you can see my cursor right here on the northwest corner of Lake Hazel and Locust Grove, consists of 120 single family residential buildable lots for the development of 88 detached and 32 attached dwelling units, all alley loaded, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the R-15 and C-C zoning districts. The minimum lot size proposed is 2,863 square feet, with an average lot size of 3,885 square feet. The gross density proposed is 5.62 units per acre, with a net density of 11.21 units per acre. The subdivision is proposed to develop in three phases as shown on the phasing plan. The preliminary plat for Apex Southeast, located at the southeast corner of Lake Hazel and Locust Grove Roads here where my cursor is at, consists of 237 single family residential buildable lots, front and alley loaded, two commercial buildable lots, 30 common lots and ten other shared driveway lots on 81.63 acres of land in the C-C and R-8 zoning districts. The minimum lot size proposed is 4,840 square feet, with an average lot size of 7,058 square feet. The gross density proposed is 3.75 units per acre, with a net density of 6.17 units per acre. The subdivision is proposed to develop in five phases as shown on the phasing plan on the right. Overall a total of 357 single family residential buildable lots, 13 commercial buildable lots, 44 common lots and ten other lots are proposed between the two subdivisions at a gross overall density of 4.22 units per acre and a net overall density of 7.27 units per acre. There are no existing structures within the boundaries of the proposed plats. The Northwest Williams Gas Pipeline crosses the northeast corners of both subdivisions. Development within this area should comply with the Williams Developers Handbook. No structures should be located within the easement. In Apex Northwest two public street accesses are proposed via East Lake Hazel Road and two public street accesses are proposed via Locust Grove Road, both arterial streets. Collector streets, East Crescendo Street and South Apex Avenue, are proposed in accord with the master street map. In Apex Southeast three public street accesses are proposed via Locust Grove and two public street accesses are proposed via Lake Hazel Road. Collector streets, Tower Street, Vertex Way and Via Roberto Street, are proposed in accord with the master street map. Alleys are proposed for access to homes in Apex Northwest and local streets, alleys, and common driveways are proposed for access in Apex Southeast. Cross-access ingress-egress easements are required to be provided between all commercial lots. The applicant has proposed to enter into a cooperative development agreement with ACHD to improve Lake Hazel and Locust Grove Roads abutting the site with additional travel lanes, curb, gutter, planter strips and sidewalk with the first phase of development. Multi-use pathways are required to be provided with development along the south side of

Lake Hazel Road, connecting Locust Grove Road to the pathway and in Discovery Park within the Williams Pipeline Easement and as otherwise required by the Parks Department in accord with the pathways master plan. A minimum of ten percent qualified open space is required to be provided in each subdivision. Open space exhibits were submitted that appear to meet the minimum standards. However, some areas were included that don't qualify, such as common areas in the C-C zoning district. To ensure the developments comply with the minimum standard staff is recommending the exhibits are revised prior to the Council hearing. If additional open space is needed it should be provided. Based on the area of the Apex Northwest plat a minimum of one qualified site amenity is required. A gazebo is proposed as an amenity. Staff is recommending tables and benches are also provided to qualify as a picnic area amenity. Based on the area the Apex Southeast plat, a minimum of three qualified amenities are required. A swimming pool, children's play equipment, and multi- use pathways are proposed as amenities in accord with UDC standards. Several conceptual building elevations were submitted for their proposed single family homes and commercial structures planned to be constructed in this development. Homes are a mix of one and two story units, attached and detached, with building materials consisting of a variety of siding styles and stucco, with stone and brick veneer accents. Final design is required to comply with the design standards in the architectural standards manual. Single family detached dwellings are exempt from design review standards. Because two story home elevations that face arterial and collector streets are highly visible, staff recommends the rear and/or side of structures on lots that face these streets incorporate articulation through various specific means or other integrated architectural elements to break up monotonous wall plains and roof lines that are visible from these streets. Single story structures are exempt from this requirement. No public comments have been received on this application. Staff is recommending approval with an amendment to the existing development agreements to include a new development agreement for the overall property per the provisions in the staff report. Staff will stand for any questions.

Fitzgerald: Thanks, Sonya. Are there any questions for staff? Anyone?

Allen: Mr. Chair, the clerk just told me --

Fitzgerald: Go ahead, ma'am.

Allen: Excuse me. The clerk just told me that there was one public comment received late today and it is in the public record.

Fitzgerald: Okay. Thank you for that.

Allen: Thank you.

Fitzgerald: Hearing no questions for staff at this time, Mr. Wardle, would you like to take it from here, sir.

Wardle: Thank you, Mr. Chair. First off can you hear me okay?

Fitzgerald: Yep. You're good.

Wardle: Great. Thank you. I'm going to share my screen here. Good evening, Mr. Chair. My name is Jon Wardle. My address is 2929 West Navigator, Suite 400, in Meridian, Idaho. 83642. With me tonight I have David Turnbull, Lars Hansen and Mike Wardle, all representing the Brighton team and I wanted to take an opportunity to let you know that they are here available for questions at the end should you have any specific to the project. We are really excited about the opportunity to bring this project Pinnacle to you tonight. Pinnacle is a -- is a mixed use community. It's not often that we have an opportunity to develop four corners. It's often one side of the street or the other, but in this case we actually have an opportunity to develop all four corners at the intersection of Lake Hazel and Locust Grove. Even though we are divided by these roads, it will be developed as a single project and in multiple phases over time. We are very excited about the opportunity to develop Pinnacle and create not -- not only an identity for Pinnacle, but also an anchor for south Meridian, provide services and other things that will be a community asset and a value to everybody that lives out in the area that is also on a broader range. Pinnacle was designed as a mixed use planned community. When we began looking at this we wanted to identify some key components, living, education services and outdoor opportunities and so as we go through our presentation tonight I will give you a little bit more detail on all of those. As mentioned just a minute ago, there was an annexation request for 40 acres on the west side adjacent to Meridian Road. At the request of the co-applicant of that, they have asked that that be continued. So, that tonight has been pulled off the table, but it doesn't have any impact on the rest of the project that will be in front of you. We are asking for rezone to match up with the overall master plan that's in front of you. We do have -- now, it is one project, but we do have two plats, because we are split by public roads, Apex Northwest and Apex Southeast, and there is also a request to modify the development agreement, which Council will hear in the future. As I mentioned just a couple of minutes ago, when we started looking at Pinnacle we were looking at the -- the items and elements that really make up a planned community. As I put up here on the screen here they really are living options, education, services that are at appropriate scale and also recreation. In addition, because we are on this intersection of Lake Hazel and Locust Grove, we have a great opportunity to provide additional services to the broader community, not just the residents that will live in Pinnacle. Starting off the first element are living options. We have identified in the first two plats a couple of different living options. In Pinnacle Northwest we have alley and also row homes. In Pinnacle Southeast we have conventional homes that you -- that we see everywhere. But in combination these are a mix of residential uses which complement each other and provide an opportunity for different type of lifestyle, attached or detached, but also a maintenance or no maintenance, meaning a homeowner would take care of his own or it would be taken care of for them. One key element that we know is important to our community is education. We have been working for some time with West -- West Ada School District. We have identified a future site for an elementary school and we will continue to work with them on that -- on those plans. But one of the items that we are real excited about that is shown here before you is a future charter school. We have been working with Gem Prep Academy. They are looking for additional opportunities to provide education in Meridian and we have identified this site in Pinnacle

Southeast. It's about a seven acre site. It would be a K through eight school. Public charter school. But we are really excited about that. They would come in with a future application through the conditional use process. Like their timeline and our timeline -- their intent would be to open fall of 2022. One of the things that's also important is to have services which residents and other community members can use. It's important to have services that are of an appropriate scale. Lake Hazel long term will have more traffic to it, as will Locust Grove. We really designed this first section in Pinnacle Northwest to be a small scale, a neighborhood scaled retail area. A couple of things that we are doing here that are unique is retail needs people and so in order to drive that we are going to put our community center here at the core of this and I will get into a little bit more about some of the services that will be there, but we think that having a very active community center surrounded by a similar scale to retail will provide an opportunity for success for those future retail users here. The retail we see will be a combination of small scale office, medical services, small retail services and those will be defined over time based on what neighbors and community needs here at this location. Of note as well this -- this area here identified in the corner, it's about ten acres, and seven acres of that is -- is combined for the community center and these office retail uses at this location. We are really excited about the opportunities that we have to provide -- to help people be outdoors, be social, but also have space. We know that having space is an important thing and so we feel like we are starting to provide some opportunities that will be both beneficial to the Pinnacle community, but also provide some valued connections to the greater south Meridian area. Some of the things that we are proposing with Pinnacle is an amphitheater and community center kind of at the center at Lake Hazel and Locust Grove, trails and pathways, and pools and parks. Really what this becomes -- it is a neighborhood town center for south Meridian. Not intense like you would find it at The Village, but of an appropriate scale and services that would be beneficial to this area. I'm going to zoom in here on a couple things. First talk about the amphitheater and community center here in the core on this ten acre corner piece. We have thought long and hard about the opportunities here and how to create a place where people will come and gather. As we started looking at this we really felt like there was value in not turning our back on a park, but making the park a center, a keystone of Pinnacle, not just for the residents, but it is surrounded by public streets. We really want to see people come here and gather here with this amphitheater. It could be for small concerts. It could be for farmers markets. We also see the opportunity on the streets that we could park food trucks so they can come there. It really becomes an activity center for the greater community. This is looking -- this is looking from the northwest to southeast towards the corner of Lake Hazel and Locust Grove. This perspective -- if you were standing in the community center you would be looking back into the commons and the amphitheater. Here is that same view, but elevated up above, so you kind of get the size and scope of this. The park element itself, we were calculating that earlier today, get to it right here really quick. Yeah. So, the park element and the community center is 3.25 acres. In context, City Hall here sits on 2.75 acres. City Hall and the parking lot. So, we are adding about a half acre more of a great park element, a community center, and associated retail uses and commercial uses around the site. This community center right here that I have shown here -- this will face both the park and also into the parking area, which we will see here in a second on how that works. The community center really is designed to provide ample outdoor spaces,

