

**Meridian Planning and Zoning Meeting**

**July 16, 2020.**

Meeting of the Meridian Planning and Zoning Commission of July 16, 2020, was called to order at 6:00 p.m. by Chairman Ryan Fitzgerald.

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

Members Absent: Commissioner Patricia Pitzer.

Others Present: Chris Johnson, Adrienne Weatherly, Andrea Pogue, Bill Parsons, Sonya Allen, Joe Dodson, Brian McClure 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 type="checkbox"/> Patricia Pitzer	<input checked="" type="checkbox"/> Bill Cassinelli (Joined at 6:05 pm)
<input checked="" type="checkbox"/> Ryan Fitzgerald - Chairman	

Fitzgerald: At this time I would like to call to order the regularly scheduled meeting of the Meridian Planning and Zoning Committee for the date of July 16th and let's start with roll call.

**Item 1: ADOPTION OF AGENDA**

Fitzgerald: Thank you, Madam Clerk. The first item on the agenda is the adoption of the agenda. We do have two applications this evening that we will be continuing to another date, so that we will be opening those just for the reason for -- or to allow them to be continued to a date they requested or that we can work with the staff. So, with that can I get a motion to accept the agenda as amended?

Seal: So moved.

McCarvel: So moved.

Fitzgerald: I have a motion --

Holland: Second.

Fitzgerald: -- and a second to approve the agenda as amended. All those in favor say aye. Opposed same. Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**Item 2: CONSENT AGENDA [ Action Item]**

1. Findings of Fact, Conclusions of Law for Ustick Marketplace Storage (Phase 2) (H-2020-0051) by Rick Stewart with Babcock Design, Located at 3535 N. Records Ave.

Fitzgerald: Next item on the agenda is the Consent Agenda. You have one item on the Consent Agenda, which is the Finding of Facts and Conclusions of Law for Ustick Marketplace Storage, H-2020-0051. Is there any reason we need to pull this one out for discussion? Or if not can I get a motion to accept the Consent Agenda as presented?

Holland: So moved.

McCarvel: So moved. Second.

Fitzgerald: I have a motion and a second to accept the Consent Agenda. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Fitzgerald: Okay. At this time I would like to kind of explain the quasi kind of strange hybrid meeting we have going on. Commissioner Seal has been kind enough to take one for the team and be in Council Chambers tonight. Thanks to Commissioner Seal for that. We will open each item on our agenda and start with the staff report. The staff will report on the findings and how the application adheres to our Comprehensive Plan and Uniform Development Code with the staff's recommendation. After the staff has made their presentation the applicant will have an opportunity to come forward and present their case for approval of their application and respond to any staff comments. The approval -- the applicant will have 15 minutes to make their presentation and, then, after that the applicant will step down and we will allow public testimony. Hopefully, there is folks in Chambers that have signed up to testify and -- on iPads that are there and, if not, if you are on Zoom with us the Clerk will bring you over into the public -- kind of panelist format on Zoom, so we can hear from you. If you are speaking for an HOA and represent that you are, I will give you an additional few minutes to speak on behalf of that HOA. If there are any questions on -- or concerns with being on Zoom or you are having any challenges, please, shoot an e-mail to the City Clerk at [meridiacity.org](mailto:meridiacity.org). If you are just watching the proceedings we would ask you to do that via the city's YouTube channel, which is [meridiacity.org/live](https://www.meridiacity.org/live). When you -- when we open public testimony we have had a couple challenges with this in the future -- or in the past. We open up public testimony and we give the public an opportunity to have their three minutes to speak. After you are done with your three minutes that's the opportunity you have had to speak and we can't take additional testimony or we would be doing this forever. So, please, get your points across in that three minutes and we are going to try to stick pretty close to that three minute time frame and we will go from there. So, moving on to the first item on our agenda -- or sorry.

Let me go back you. Would you all like to move the two items on our agenda to the top, so we can continue those or shall we just go through them? Anybody have a preference?

Seal: Let's go ahead and move them to the top.

Fitzgerald: Okay.

Weatherly: Mr. Chair?

Fitzgerald: Yes, ma'am. Go right ahead.

Weatherly: I just wanted to note for the record Commissioner Cassinelli joined the meeting at 6:05 p.m.

Fitzgerald: Welcome, Commissioner Cassinelli. Glad you are here, sir.

Cassinelli: Thank you. I finally found the Zoom link.

Fitzgerald: Well, we are glad you are here, sir. Can I get a motion to --

Holland: Mr. Chair?

Fitzgerald: Oh, yeah. Go ahead.

Holland: I was just going to make a motion to adjust the agenda to move Item B and Item D to the top of the agenda, so that we can move to continue those for a future date.

Seal: Second.