but also indoor spaces. We see that we will be doing -- all of our mail delivery will be at the community center. There will be places for package drop offs. We will also have a cafe in there. You talked about having a small library, either -- either a community library or something bigger than that. There will be a business center. It becomes the activity hub for both the residents and also the community at large at Pinnacle. Again, looking here back towards the northeast, this shot kind of gives you the perspective where the community center and amphitheater commons would be and how those two would relate. We really have an opportunity here to activate this area over time. When I say activate, bring people together. People are looking for that third place. They have work or school and they have home. They want that place where they can go, meet other people, but still have, you know, the ability to have some distance and we really feel like this provides a great cornerstone for south Meridian. And, finally, this picture right here, this is looking at the intersection, the roundabout, looking towards the northwest to kind of get a perspective of Locust Grove and Lake Hazel, how those buildings would relate to both of those arterial roadways. And, finally, just one last picture here looking towards the south and you see the back side of the community center, but it's not really backside, it's a four sided architectural building. We will have plaza spaces there as well. People can come in, pick up their mail, get some services and also participate in other activities that we will have programmed with an on-site community director. One of the things that we have heard a lot about south -- south Meridian -- what we hear in all of our communities is the importance of connections. We view connections as pathways and sidewalks. This graphic right here that's in front of you, these red lines represent new pathway systems, which would be ten feet in size or provide other connections to other neighborhoods like this. We are going to have ten foot detached sidewalks on both sides of Lake Hazel, along a mobility corridor that ultimately will connect into Discovery Park. You will also have a ten foot sidewalk heading north on Locust Grove and, then, as you see it goes on the diagonal, that's the Williams Pipeline. It creates both some challenges, but also an opportunity. We are going to activate that corridor, green it up. We can't build any structures -- buildings over the top of it, but we can bring pathways through there. We can create some common areas, and this ten foot pathway will connect the northwest part of our project and beyond down to Discovery Park for new pathways which are safe corridors to travel on. And, finally, one of the key elements, obviously, are parks and other -- other services. In the southeast area we are showing in our first phase a pool and playground area that we will be building. We have some micro path connections which will be built over to Discovery Park in the Pinnacle Northwest area. We will be building that community center and commons and amphitheater with our second phase. It will be the first phase up there, but with our second phase, so those elements are there right from the very beginning as well. We do have a variety of open spaces, gazebos, we have a future pool and other pathway connections planned to the northwest. That gives you an idea of what we are doing from the very beginning with these two plants, which are before you tonight. As Sonya mentioned, the applications before you -- really that first one, the annexation, has been continued. We are rezoning Pinnacle to match with the type of land uses which are now before you in this master plan. It is one project, but there are two preliminary plats, Apex Northwest and Apex southeast, and we will be modifying the development agreement. Just wanted to kind of give you an illustration of how the zoning here overlays the boundaries of the -- of the project in relationship to the

broader community. We have a variety of land uses here with R-8, R-15. We are maintaining R-4 over adjacent to the existing homes, which are shown there with that project area. We also have C-C designated areas, which allow for community scale and neighborhood scale retail, but also other type of residential uses in the future, depending on the demand and interest in the market. And, again, this is just a side by side of our land use map and the zoning which is proposed. And, finally, just in summary, like I said, we are presenting to you an overall concept plan for Pinnacle. It is divided into two subdivisions or plats before you, Apex Northwest, which was 120 residential lots with 11 commercial lots on 41 acres and Apex Southeast, 237 residential lots, two commercial lots with that future charter school there as well on 81.63 acres. Finally, we do agree with the conditions of approval, subject to some clarifications that we have been working with staff on some design elements, which -- which are not major, but we will address those prior to City Council. We do not have any modifications to the conditions that we are requesting this evening and we do request that the Planning and Zoning Commission recommend that these applications move forward to the Council, not for annexation, but for zoning and the preliminary plat as proposed by staff as we have given to you this evening in our public testimony. That's the end of my discussion or the end of my comments. I am willing to take any questions you have or for our team here as well.

Fitzgerald: Mr. Wardle, we appreciate you being here. I have a quick question. I know in -- in a -- you know, this is a big significant chunk of land. You all are doing a significant offsite in widening roads and adding signals; is that correct? Just so we have that on the record.

Wardle: Commission Fitzgerald, thank you. Yes. To let you know what we are doing currently, on this exhibit right now in the northwest corner where you see kind of some gravel pits up there close to Amity Road, that's where the city brought in its sewer line. We have actually picked up the sewer line and built about three quarters of a mile of it, but we are extending that trunk sewer line all the way down to the city park, so the future phase of the city park can -- next phase can bring -- be brought online as well. One of the other key elements that we are involved in as well is the ultimate construction of Lake Hazel and Locust Grove to match the long range plans that ACHD has for the area. We are going to enter into a cooperative development agreement with them. So, at the very beginning of the project or concurrent with these first phases we will be building a dual lane roundabout, we will be building Lake Hazel at least a quarter mile each way with these first phases as a five lane roadway system with a median that would allow for turn lanes and we will be rebuilding Locust Grove as well as a three lane roadway in cooperation with ACHD. So, we have made that commitment. We are going to do that the very beginning. We are invested already without any approvals on extending the long range planned sewer trunk line for this area. So, yes, those things we are involved in and are committing to with this project.

Fitzgerald: Thanks, sir. I appreciate the information, for sharing that. Is there questions for the applicant?

Seal: Mr. Chair?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer, go right ahead, ma'am.

Pitzer: Thank you. Yes. Just for clarification, where the amphitheater is, if you could bring that back up. You have a little -- you have the square right there that says future. What do you see for that future?

Wardle: Let me see here. Was it this one?

Pitzer: This one here. Yes.

Wardle: Yes.

Pitzer: North of the amphitheater.

Wardle: I don't think you can see my cursor, but, Commissioner Pitzer, you were -- you were mentioning that future square, it's about a ten acre site. We are zoning it as R-15. We don't have plans for it at this moment, but we do view it as residential in the future. One of the things if we were to draw a line through -- you see the red pathway to the northwest, that is the Williams Pipeline. The Williams Pipeline bisects that parcel, so we are just pausing at this moment in time as we are continuing to work with them on how design in and around that would be. It is a 70 foot easement that they have through there. Actually have a couple of pipelines that are in that easement. So, we do need to take care as we are going through there. But at this point in time we are not presenting any plans to the Commission and would come back at a future date with a new plat or plans for that future area.

Pitzer: Okay. Thank you. And follow up?

Fitzgerald: Go right ahead, ma'am.

Pitzer: Thank you. What -- are there any grocery stores, gas stations, anything like that within this area?

Wardle: Mr. Chair, Commissioner Pitzer, at this time we do not have anything planned at this intersection. We do have an opportunity in future. We have some other C-C zoning in there, but we want to make sure that the retail uses are of a scale which is appropriate. There are other locations which we think will end up being probably a little higher traffic, perhaps closer over to Meridian Road and State Highway 69. At this time the retail that we are proposing would be of small scale, probably in the ballpark of four to ten thousand square foot structures that would be services related to the community.

Pitzer: Okay. Thank you very much.

Wardle: Thank you.

Seal: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Seal: Was that for me?

Fitzgerald: Yes.

Seal: Just a quick question on the school sites. Are the school sites something that you were working to donate fully, partially donate, or is that something where the school is going to buy the land and go from there?

Wardle: Mr. Chair, Commissioner Seal, Brighton has a long standing history of working with the schools. We have done this at other locations in most every one of our communities in Meridian. I don't want to get into the details on what that really means, other than we are committed to education and we -- we are working hard to make sure that education happens early here, just like we have in other communities. So, I don't really want to get into details on what those -- how the land would transfer, other than to say that we have a long term commitment to education in Pinnacle.

Seal: Okay. Thank you.

Fitzgerald: Follow up, Mr. Seal?

Seal: No. That's all. Thank you.

Fitzgerald: Okay. Commissioner Grove, were you unmuted?

Grove: Yes.

Fitzgerald: Sir, go right ahead. Thanks.

Grove: All right. Thank you, Mr. Chair. Mr. Wardle, a couple of -- I had two separate questions. First one is related to the improvements right there and -- for the street. This is something unique to our streetscape. Is this proposal something that would -- like was actually going to go through in terms of the median that is set up on -- which one is that? Lake Hazel. And I guess Locust Grove as well.

Wardle: Mr. Chair, give me a second here. Let me scroll back to a different graphic that pulls it down a little bit closer, just so you can kind of see here. There is a dark line here, so that -- that is over the top of a continuous median both east and west from Lake Hazel. As we know, Lake Hazel is a -- you know, is going to be a mobility corridor in the future. It's not carrying that currently, but we want to make sure that it's designed appropriately. But given the nature of the roundabout as well, we don't want to have too many conflicts coming in and out of the parcels and so when you get back to -- back to the amphitheater area, this is a continuous median that would come across Lake Hazel -- there would be

a turn lane -- a dedicated turn lane more to the west, so you would have the same treatment to the east, but, yes, we are -- we are committed to building those medians in those areas, both from an enhancement, but also to control access to the parcels north and south of that Lake Hazel area, given that we have a roundabout there.

Grove: Thank you. I like that. It gives some character to an otherwise flat piece of land, so that's kind of cool. The second question that I had was related to open space and how that is possibly impacting your decision on the northwest parcel. In regards to the -- if the civics aspect is not able to be calculated, does that impact your open space needs during this first phase and if it does are you able to accelerate the addition of the space surrounding the future pool?