Fitzgerald: I have a motion and a second to adjust the agenda to deal with those continuances up front. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

**Item 3: ACTION ITEMS**

**3. Public Hearing for Horse Meadows Subdivision ( H-2020- 0060)  
by Riley Planning Services, Located at 710 N. Black Cat Rd.**

- A. Request: Rezone of 4.71 acres of land from the R-4 zoning district (Medium-Low Density Residential) to the R-8 zoning district (Medium-Density Residential).
- B. Request: Preliminary Plat consisting of 27 single-family residential lots and 3 common lots on 4.71 acres of land in the R-4 zoning district.

Fitzgerald: So, moving to the public hearing for Horse Meadow Subdivision, H-2020-0060. They have requested a continuance to August 20th, 2020. Do we have any issues with that? Any questions for staff on that date? Any concerns there from the team? If not, can I get a motion to -- to continue that hearing to the date of August 20th.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Pogue: Excuse me, sir. You will have to come and identify yourself for the record.

Johnson: I'm going meet you and take you in a room where you can speak in there and be heard. These mics out there don't work.

Pogue: Mr. Chair, to get this back on track, could we have staff present the basis of the continuance and ask if the applicant's here and, then, get the public testimony?

Fitzgerald: Say that one more time, Andrea. I'm sorry.

Pogue: So, can we begin with staff regarding the basis for the continuance, then, ask if the applicant is here and, then, open for public testimony after that and the applicant could respond and proceed.

Fitzgerald: Okay. Sounds good. Bill, are you available? Or Joe?

Dodson: Mr. Chair, hi. Joe. I'm available.

Fitzgerald: Okay. Go ahead, Joe. Can you -- we will start with a staff report on the request for the continuance for Horse Meadows Subdivision.

Dodson: Thank you, sir. Mr. Chair, Members of the Commission, the applicant is requesting continuance to August 20th. Due to some access issues that came up late in the review process. We are still working through that with ACHD. So, they are just asking to take care of that and redesign the layout to accommodate that.

Fitzgerald: Any questions for staff?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: I'm assuming the calendar will hold it on the 20th.

Dodson: Commissioner Cassinelli, yes, that is correct. August 20th so far is pretty open. That's why I -- I told them to go to that date, instead of August 6th, since we are full on August 6th.

Fitzgerald: Additional follow-up questions for staff? Would the applicant like to join us to -- why the continuance request?

Dodson: Mr. Chair?

Fitzgerald: Joe, go ahead.

Dodson: I do not believe that they are -- they are here tonight.

Fitzgerald: Okay. We will open it up to the person who would like -- the public who would like to testify while they are here. Chris, are they with you, sir?

Johnson: They are here.

Fitzgerald: Okay.

Alexander: This is Brent Alexander. I'm one of the other three -- basically five acre property owners -- five to seven acres in that area.

Fitzgerald: Sir, could you state your name and your address for the record so we have that.

Alexander: Brent Alexander. 4575 West Quarter Horse Lane, Meridian, Idaho. 83642.

Fitzgerald: Thank you. Go right ahead.

Alexander: You mentioned you -- you just mentioned they were having some issues with access and that was some of my questions. So, I -- basically I'm going to let this reschedule go through and show up in August, but I just want to also make sure -- they are going to repost that date like they posted this one, so we have plenty of notice?

Fitzgerald: Joe, you want to speak to that, sir.

Dodson: Mr. Chair, Mr. Alexander, typically it is up to the Commission to tell the applicant whether or not they need to repost the site or not. Generally if there is -- the first continuance we do not require them to repost the site, but that is a -- in the Commission's purview to do that or not.

Alexander: So -- okay. So, what is the exact date of the continuance then? Because I -- I want to make sure we get notified. That's all I will say. I don't want something to go through over here. We have lived out there for years and this is a big change to what they are proposing to us, but the way they propose to take our Quarter Horse Lane from us and put houses that face right on it, we are going to have a lot of traffic now competing with the Pine coming onto Black Cat Road and that's just a few hundred yards up. The whole way it's laid out doesn't make any sense. So, these are my concerns.

Fitzgerald: And, Mr. Alexander, I think -- and we will continue it, but likely that it will be continued to August 20th. That's when we have an open time frame. My other -- just comment -- and I made it to staff today earlier during our meeting that we had. There are some access issues that they are working with ACHD on. There is also it sounds like some other legal issues you guys are working through on some other areas and I would hope that the applicant will work that out with you all before they get back. That would be my suggestion before bringing legal issues into the public hearing room.

Alexander: Okay.

Fitzgerald: That's something to take care of amongst the group. So, I have expressed that to -- my concerns about that to the staff and they are going to pass that along to -- just from the public -- the written public comment we took and we have gotten there seems to be some -- some -- some issues over land and there are surveys in questions that I think --

Alexander: Yes.

Fitzgerald: -- need to be wrapped up before we ever deal with it, so -- but that's the -- Mr. Dodson, our planner, is going to take care of that with the staff -- or with the applicant. I'm sorry. And we will, hopefully, have that worked out by the time they get back or we are going to have some challenges working through it. So, we -- we don't want to be the legal rambler. That's not our job.

Alexander: Okay.

Fitzgerald: So, that's just for your information. We have -- there is some concerns out there on my part that those are -- we don't get in the middle of those kinds of debates. We need a clean and clear, you know, application that is surveyed properly and has all the ducks in a row or we can't really deal with it easily.

Alexander: Okay.

Fitzgerald: So, hopefully, that will be worked out and we want to make sure that your -- your folks are taken care of it and the legal issues are all wrapped up before they bring them to us.

Alexander: Well, I appreciate you resetting this and listening to me, because I got more information and I see where you are coming from and we will just wait and see what the new revision looks like. Because, yeah, there is cross-easements out there on that lane and I own a piece of it and some other people do, so -- yeah. Okay.

Fitzgerald: Okay.

Alexander: I appreciate your time. Thank you, guys.

Fitzgerald: Thank you, sir. We appreciate you being there. Is there anyone else that would like to testify on this application right now before we move to continue? If you are in Zoom raise your hand and Commissioner Seal will give me his eyes on anybody else out there.

Seal: Mr. Chair, no one's raising their hand.

Fitzgerald: Hearing none.

Seal: No.

Fitzgerald: Okay. Can we move forward the motion to continue H-2020-0060 to the date of August 20th?

Holland: Mr. Chair, do we need to address if we need to have them renote that or at least send out another letter to neighbors in that vicinity?

Fitzgerald: That is absolutely up to the Commission. So, if that's something that we think we need to do or you feel comfortable we need to renote it, that's our purview. So, we can make that in the motion if you would like.

Holland: I think renoticing and posting might be overkill, but if there is a way that we could notify the neighbors again that the date's been changed to August 20th, I think that would be ideal somehow, whether that's just sending out another 300 foot property boundary notice to those owners. Joe, do you have a comment on what's easier there? Is it easier to change the sign or if it's easier to send out a notification.

Dodson: Commissioner Holland, I think that just changing the sign to the new date is probably sufficient.

Holland: Okay. Then I will make a motion that we move to continue the public hearing for Horse Meadows Subdivision, H-2020-0060, to the date of August 20th, 2020, and that the applicant would change the sign posting to note that that date is changed.

Seal: Second.

Cassinelli: Second.

Fitzgerald: Motion and a second to continue Horse Meadows Subdivision to the date of August 20th, 2020. All those in favor say aye. Opposed same. That motion passes. Thank you very much all.

**MOTION CARRIED: SIX AYES. ONE ABSENT.**

**5. Public Hearing for Prescott Ridge ( H-2020- 0047) by Providence Properties, LLC, Located on the South Side of W. Chinden Blvd. and on the East Side of N. McDermott Rd.**

- A. Request: Annexation of 126.53 acres of land with R-8 (99.53 acres), R-15 (8.82 acres) and C-G (18.17 acres), zoning districts.
- B. Request: A Preliminary Plat consisting of 384 buildable lots, 35 common lots and 5 other lots on 126.53 acres of land in the R-8, R-15 and C-G zoning districts.

Fitzgerald: Moving to the next item for continuance, would like to open the public hearing for Prescott Ridge H-2020-0047. Joe, is this yours or is this Bill?

Dodson: Mr. Chair, this is Sonya's, actually. She's not yet in the chambers.

Fitzgerald: Okay. Do we have anyone who would like to -- is the applicant here tonight to testify on this application -- the request to continue?

Weatherly: Mr. Chair, Stephanie Leonard is here. Moving her over to speak. Stephanie, you should be able to unmute yourself.

Leonard: Okay. Thank you.

Fitzgerald: Could you state your name and your address for the record, please, ma'am, and the floor is yours.

Leonard: Okay. Good evening, Mr. Chair, Commissioners. Stephanie Leonard. 9233 West State, Boise. 83714. We are respectfully requesting continuance on this project to work through coordinating utilities with an adjacent property. We have been having some difficulty getting them the actual site and, then, we also have spoken with staff and they have got some recommended changes to our medical campus concept plan that we would like to revise prior to bringing it before you, so we request the -- the same day, August 20th, so we have a bit more time to get those things finished.

Fitzgerald: Thank you, ma'am. Are there any questions for the applicant?

Holland: Mr. Chair? Stephanie, does -- does August 20th give you enough time to get -- I know it looks like it's a fairly large application coming through.

Leonard: Yes, Mr. Chair, Commissioner Holland, I believe it does. We are actually really close on the utilities. I think we have been in -- or I