Wardle: Mr. Chair, Commissioner Grove, let me just make sure I understand the question. You can just nod if I do. You are asking if we feel like we have sufficient open space in the northwest area if we can't count the amphitheater as -- within our common area. Okay. All right. We do believe that we do. There -- there is an area which is directly adjacent to the amphitheater to the west, which has a lot of common area. We have other buffers as well down here on Lake Hazel. We do believe that we -- the calculations are there for it. I would note, however, it is interesting -- the only reason we are not able to count it is because it's in a C-C zone. We very easily could have redrawn the zoning down the middle of the private drive between the amphitheater and the community center and bring it in and it would be more than -- more than -- way more than is needed, but because it is in the C-C zone as relates to commercial it, quote, isn't counted. I do think, however, if you look in the context of this community, the open space that's there, the amphitheater and the opportunity to bring in a lot of other residents and community members, we think it's a great asset. But your original question, we do think that we have sufficient open space in the other R-15 area, which is shown within the plat.

Fitzgerald: Mr. Grove, any -- additional questions for the applicant?

Grove: Not at this time.

Wardle: Can I just see if there is anything else that needs to be clarified? Okay. We are good on our end. Thank you.

Fitzgerald: Thanks, Mr. Wardle. We appreciate it. We will let you close if there is additional public testimony. I will give you an opportunity to close either way, but if there is -- we will come back to you in a moment. Madam Clerk, is there anyone signed up to testify on this application?

Weatherly: Mr. Chair, we had several people sign up, one who wished to testify in house and that is Stacia Morgan.

Fitzgerald: Okay.

Morgan: Okay. Hi, I'm Stacia Morgan. I live at 1130 East Tanya Lane here in Meridian and I guess I'm mostly here to say -- I mean it looks like that Pinnacle is an exciting addition to our community and I know that Brighton does a good job of bringing good things to our community. If it's approved I guess I'm mostly looking to -- not to approve a future R-15 designation for that one area. Plus I'm here for also a general plea to the Planning and Zoning Committee to continue to look out for our students. I know -- I was unaware of this charter school possibility, but it looks like as of now Victory Middle School is only -- is only 31 kids below capacity and I'm sure just this one Brighton development will bring more than 31 middle school children for that school, which will have it at capacity. Besides all the other communities that have been approved and are currently under construction. I know it's a duty of the Planning and Zoning Committee to do analysis -- analysis of public school capacity and transportation considerations and one question I have is do they do those and does the public have access to those analysis as they consider all these big communities that are coming in. According to the National Education Association a 15 kid class is ideal. That's totally and completely a dream. But 18 to 24 is more appropriate. Hillsdale in 20 -- 2018-2019 school year had fifth grade classes with 38 and 39 kids and another one of 39 and in the 2019-2020 all the -- all the third grade classes had -- had 31 kids in every first grade class. So, this is a huge concern. I mean I grew up here in Boise and Meridian and catch up has always been the game that we have played, but our growth is so much faster and we just can't keep playing the catch up game. The five kids that have -- are in the West Ada School District -- personal experiences I have had one teacher tell me I just don't know what to do with your daughter. She gets done with her work and I just have too many kids, so she can just read and maybe you can do things with her at home. She suggested I do some at home research project with her, because she just has too many kids to deal with and my kids at the high school have been really frustrated with -- every year we get the e-mail you cannot change classes. Whatever you get assigned to that is what you do, because we have too many kids to deal with all these schedule changes. So, unless it's some kind of emergency you just take what you get and that's really frustrating and, you know, not -- not good. I think we really have to plan for the education of these kids and part of the joy of Meridian community -- and they -- Pinnacle mentioned connection and that's -- that's the joy and beauty of living here is the connection with our neighbors and if these kids, which is currently happening, are bused to different schools and not going to school with their neighbors, they lose on that connection and that -- that's the beauty of the city. Kids should not have to be bused to far away schools because of the lack of planning on the city's part for educational purposes and also if we can kind of limit the number of step-ups or rezoning, we can limit the number of people in these communities. So, that's my plea, I guess, is just to, please, keep -- think about our kids and think about our future. I think that Pinnacle looks great, but we really have to be smart about how we are planning our community and planning for schools. It looks like there is some good selections with the elementary school level, but we still suffer in the middle school and, then, even the high school. So, thank you.

Fitzgerald: Thank you, ma'am. Appreciate you being here with us tonight. Madam Clerk, is there anyone else that would like to testify that hasn't signed up?

Weatherly: Mr. Chair, I'm getting one --

Fitzgerald: I have someone raising their hand.

Weatherly: I'm getting one hand raised online, so one moment. Annette, I'm going to move you over so you can speak. One moment, please.

Fitzgerald: Annette, if you would unmute yourself, you have joined us from the other side, so if you would, please, state your name and your address for the record and the floor is yours, ma'am.

Alonso: Okay. I'm Annette Alonso. I live at 2204 East Hyper Drive in Meridian and I live in Black Rock Subdivision, which will eventually back onto this development on -- off the canal to the northeast side and I have met with -- with Mr. Wardle and truly I think this is a beautiful development. It's really well planned. Spoken with Jon and we talked about this before. I'm representing the Southern Rim Coalition. And the only thing I have to say is we would like to make sure there is pathways connected through our development. We have a place where we can connect through -- over the canal. We have a walkway. Just so we have that thoroughfare going through and like the previous person who spoke just said, our education thing is quite a disaster at this point and I have tried many times through City Council -- Wendy Webb, who is my co-chair testified to City Council on a Linder Cedarbrook the other night and that was turned down by City Council because of the fact that we have no place to put our children and I love the fact that Brighton is including the school thing. I think the charter school is great. The problem is is that we are going to have houses before we have schools and we already have a thousand houses planned out here with no place for the children to go, because we are at capacity -- over capacity, so -- so, that's kind of just where we are is that we love this development, but schools have to come first before we can do anything else, because, you know, we wouldn't approve houses if we didn't have water. We wouldn't approve houses if we didn't have sewer. It's basic need and education is basic need. So, that's where we stand. Like I said, we love this development, we love what Brighton does, we love what they did with Century Farm. We love their contribution to community and the way they really help grow the community. We just have to have a school before we have more houses or we are going to be in real trouble. That's all I have.

Weatherly: Mr. Chair, at this time I don't see anybody else raising their hand in house or online.

Seal: You are muted, Mr. Chair.

Fitzgerald: Thank you very much. Thanks, Mr. Seal, for bringing that up. Ms. Alonso, thank you for being here with us tonight. We appreciate your perspective. And I have one more person that just raised their hand. Can we move Mr. Edwards -- or Mrs. Edwards -- the Edwards over and have him or her join us as a panelist.

Weatherly: Absolutely. I think it's Julie. Julie, if that's you you can unmute yourself.

Fitzgerald: And, Julie, if you hit the button down -- there you go. Julie, please, state your name and your address for the record. I think we got your testimony late today, but we appreciate your written testimony, too. So, hopefully, you can give us your take and go from there. So, the floor is yours, ma'am. Julie, we are not hearing you if you are speaking. Still having challenges. But I do know we have got Julie's testimony on the -- in written form, which is good. Madam Clerk or Chris, I'm not sure if we can help her.

Weatherly: Julie, if -- if you can check your -- you are unmuted on Zoom, but if you look on your computer and see if your volume is on and you are not muted on your computer. It sounds like you might be joining us, but you are really far away.

Allen: Mr. Chair, this is Sonya. If Mrs. Edwards is not able to communicate with us so we can hear, I am happy to hit the highlights of her written testimony if you would like.

Fitzgerald: Let's do that and she can --

Allen: Okay.

Fitzgerald: Yeah. That would be great. Sonya, if you will hit the highlights of her testimony and we can -- just to make sure everybody has that and, then, Mr. Wardle might be able to answer any questions that come up in that. That would be great.

Allen: Okay. Mrs. Edwards is opposed to the proposed rezone from R-4 to R-15 for the land along Lake Hazel Road between Meridian Road and Locust Grove Road. She is not against higher density around the commercial areas, though. She would like to see the zoning of the future development areas remain R-4, rather than be rezoned to R-8. She believes that farmland and open space should be preserved as much as possible. She is concerned the current school system does not have the capacity to accommodate all of the students from this development. She would like a moratorium placed on development that has not already been approved to allow time for the school district and roads to catch up and to have time to reevaluate how we want to use our dwindling remaining open spaces and farmland. Hopefully I captured all that, Julie. If not, the Commissioners do have her entire letter in the public record for review.

Fitzgerald: Thanks, Sonya. Appreciate that. Is there anyone in the audience or remaining online that would like to testify on this application? So, please, raise your hand.

Seal: I'm seeing nobody in the audience, Mr. Chair.

Fitzgerald: Thanks, Commissioner Seal. Hearing none, Mr. Wardle, would you like to close, sir.

Wardle: Sure. Thank you very much for the opportunity to make a few comments here at the very end of this. We -- we are aware this is a large project and we -- we also are aware that a couple of the items are outside of the city's control, being the roads and schools, but we feel like we are stepping up to address those and be very proactive. The

school question came up about, you know, needing more capacity. We went out and we found a very creative way to create capacity almost at the very beginning of our project. This K through eight charter school, Gem Prep, they will have 550 new seats that weren't even anticipated in West Ada's plan. We also committed to West Ada for them to provide an elementary school here on site as well. We are frustrated as well with the schooling issue. We are very intimately aware of what's going on in Hillsdale where we have residents that are living in -- in Century Farm, a community we developed and worked with West Ada to build that school, but their kids are being bused out, while other kids several miles away are being bused in. We are frustrated by that, too, and we would like to see West Ada be a little bit more proactive on doing changes. Now, that's not -- that's not popular, because people want -- they want the kids to remain in a place long term. But one way to deal with the capacity issues in West Ada is to change boundaries more frequently and address those as growth is coming. We do feel that Pinnacle with the West Ada future school site for an elementary school, as well as his charter school, we are really bringing some resources sooner -- in particular with a charter school -- than West Ada would be able to provide in their normal course of business. There was a question regarding pathways and I just want to see if I have control here still. It says I do, but let's try this one more time. It is not moving forward here. The question was raised about pathways. One of the unique things that we have in -- in Meridian are a bunch of laterals, drains, irrigation areas. The area between us and Black Rock -- and I did meet with Annette. She came in. We met in probably February before we completely shut down here. There we go. Thank you, Chris. This plan right here on our eastern boundary, that pathway system is really designed to follow the Farr Lateral. There is a connection existing in Black Rock, which they talked to us about, about making a pedestrian connection out. We think that's great. The more pedestrian connections we have for opportunities for neighbors to cross back and forth without having to get in the car is better and we are committed to these as well. So, I think we can very easily provide new opportunities throughout all this area and get people safely to Discovery Park. Finally, there is a question about density and rezoning. I just want to go to the city's future land use map. It was on a smaller scale. It's right here. So, this is the current Comprehensive Plan that the city has adopted. We have been involved and active in this conversation. It went through a long review period with a lot of public outreach. As you will see, Lake Hazel is considered as a location for more -- more density. We are going to take a look at that long term, but we also are wanting to make sure that we can meet the residential needs and demands over time and our zoning is married up with the future land use map. Just in summary, let me go back here. We are -- we are really excited about Pinnacle. Not -- not just from a, hey, we are -- we have an opportunity to build some homes and put some -- some roads in the ground. That's beyond what we are considering here. We are excited because we have an opportunity at the intersections of Lake Hazel and Locust Grove to create a south Meridian town center. A destination. Provide connections to the new city park. Provide safe ways for people to move back and forth along these arterials. Provide additional pathways to and through Pinnacle. Provide services for not only the residents of Pinnacle, but all of south Meridian and, most importantly, provide educational opportunities which we all know are super important with a future charter school and a future elementary school. Like I said, our team here at Brighton, we are very excited to be before you to do a master planned community, which

is considering, you know, living, recreation, services and educational opportunities in a planned manner and we stand for any questions you might have tonight.

Fitzgerald: Mr. Wardle, we appreciate it. Are there questions for the applicant? See shaking heads. Hearing none at this time. Going once. Going twice. Can I get a motion to close public hearing?

Holland: So moved.

Grove: Second.

Fitzgerald: I have a motion and a second to close the public hearing on several different file numbers. All those in favor say aye. Opposed same?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Okay. Crew, the applications are properly before you. Who wants to lead off?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I will jump in real quick.

Johnson: Mr. Chair, sorry. Can I interrupt him? I apologize. A member of the public raised their hand, but you have closed the public hearing. What would you like to us to do here?

Fitzgerald: I think we have moved on. That's kind of our policy, Chris, so -- appreciate that. We let Mr. Wardle close, so I think we are going to move forward. Go ahead, Commissioner Grove.

Grove: Just initial thoughts kind of on this. I like the -- the -- the thought process behind this project, especially trying to create a sense of community in this part of town, rather than just a -- you know, adding a subdivision to add a subdivision. Adding, you know, the elements that are in the comp plan in terms of creating that sense of community with more than homes, you know, having commercial and civic aspects to this with a variety of housing options. I like the overall concept that's been provided and, you know, the education piece is definitely hard. I would love to be able to make some -- you know, if we had a magic wand and change how we can get schools built in our state that would be awesome. I do appreciate how they have addressed education as part of their plan versus saying that, you know, it will come in somewhere close to them. They are actively doing that. I am really a fan of this amphitheater commons area in particular and first impressions on it are I like this project and I really like the treatment that they did on the street in the proposal as well.

Fitzgerald: Thank you, Commissioner Grove. Commissioner Holland.

Holland: Mr. Chair, I want to say I really like mixed use concepts where they think comprehensively about how all the elements integrate with each other, instead of just doing a series of tot lots and a series of pocket parks. They have got more of a centralized space that's really thinking about the future vision. So, I applaud their efforts in trying to think creatively and creating an amphitheater where gathering space in Meridian has been limited and a number of conversations on where do we have more concerts, where do we have more of these kind of closet events. So, I think they have done a tremendous job in trying to integrate some of those elements instead of just doing a series of pocket parks, which they certainly could have done. Overall I think they are following what the comp plan has. I don't see any big burning concerns on my side. I certainly understand the public's -- you know, it's -- it's tough with schools and it's hard, because the Commission doesn't really have the authority over the school district. Our job is to make sure that these projects fit the Comprehensive Plan and the -- the future use map and as far as development is going at least a step above, they have got two school sites within this master planned community and I think that that speaks volumes for their efforts in wanting to work with the school district to help solve some of the challenges in this area. So, in my mind I don't see any big glaring concerns.

Fitzgerald: Thank you, ma'am. Commissioner McCarvel, do you --

Seal: Mr. Chair?

Fitzgerald: Oh. Commissioner Seal, go ahead.

Seal: I echo Commissioner Holland's comments and -- and, you know, I -- when I read the ACHD report on this -- just commenting on the roads -- it was almost comical to me. It was -- I read it as them being kicked back on their heels like they want to do what, you know. These guys are going to -- they are going to build our roads and -- hold on a minute, you know. That's kind of the way that I -- and it's -- it's a really really long report and that's where I got kind of that -- that -- that picture in my head of them reading through it going, oh, my gosh, how do we handle this. So, I -- you know, I applaud their efforts in doing this and taking the responsibility and listening to, you know, the times and opportunities we have had to kind of beat up on them, you know, as well as other developers to bring something else to the community besides a bunch of houses, so -- I mean this is a really big development. It's a lot of houses. They just shot down -- you know, City Council just shot down a large development like this on the south side of the freeway and understandably, because, you know, the infrastructure isn't there and the schools aren't there. But seeing a developer coming in and being responsible about that and just taking -- basically taking the reins. I know we are short on schools. I know the roads and infrastructures, you know, isn't enough to handle what we are trying to do. So, we are going to -- we are going to do this. You know, I mean -- as basically kind of saying this -- you know, for other developers to -- to heed -- to heed to. I mean generally speaking I'm the commissioner that I looked at the ACHD -- or, sorry, the West Ada School District report first and if they are overcrowded you really really got to do something to make me,

you know, jump over that to where I -- I think maybe it might be a good idea to pack more kids into the schools that are around there. I'm very passionate about that. That said, the responsibility that's taken in this -- this development is above and beyond in my -- my view. The way that it's laid out, the concept plans, the ten foot paths to me -- my family and I -- we try and bike everywhere. We are a biking family and we constantly run into the fact that a five or six foot sidewalk isn't enough for you to responsibly get around people. I mean you come up against somebody with a baby stroller or something, you feel bad. You got to work your way through that. So, ten foot paths all the way around, that's -- that's remarkable. So, I mean there is -- you know, I have the same hesitations. I just went to pick my son up this morning at the -- at the south Y and I drove through this area and part of me is a little bit sad, because it's -- it's wide open spaces. It's farmland. It's all -- you know, it's the things that we kind of like to see here. That said, the responsibility is taken in my mind with developing this piece of property and the lengths they are going to in order to show that responsibility is -- is great. I hope we see a lot more of this from developers, big and small, because this -- this proves that they want to be a part of the community to me and the -- I mean I'm not even going to get into the amphitheater part of it. I love that. So, I -- I like everything about this and I really do applaud their -- their responsibility that they are taking and trying to help our community into bettering itself, both with infrastructure and with schools.

Fitzgerald: I -- I will hop in just real quick before -- because I -- I totally agree with everything you just said. It is showcasing by setting an example, taking a step forward and investing in those things. Taking what could be additional homes and, you know, providing that school and, then, building the roads. So, you are -- that you are taking that step forward I think is -- is exceptional and it should be an example for other developers. So, I wholeheartedly agree with what you just said and I can't really improve on what you said, so I -- I think you took the words right out of my mouth, because I had the same feeling, so -- Commissioner McCarvel.

McCarvel: I'm really glad you all used all those words to describe this, because as long as I have been on the Commission I have got to say I'm about speechless. This is beautiful. The traffic calming on -- coming up to the intersection on the roads, the open space and just the overall framed together, the R-2, R-4, R-8, all of it blended -- it looks like it's going together really well and I think that's what you want to see in these -- in these communities being able -- to ask for a mix of housing types and I think this is going to be a good blend and, like they said, it's not often they get a chance to do all four corners. So, I'm glad they got the opportunity, because this is -- like I said, if we could do more of this it would be a great thing to the City of Meridian.

Fitzgerald: Additional comment?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer.

Pitzer: Yeah. I -- I'm going to echo those comments, but also I just wanted to mention, you know, I -- I came from a very rural area that changed and transitioned and I went through all the hardships of the -- you know, the cows and the dairies and -- and all of that and -- and I did read the letter and I do listen to the public comments and I appreciate all of them, but I -- I think this is transitioning well. I know that the R-15 right now is -- seems high, but it's around the commercial area and I think if we look at the other zoning that they want to do, especially keeping R-2 and R-4 to the other areas, I think it's going to transition well and the fact that they have so much invested in the community as a whole and -- and I think that, you know, the grocery stores and the other commercial are going to follow. It's going to come. But, you know, they are not going to come out if there is no houses, so I think this is very well thought out. I think it's another great Brighton community and I do applaud the thoughtfulness that -- that has gone into this and -- and -- yeah. I think the transition is there.

Holland: Mr. Chair? I don't know if you are talking back, but I'm going to make a motion.

Fitzgerald: Sorry.

Holland: After hearing all the applicant and public testimony --

Seal: Commissioner Holland?

Holland: Yes.

Seal: Can I interject something here real quick? And there was a question as to the open space and whether or not that it would be able to accommodate by -- when they removed this area here. I would -- I mean I was going to try and do the motion, but you are way too quick at this, so -- but I -- honestly, I wouldn't mind having something stated in there that as long as they are close I -- whatever -- I mean if we have to do alternative compliance, whatever that is in order to let them know that, yes, even if the surrounding area doesn't quite make it, I'm okay with that and in this area specifically, in the -- in the -- in the northwest corner specifically. I don't know if that's something that we want to note in there, but I'm -- I think they have gone above and beyond with this concept to the point where I think it may be worth noting in a motion.

Holland: Commissioner Seal, I'm happy to have you make that motion. Go right ahead, sir.

Seal: Great. Now -- so, now I have to think of how to say that. Okay. After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file numbers H-2020-0056, H-2020-0057, and H-2020-0066 as presented in the staff report for the hearing date of July 9th, 2020, with the following modifications: That if open space -- after the removal of the amphitheater does not meet the criteria, that they are given credit for the amphitheater space in an alternative compliance.

McCarvel: Commissioner Seal --

Seal: Go ahead.

Fitzgerald: Yeah. Just for clarification, do we have to pull out the annexation?

McCarvel: Yeah.

Pogue: That's correct.

McCarvel: H-2020-0066.

Seal: We pulled out H-2020-0066?

Fitzgerald: Just the annexation.

McCarvel: Yeah.

Seal: But that is the number for it, 0066?

Fitzgerald: Yes.

Allen: Mr. Chair, if I may -- this is Sonya. That is the number, but that also represents the rezone and the development agreement modification applications as well. So, please, specify just the annexation associated with that file number. Thank you.

Seal: So, let me --

Fitzgerald: So, in addition to your motion --

Seal: Let me read this again. How is that? So, we -- we haven't had a second. After considering all staff, applicant, and public testimony I move to recommend approval to the City Council of file numbers H-2020-0056, H-2020-0057, and H-2020-0066, with the exception of the --

Pogue: Annexation.

Seal: -- annexation. Presented in the staff report of the hearing date of July 9th, 2020, with the following modifications: That if the northwest parcel, after pulling out the amphitheater portion on -- of open space does not meet the criteria, that they are still granted approval through alternative compliance.

Holland: I will second.

Fitzgerald: I have a motion and a second to recommend approval of file H-2020-0056, 57 and 66 with modifications. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thanks, Mr. Wardle.

Wardle: Thank you very much.

Fitzgerald: Good luck. We appreciate it. This thing looks awesome. We look forward to seeing it.

Wardle: As are we. Thank you very much.

F. Public Hearing for Tara's Landing (H-2020-0048) by Mike Homan, Located at 5025 W. Larry Ln.

1. Request: Annexation of 6.34 acres of land with an R-8 zoning district; and,
2. Request: A Preliminary Plat consisting of 29 buildable lots and 2 common lots on 6.14 acres of land in the R-8 zoning district.

Fitzgerald: Have a good night. Okay, team. Plowing forward. Next item on our agenda is the public hearing for Tara's Landing, file H-2020-0048, and we will start with the staff report. Alan, are you with us, sir?

Tiefenbach: I am, Mr. Chair. We are keying up the PowerPoint.

Fitzgerald: Got you. Thank you.

Tiefenbach: All right. Good evening, Mr. Chair, Members of the Commission. This is a request for an annexation, a preliminary plat -- a preliminary plat and a zoning. It's -- the property is about six acres of land. It's zoned RUT within unincorporated Ada county and it's located at the end of West Larry Lane, which is near the southwest quadrant of Black Cat Road and West Chinden Boulevard. You can see the maps here. The future land use map recommends this property for a medium density residential. As I said, it's currently not within the city and you can see the development that's -- that has been approved around the area. Again, this is a proposal to -- for approximately six acres of land to be annexed and rezoned to R-8 and to plat out 29 buildable lots and two common lots. There is presently a single family residence on this property and the land to the -- to the south of the property was annexed, zoned, and planted for 30 lots recently. That's the Westward Subdivision and that is presently building out. To the north of the property is vacant and rural land and that's recommended by the future land use map as medium density residential and mixed use regional. This property, about 28 acres, was -- recently underwent a pre-app for commercial uses and about 250 single family and multi-family units. To the west of the property is 126 acres presently in the early development stages as the Prescott Ridge Subdivision and subdivision would allow about 380 single family attached and detached, as well as possible multi-family, a medical campus and an educational facility. Access is proposed via Larry Lane, which you can see with my cursor here. Also North Willowside Avenue -- when the Westridge Subdivision was built, this is

presently being constructed, so this development will continue west -- west -- or, excuse me, of Willowbrook and we will stub it to the north property line. There is also going to be an interior road here, which would be West Tara Court -- West Tara Court. It's important to note that West Larry Lane right now is a cul-de-sac. After talking to ACHD, ACHD and city staff have both agreed that this should be extended. So, the applicant will be responsible for constructing this road and connecting it to North Willowside Avenue. This would require a -- would provide internal access. So, they would have to improve it as one half of a 30 foot -- 33 foot street section with curb, gutter, and a minimum of five foot concrete sidewalk. They would not build a sidewalk on the northern side. That would be the next developer that would do that. The applicant proposes just a little bit more than ten percent of qualified open space for the development, which you can see here and it's important to note that this -- the landscape plan does not exactly match the preliminary plat. We have -- we have conveyed that onto the applicant. Tonight I have -- I have seen a -- another updated landscape plan from the applicant, which I can talk about in a minute. This open space that you see here would be accessed via a pathway between lots of three and five, which you can see here. It would also be accessed from Tara Court, which is down here, and from Larry Lane, which is up here. One concern that staff had was with the orientation of these lots here and the reason why is because this micro -- this pathway here would be coming in between the sides of two houses and would have a limited visibility. It wouldn't be good for Crime Prevention Through Environmental Design. Staff's recommendation to the applicant would be to rotate these lots 90 degrees, so that the path is in the back of the houses, which would have more -- which would have more visibility. Staff has recommended this as a condition of approval. We have conveyed this onto the applicant's representative and I believe that they are amenable to that. As I said, again, at the time of writing the staff report we received the landscape plan that didn't exactly match the plat. What I mean is the cul-de-sac for Larry Lane is actually right about here and if you see this landscape plan it's not shown on that. It also doesn't show -- if I go back to the original plat here -- there is a micro pathway that is shown here and this is north of Lot 10 and if you look at the landscape plan that's not shown on here. We have recommended as a condition of approval that there be an additional lot up here to contain that pathway. So, they would have to revise this landscape plan accordingly. I guess the other thing that's mentioned is that at the time of the -- that staff has informed the applicant on several occasions that at least one amenity is required for this development per our UDC. The landscape plans that they have submitted haven't shown us that amenity, although tonight I believe that they have -- they are proposing I believe a picnic area with an outside shelter and maybe one other amenity. They can address that. That's one of staff's recommendations of approval, obviously, before City Council would be that the landscape plan would show a qualified amenity. The last thing I would want to talk about is I have received several letters of concern from the adjacent neighbors for a few different reasons. One of them would be the extension of Larry Lane. The other would be the density. A third, which is really a matter that the staff has maintained is a civil matter, are some existing covenants to talk about what the size of the lots in this subdivision -- the original subdivision can be, which are at least one acre in size. I'm pretty confident the neighbors will address that tonight. Other than that, with the conditions of approval that I have mentioned, the staff would recommend approval of this case to the Planning Commission. Any questions, Planning Commission?

Fitzgerald: Thank, Alan. Appreciate it. Any questions for staff?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove, go ahead, sir.

Grove: Not a question, but I just wanted to put on the record real quick. My former in-laws do live right in this area and have written in testimony. So, I just wanted to put that out there. It doesn't impact my decision, but I wanted to throw that out there so it's on the record.

Fitzgerald: Appreciate that disclosure. Any other comments or questions? Hearing none at this time, would the applicant like to begin testifying? Is he with us in person or online?

Tiefenbach: I believe the applicant is here in person and, yes, I believe he is going to testify.

Fitzgerald: Okay.

Tiefenbach: Mr. Chair, city clerk is walking over here to figure out what's going on. So, just a minute.

Fitzgerald: That's good. Thanks, sir.

Homan: Can you guys hear me?

Fitzgerald: Yes, sir, we can.

Homan: Mike Homan. 6820 West Randolph Drive, Boise, Idaho. I'm the developer, Elder LLC. I agree with everything that Alan -- that staff presented. One thing I wanted to -- a couple things to add. Our new landscape plan, we just got that turned in late this afternoon, but it does show the pathway to the school and, then, those -- where lots -- looks like between three and five there, those two lots we went ahead and listed those with our new design as the recommendation to face the other direction, so the side yards won't back up to the path. But we have made those changes and, then, we have two amenities. We are only required to have one, but we went ahead and added another one and that is a picnic table with a cover -- a top over it, two barbecues and a community garden space, which qualifies as the second amenity and I go on record that we are going to have those in the plan. Besides that, I'm open for any questions.

Fitzgerald: Mr. Homan, do you know where those are going to be located, the new amenities?

Homan: In the common area, the -- off of Larry Lane. There is a covered patio for the picnic table, the two barbecues, and, then, behind that where we will put in the community garden space.

Fitzgerald: Thanks, sir. Are there any questions for the applicant?

Seal: Mr. Chair?

Fitzgerald: Yeah. Go right ahead.

Seal: I will go ahead and reask the question and I asked it -- it's part of the public record, but there seems to be some nasty content -- some neighbors not getting along here I guess so, on some, you know, paperwork that was signed and all that. So, my question is is the -- the landowner at this point is he the person that entered into that contract way back in 1973 or is this new ownership?

Homan: I believe it is new ownership.

Seal: Do you know how long the folks there have been residents of this property? Okay. I can't hear you.

Fitzgerald: Is there conversations taking place?

Seal: Can't hear you.

Fitzgerald: We can't hear.

Homan: Yeah. So, the -- it totals a little over six acres. They are retaining about an acre and, then, I'm buying five acres and doing the 29 lots.

Fitzgerald: So, the original owner is -- is staying on the property -- the existing property? The existing home? Is that the original owner?

Homan: Yes. It's not the -- I don't think they are the original owner when it was platted back in 1973. But we are --

Fitzgerald: Mr. Homan, do you have your landscape plan before us that we could see it?

Homan: Yes. I e-mailed that to Alan. I can -- but I have a copy of it on my laptop I can show you.

Tiefenbach: I might -- this is Alan Tiefenbach. I can probably pull that up if you hang on a second.

Fitzgerald: Okay. Anymore comments or questions for the applicant while they are pulling that up? Commissioner Seal, do you have a comfort level where that whole thing stands right now or -- or follow up?

Seal: Yes or no. You know, I mean it's more of a principal situation, so --

Fitzgerald: Yeah.

Seal: -- more than anything, so --

Holland: Mr. Chair. Andrea, I know that staff says that they have taken that it's a civil issue, is there any ramifications of a county plat that has the CC&R recorded on it? I mean I know it's not a city plat recorded, but do we have any legal ramifications for that?

Pogue: Thank you, Commissioner. It's the position of the Legal Department that we can't give legal opinions on behalf of either the applicant or the -- the neighbors. The CC&Rs are a private matter. The city is not involved in them, bound by them, anything. What's before you tonight is an application for annexation. As such the decision is is it in the best interest of the city that the city annex this parcel at this point. It's the density, the comp plan, or does -- does it otherwise meet all the codes and standards that are applicable. The applicant will -- if annexed they -- the development will have its own HOA and CC&Rs, so, you know, if that creates liability for the applicant they need to consult a lawyer and figure that out, as do the neighbors. So, that's our comment on that.

Holland: I understand.

Fitzgerald: Alan, did you have that stuff ready to go or do we need to move forward with public testimony for a minute?

Tiefenbach: Sorry. We were -- we were working on getting the screen sharing thing going here for you, Commissioner.

Fitzgerald: You are fine. I just wanted to make sure we were not wasting your time. Hopefully you can see that.

Fitzgerald: So, we haven't adjusted the lots in this version?

Homan: No. We -- that's -- that will be something that will change on the plat, but we didn't -- my landscape architect didn't have that -- that information, so --

Fitzgerald: Okay.

Homan: -- but we will agree on record to change them the other direction.

Fitzgerald: Okay. If there are no further questions for the applicant, we will open up for public testimony and we will let you close, Mr. Homan, and -- after the fact. Does that work?

Homan: Yes.

Fitzgerald: Okay. Thank you, sir.

Homan: Yeah. Thank you.

Fitzgerald: Madam Clerk, are we -- is there anyone who would like to testify on this application?

Weatherly: Mr. Chair, we had several people sign in, several of which wish to testify. The first is Mike Siron. Mike, I have moved you over, so you should be able to unmute yourself now.

Fitzgerald: Mike, your mute button is at the bottom left-hand corner of your screen. Oh, there you go. Mike, are you with us?

Siron: Yes. Can you hear me?

Fitzgerald: Yes, sir. Please state your name and your address for the record and the floor is yours, sir.

Siron: Okay. Thank you. My name is Michael Siron and I live at 6045 North Black Cat Road. So, our frontage is all the frontage that's being expanded for the -- all the -- the light that's going in at Chinden and Black Cat, to give you a feel for where we are located. We are in favor of this development and the R-8 density rezone and also in favor of it being brought into the city. So, I guess that's it. Thank you.

Fitzgerald: Thanks, Mr. Siron. We appreciate it.

Weatherly: Mr. Chair, next we have John B. Sorry, I can't read the last name.

Bagley: Thank you. Can you hear me?

Fitzgerald: Yes, sir. Please state your name and your address for the record and the floor is yours.

Bagley: Yes. My name is John Bagley. I live at 5000 Larry Lane, which is the property just to the north of the property under consideration. My wife and I are in favor of allowing the development to go through and the R-8. That's all.

Fitzgerald: Thanks, Mr. Bagley. We appreciate it. Thanks for giving us your opinion.

Weatherly: Sorry, Mr. Bagley. I could read yours. I think there is another John B. Yes. Sorry. That's the last name I couldn't hear -- or read. Sorry. If you want to go to the back and provide your testimony. Chris will help you out the door. Oh, sure. That's fine.

Bartlett: Hello. I want to thank all the Commissioners for staying so late. I know you are not fresh now, but I appreciate your listening to our comments and staying so late. I'm Vickie Bartlett. I live at 4915 West Larry Lane. Our property is on the east boundary of the proposed project. I request that you decline approval of this project. I am not in favor

of it. Compton Subdivision No. 2 has active CC&Rs that provide for one home for one acre. We bought our home and six acres with the intent of honoring the subdivision CC&Rs and preserving the feel of our neighborhood. Mr. Homan's project density is in violation of the CC&Rs. I understand that if the project receives approval that, as mentioned, we would need to sue the project developer over the CC&Rs. His very tiny lots are not compatible with our subdivision. Each homeowner has a five acre parcel. We feel that a 20,000 square foot lot would be much more appropriate with our six acre parcels. We would support a density provided by the CC&Rs of one acre lots. So, in closing, please, deny this application as it dishonors our CC&Rs in Compton Subdivision Two. Thank you very much.

Fitzgerald: Thanks, ma'am. We appreciate your testimony tonight. Are there any additional people who would like to testify, Madam Clerk?

Weatherly: Yes, Mr. Chair. Now Mr. Bartlett will be going.

Fitzgerald: Okay. Mr. Bartlett.

J.Bartlett: Good evening. Again, thanks for staying late. And like my wife, I would like to oppose this subdivision. It doesn't fit with what's out there. It violates the CC&Rs and even though that they are now saying that they support it, signed an agreement saying these CC&Rs are what they wanted. So, the subdivision as it's proposed puts 30 lots on about four acres of ground. The neighboring subdivision to the south put 30 lots on 12 acres of ground. We are not totally opposed to progress, but this just is not tenable. Thank you.

Fitzgerald: Thank you, sir. We appreciate your input. We appreciate you being here this evening.

Weatherly: Mr. Chair, next is Jim Paulson.

Paulson: My name is Jim Paulson. I'm the owner and broker of Progressive Realty. I represent the developer on this project. My address is 645 Wickham Fen Way in Boise, Idaho. I have represented seven developers in the past. The way I see this project meets all of the requirements with no variances and fits into Comprehensive Plan. It has the largest lots of every single subdivision that was presented this evening and that's what people like about Meridian is having the larger places for the family. We have a large usable space. A lot of the applications typically have like a border landscaping around the berm. This is actually usable for picnic areas and families. I think that this falls right in line with the Comprehensive Plan. One of the comments was brought up earlier on a project that was just approved for Brighton, which I also support, but they had to run utilities for three quarters of a mile for the sewer and the project directly to the south of this subdivision anticipated growth going this direction, as did -- as did the City Council and Planning and Zoning for Meridian, which is why they stubbed a sewer line directly into this parcel that we are tapping into. So, therefore, I am in favor of this project. Thank you.

Fitzgerald: Thank, Jim. Appreciate your testimony this evening. Madam Clerk, who is next on the list?

Weatherly: Mr. Chair, that would be Matt Neukom.

Fitzgerald: Okay? Mr. Neukom, are you with us yet?

Neukom: Good evening, everyone. My name is Matt Neukom. I live at 5120 West Larry Lane. Our property is immediately adjacent to the proposed development to the north. Mr. Chairman and Members of the Commission, I would also like to thank you. It's been a long evening for everyone and all of you play a very important role to our community. So, thank you. Very easily could have marked, yes, I was in favor of the development on the sign-in sheet tonight, because I'm really not opposed to development, but I'm opposed to the way that this project is proceeding. My wife and I could support the sale of this property from the Cuthills, the current landowner and a neighbor of ours. We could also support the addition of homes on the property, but we are not in favor of the way this project is proceeding. The sole reason for that is the lot density and I didn't know if public could provide exhibits, but the exhibit shown on the landscape plan here I hadn't seen until this evening. We learned earlier that it was submitted just earlier today. But if you extend -- Alan, can you pan the screen down for us to see the north boundary of Larry Lane. Thank you. If you extend the north boundary of Larry Lane it will very nearly, if not entirely, intersect the corner of our garage. We currently live on over five acres and we are quite concerned about how the project will impact our property, our land value and our lifestyle. So, for this project to construct half of Larry Lane so that the northern half can be constructed in the future, it really makes no sense based on our home that is presently on our property, it's very well used, it's very well cared for. I think you probably have all seen the lot size goes down to about 4,000 square feet. That is a little bit larger than our home and there are several homes across the street and across Black Cat in Bainbridge Subdivision that are that size. The -- as mentioned earlier, the other properties in the subdivision as it currently sits are five to six acres. The existing house is going to stay on an acre. If my wife and I ever decided to sell some of our land for development it will stay on two acres. The Bartlett's property to the east is on six acres and it may need to stay on six acres. So, the character of what is there and what will continue to be there are larger lots. To the south and western subdivision the lots are an average of 10,000 square feet. So, you could fit two and a half 4,000 foot square foot lots inside of one of those. We saw several creative solutions for the Pinnacle Subdivision, but this subdivision really doesn't have any innovation or any uniqueness with it. It is an effort to create as many lots in a very small area as possible. The impacts to our properties from traffic and the decrease in land value are -- are not something that we welcome and we ask your help to reject the subdivision. Those of us that are opposed to it are happy to talk with the developer about what would work for us, but they have not approached us in a way that is -- one that's considering our input. You have heard about the CC&Rs and you have also heard your legal counsel. We would ask you to reject the subdivision. Not entirely, but to send the developer back to those of us that are opposed to developing it in this manner, to work with us on it and to be good neighbors. We are very willing to do that and by appointing him back to us you will really help us avoid a legal battle and we

don't want to battle, we would much prefer to work with them. Commissioner Seal, you made a very interesting observation earlier on a neighborhood -- I forget the word that you use -- dispute or argument. I don't feel like it's that now. All of the neighbors got together in our home a couple of months ago to talk about our collective interests, but the developer has not considered our collective interests and that's why we are asking you to reject it, to send it back to us to talk this through to come up with a solution that works for everyone and that's what I ask you now. Thank you very much.

Fitzgerald: Thanks, Matt. We appreciate your time and for being here tonight. Madam Clerk, do we have anyone else who would like to testify?

Weatherly: Mr. Chair, no one else has signed in or has their hand raised at this time.

Fitzgerald: Okay. Give a couple of seconds pause. Anyone who would like to testify that hadn't signed up on this application, please, raise your hand via Zoom or in the audience, please, raise your hand. And one more -- and, ma'am, if you have already testified that was your time, so I apologize for that. Madam Clerk, she testified already; correct?

Weatherly: Mr. Chair, that was Mike Siron that testified. We can see if Jan Siron also wants to testify if you would like.

Fitzgerald: That's fine. Yes. Go right ahead. Mrs. Siron, are you there?

J.Siron: Yes, I am. Thank you for giving me an opportunity to speak, even though I hadn't signed up tonight. I just -- I just wanted to clarify that there -- there are only five landowners in this subdivision and three of the five are in favor of rezoning and annexation into the city. We are completely surrounded by subdivisions and the -- what was appropriate in 1974 when the CC&Rs were established is not now. It doesn't comply with current properties around us and so we would like to see it be in line with properties that surround us. The beautiful properties that we had we are the -- one of the first -- or we are the first owners here. We came in 1984. And so we -- we have been here the longest and this has completely changed and we know -- and, you know, the high density and the high traffic in Black Cat is getting so intense it just doesn't make any sense to have these five acre properties in this area any longer and that's really all I have to add. Thank you.

Fitzgerald: We appreciate your perspective. Thank you for sharing. Okay. I think we have heard from the public. Can I get a motion to close the public hearing? Oh. Sorry. Let me take -- I'm losing my mind. Mr. Homan, would you like to close, please. Sorry.

Homan: Yes. Yes. I would like to close. Mike Holman, developer. I agree totally with the last testimony from the lady. There is a total of five five acre parcels approximately in size in there and three of the five are under contract. I just happened to be the first application and Corey Barton has two other properties under contract that he is going to be submitting applications soon. To the south of this property is a Corey Barton Subdivision. They are smaller lots. And with city services and following the comp plan, I

think we are right in line with what the city wants to see with sewer and water and services. So, I ask for your guys' approval tonight. That's it. Thank you.

Fitzgerald: Thank you, sir. Are there any questions for the applicant? Commissioner Holland, go right ahead.

Holland: Just a quick question. So, you know, I think the development -- I don't have any big concerns about it, but it's always awkward when we feel like the intermediary between a county CC&R and a future plat. So, I don't know if you would be open to -- if we do consider approving this tonight and moving it forward to Council, recommends -- sorry -- recommending approval to Council, would you be willing to meet with those neighbors again to see if you could get a little closer with -- I don't know if there is any minor modifications you could do to this site plan that would make them feel more comfortable with it, but it sounds like you really only have a couple neighbors that you need to --

Homan: Right.

Holland: -- work with and at least get their voice heard.

Homan: I would meet with them again. I -- we had a neighborhood meeting out there and they were pretty strong on not having any development period. So, I tried to explain that it will actually make their values go up. If they want to sell I would be interested in buying and, you know, at the time they didn't have any interest. So, I'm just trying to follow the comp plan and what's allowable and I did add an extra amenity -- was only required to have one in the common area and, then, I decided to put picnic tables, two barbecues and the covered patio, adding a garden space for the residents in the subdivision and that public road we are just complying with ACHD, what they want along Larry Lane there. All the property that we would be improving is on our property. So, we wouldn't be encroaching his garage or anything like that. That's about all I had to add.

Fitzgerald: Commissioner Holland, do you have follow up or is there an additional question?

Holland: No. That was it. I was just wanting to know if you would be willing to still -- at least try to meet with them one more time just to see if you could ease any concerns with those other two landowners.

Homan: I would be willing to try to meet with them again if they wanted to meet before we, you know, go to City Council.

Holland: Thank you.

Holland: Yeah. Thank you.

Fitzgerald: Any additional comments or questions?

Pitzer; Mr. Chair?

Fitzgerald: Commissioner Pitzer, go ahead.

Pitzer: Okay. Thank you. So, in working with the neighbor directly to the north where this road is -- and I looked this up on the -- on a satellite map and it's going directly into his property. Have you talked with them about possibly any temporary buffer or anything like that that can -- that can help ease the strain of putting this -- this in at this time?

Homan: Usually I put up a perimeter fence or, you know, I can put some trees in. I did mention that when we had the neighborhood meeting and I -- I have no problem putting up a screening fence -- a six foot high fence.

Pitzer: So -- so, you would be amenable to meeting with the neighbors on -- on trying to --

Homan: Mitigate the screening, yes.

Pitzer: Yes. Okay. All right. Thank you.

Homan: You're welcome.

Pogue: Mr. Chair, is there any way that staff can pull up what Commissioner Pitzer just indicated she looked at on Google Maps or where -- where did you look at that, Commissioner?

Fitzgerald: Commissioner Pitzer, where were you -- you are on mute, ma'am.

Pitzer: Sorry. Yeah. No. I just went to Google Maps and pulled up 5025 Larry Lane and, then, did an aerial.

Pogue: Okay. Can the staff pull that up so everyone can see what she was looking at and they were talking about?

Tiefenbach: This is Alan Tiefenbach. We are going to try to see if we can pull up the city GIS here. Be patient and maybe discuss while I'm doing that.

Fitzgerald: So, I also -- while we are in public testimony still, I think there is -- someone needs to get a legal opinion and I'm not sure who that is, if that's the neighborhood deciding that the HOA is going to do this, but I feel like we are getting in the middle of something that we don't want to get in the middle of and so I'm not sure -- and I know Commissioner Seal had a similar concern. I don't feel good about approving something or recommending approval for something that isn't got itself worked out. So, either this is too early or there needs to be some additional conversation happen, so I'm not sure where everybody's thoughts are, but I -- I am reluctant to get in the middle of a in-fighting between neighbors where there may be recorded CC&Rs -- there may not be, it may not

have been renewed, which happens all the time, especially with some of these neighborhoods, and so -- but that's not our responsibility or the city's to give legal opinions or give legal advice or -- or guidance to those folks that are maybe at an impasse in regards to how it moves forward. So, initially my gut is to continue it until someone can bring us something that says tentatively if there are HOA CC&Rs in place and that either they are going to put an agreement on it or they are not. Just my thoughts. Anybody else have a thought?

Seal: Mr. Chair?

Holland: Mr. Chair?

Fitzgerald: Go right ahead.

Holland: I would say I -- you know, the -- the development itself I don't really have a concern with the way it's laid out, especially if they rotate those last few lots. I appreciate the extra amenities that they have thrown in there. We could always make a recommendation to approve -- ask that they would have the conversations with neighbors and figure out the pending litigation situation before they bring it to Council. That might be another option.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: I pulled up the same picture Commissioner Pitzer had on her screen and I think it would be a good idea if we all took a look at that. In general, yeah, I agree, I would rather not get in the middle of the neighbors and a CC&R legal battle and have this move forward before the legal battle has a chance -- if there is going to be one, has a chance to play out, but, yeah, the way that -- on the road -- might want to change the way that -- that entrance comes through there.

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer.

Pitzer: In looking at the -- the written testimony that was presented on there they say that there are means to -- within the neighbors to mitigate the CC&Rs to have them go away. So, I think that that is something that needs to be looked at between the property owners before -- I think this is premature.

Fitzgerald: Yeah. I'm -- that's kind of where I'm leaning is -- too, is I don't want to send them to City Council unless this has fully worked itself out. That's our job, not theirs kind of thing. But I would love to see -- so we all have the same picture, if we can zoom in on that a little bit. Some of the trees are covering it up, but that's a pretty -- if we are doing a half plus 12 on that road, it's going to be tight to that person's house.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: Just -- and I'm just thinking out loud here, but -- I mean if -- if we don't -- I guess if we don't act on this, then, I don't know that anything will change, because I don't think the neighbors getting together is going to produce anything, because they are kind of at a stalemate. It takes 75 percent of the property owners to change anything and just with the people that are against it they are not going to make 75 percent, so I mean how do we -- how do we not get ourselves in the middle of it, but go -- go far enough that legal matters have to be taken into account.

Fitzgerald: Well, I think --

Seal: Sorry.

Fitzgerald: No. You're fine. I think it's either you continue it and give a stipulation that we will continue it until you -- at a date not certain until documentation can be showcased this thing can be developed in a free and clear manner or something or there is agreement between -- to vacate the CC&Rs or there is no active CC&Rs. There is a lot of information I think that's missing right now for us to make a good decision, because I lived in a neighborhood that was built similar to this one when I was growing up and the CC&Rs need to be renewed, they need to be recorded again in lots of cases and so there is a potential that there is some research that needs to be done by somebody and that's not our city -- county -- our city attorney's offices job, that's the applicant's job, and so I -- that's my gut is if this is a development that wants to move forward they need to do the homework and the work to get it squared away. Just like bringing legal descriptions in. That's the job on the applicant's side is to make sure everything's free and clear and ready to go and we don't need to hop in the middle of it. That's just -- that's not good planning for the city. If annexation is our one time to make it -- you know, these stick and things do go right and we have got three neighbors saying one thing and two neighbors saying another thing and I don't want to get in the middle of that. That seems sticky and that's not a good situation. That's my thoughts, Commission, for a reason. So, that's just my -- my position, but I am more than willing to take input from everybody and -- because I can be swayed. So, let me know your thoughts.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: I would at a minimum want to continue this to see exactly how that road going forward would affect the property owner to the north. At a minimum. I think the plat needs to be looked at fully with that road fully done and if that plat can even move forward.

Fitzgerald: Okay.

Holland: Mr. Chair, did we ever close the public hearing or are we still open right now?

Fitzgerald: We are still open.

Holland: Well, I think -- I mean after all the thoughts that are out there I think I would echo what you just said. I think that that's smart for them to kind of work it out and bring it back to us when it's ready. Unless anybody else has comments first.

Seal: I think a continuance is probably the smart way to go on this.

Fitzgerald: I think you do it with a direction for them -- we want to help solve it if it can be solved and -- not that we have a problem with the development -- initially I don't think we do. But we can't solve something that isn't ready to be solved yet. So, give them direction to like work through it or get legal opinions or figure out what the county says and, then, we can help them go from there.

Holland: Okay. Mr. Chair, I move to continue -- continue file number H-2020-0048 to a hearing date uncertain in the future for the following reason, that we would like the applicant to either work with neighboring property owners to come up with a resolution on if this development could go forward, establish the validity of the existing CC&Rs in Ada county and/or get a legal opinion on whether or not those are valid or, C, workout whatever pending litigation situations are -- are present before it comes back before this commission and also to lay out and show us how Larry Lane would come through in the future and what the impact would be on the neighboring property owners.

Pogue: Mr. Chair, I recommend to the motion maker to ask the clerk for a date certain and amend your motion to include a date certain.

Fitzgerald: How do we do that, Andrea, without having knowledge of when that documentation or research can be done?

Holland: You want us to just aim for a couple months out and, hopefully, they can get it done by then?

Pogue: We need to ask the clerk for a date certain.

Fitzgerald: Okay.

Weatherly: Mr. Chair, Members of the Commission, we are available to notice for August 20th. There is nothing scheduled for any date thereafter.

Fitzgerald: So, go to September I think. We just put them on the 20th and give them a chance to work through it. What's the next September days, Madam Clerk?

Weatherly: Mr. Chair, that would be September 3rd. The next date thereafter would be September 17th.

Holland: What do we think? The 3rd or the 17th, folks?

Fitzgerald: 3rd works.

Holland: I will make a modification to my motion to set the date certain for the hearing date of September 3rd of the Planning and Zoning Commission.

McCarvel: Second.

Fitzgerald: I have a motion and a second to continue the file number H-2020-0048 to the date of September 3rd. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

G. Public Hearing for Ustick Marketplace Storage (Phase 2) (H-2020-0051) by Rick Steward with Babcock Design, Located at 3535 N. Records Ave.

1. Request: A Conditional Use Permit for a self -service storage facility consisting of 116 +/- units on 1 acre of land in the C-G zoning district.

Fitzgerald: Thank you very much. Moving on to the last item on the agenda, which is H-2020-0051, Ustick Marketplace Storage. Alan, I think the staff report is yours again. We will start with you, sir.

Tiefenbach: That would be me, Mr. Chair. We are just fumbling through the multimedia here remembering that --

Fitzgerald: Yes, sir.

Tiefenbach: Remembering that computers make life easier. Okay. So, this is a conditional use for a property that's on one acre of land. It's presently zoned to commercial. It's located at the southwest quadrant of North Records -- sorry. North Records Avenue and West Bald Cypress. There is already an existing self storage facility on this project. It was approved by a CZC last year. That existing facility has 341 units and ten buildings. It's bordered by single family and multi-family to the north and to the east. To the south and to the west is commercial. It's directly behind the Lowe's that's existing there now. The comprehensive -- the future land use map recognizes this for mixed use regional. So, this is a proposal to add -- so, there is like -- this for a conditional use to add an additional 116 units in three buildings. Staff is recommend -- recommending approval on this. You can -- see if I can zoom forward here. Showed a picture of the site plan, which also I'm showing you the landscape plan. What you see in color there on the north is what is being proposed to be added. What you see there in gray is what's existing there now. The building would utilize -- utilize the same architecture materials as what's there now. The existing buildings -- as built right now is

a very attractive self storage facility. You can see on the pictures on the right there the top one shows what's there now. One thing I think is important to show you is if you look at the top right picture that shows an existing buffer that's along North Records, that buffer very effectively screens this property and softens it down. It's very attractive. However, if you look at the buffer along West Cypress -- Bald Cypress there on the north, it's much less and the original landscape plan for this property also just shows where the trees are and no other landscaping. Staff believes that if they were to landscape that northern buffer just as the one on the east along North Records, it would, again, result in a very nice attractive development. So, that is staff's only recommendation on this one is we support it. We think it will be a high quality development. We just think that they need to -- to landscape it, basically, to be consistent with what -- with what was done on the most recent CZC. They -- I have talked to the applicant about this and they are amenable to this. The one thing I want to mention -- there is a mistake in the staff report where I'm -- where I'm asking you to recommend approval to the City Council and that's my bad. Actually, the Planning Commission is the approval authority on a conditional use. So, if you were to vote in favor of this you would be the final decision making authority. And with that I have nothing else to say.

Fitzgerald: Thank, Alan. Appreciate it. Are there any questions for Alan on this application? Hearing none currently, would the applicant like to add anything or come and present?

Stewart: Yeah. Can you -- can you guys hear me?

Fitzgerald: Yeah, Rick, go right ahead. Please state your name and your address for the record, please.

Stewart: You bet. Thank you for your time, Mr. Chair, fellow committee members and staff. My name is Rick Stewart. I work for Babcock Design. We are the architect of record and I live at -- or I reside at 800 West Main, Suite 940, Boise, Idaho. 83702. And just like to follow up with what Alan had said. We -- we are continuing on with the phase one development of a storage facility off of North Records and West Bald Cypress Way. We will be adding three more buildings to increase the unit count to 116 units. In addition to the existing unit count on phase one we will be continuing the traffic patterns throughout the site to make sure that it is continuous throughout the site. All the materials that are used on phase one are also going to be used on phase two. The same design language, if you want to call it that, is going to be carried over to this new phase. We did respond to the staff report and we are amenable to all the conditions presented by staff.

Fitzgerald: Very good. Are there any questions for the applicant? Seeing, none, hearing none, Mr. Stewart, we appreciate you being here, sir. We will see if there is anybody here to testify on this and, then, we will let you close. Madam Clerk, is there anyone who would like to testify on this application?

Weatherly: Mr. Chair, besides Mr. Stewart signing in, Ryan also signed in and, Ryan, I believe I brought the correct Ryan over, so you can unmute yourself.

Montoya: Yes. Thank you very much. And I'm here representing the ownership group. My name is Ryan Montoya and I reside at 1523 Eastside Court, Boise, Idaho. 83706. I want to say thank you, Commissioners and staff, for helping us get through phase one. We are excited to build the second phase and propose this in front of you tonight and our intention, as Rick said, is to continue on the intentions from the first phase into the second and add some additional units and square footage that's available for rent and with that I will stand for any questions.

Fitzgerald: Thank you, Mr. Montoya. We appreciate you being here tonight. Are there any questions for him? Thank you, sir. Madam Clerk, is there anyone else who would like to testify?

Weatherly: Mr. Chair, no one else has indicated a wish to testify.

Fitzgerald: Thank you, ma'am. If there is anyone on Zoom that would like to testify or in the audience, if there is anyone left, please, raise your hand and we will make sure you get heard. Just pause for a second. Mr. Seal is not -- or Commissioner Seal is not giving me the eye that there is anyone in the audience, so --

Seal: The room is empty.

Fitzgerald: With that pause -- with that pause being taken, can I get a motion to close the public hearing. Or, actually, I'm sorry. Mr. Stewart, do you want to say anything additional?

Stewart: And I would just like to follow up with Mr. Montoya and extend my thanks to Mr. Chair and the rest of the Commissioners, as well as staff, in just the -- the great job that you guys do. It's been a pleasure working with -- with -- I have directly worked with Sonya mostly and Bill Parsons and I have gotten to know Alan very well and I appreciate the attention to detail that you guys have and all the efforts that you do. It's -- it's been a pleasure. Even though it's been a marathon tonight, it has been somewhat of a pleasure to learn what you guys go through in each one of these meetings. So, I do greatly appreciate it.

Fitzgerald: Well, we appreciate you guys being willing to stay -- hang with us until 11:00 o'clock, so thanks to you and Mr. Montoya for being a part and for -- sorry you got stuck at the end of that marathon, but we appreciate you guys being here and appreciate the effort. Can I get -- with that can I get a motion to close the public hearing?

Pitzer: Mr. Chair?

Fitzgerald: Commissioner Pitzer.

Pitzer: I move that we close public hearing testimony for H-2020-0051.

Seal: Second.

McCarvel: Second.

Fitzgerald: I have a motion and a second to close the public hearing. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: I'm going to throw mine out in the beginning and be done with it, but I think it makes sense, it's where storage should be kind of tucked back behind stuff. They do nice landscaping. It looks like a nice development. I have got no concerns with the one acre conditional request.

Fitzgerald: I completely agree with exactly what you just said.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: After considering all staff, applicant, and public testimony I move to approve file number H-2020-0051 as presented in the staff report for the hearing of July 9th, 2020.

Pitzer: Second.

Fitzgerald: I have a motion and a second to recommend -- or to approve File No. H-2020-0051. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thank you, Mr. Stewart, Mr. Montoya, Good luck and thanks for all you are doing out there. Appreciate it.

Stewart: Thank you.

Fitzgerald: Have a great evening.

Holland: I think Commissioner Pitzer should make this last motion.

Fitzgerald: Absolutely.

Pitzer: Mr. Chair, I move that we close the meeting -- close the hearing.

Fitzgerald: Adjourn.

Holland: Second.

Fitzgerald: I have a motion and a second to adjourn. All those in favor say aye. Any opposed? Hopefully not. Thanks, team.

MEETING ADJOURNED AT 10:55 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

RYAN FITZGERALD - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK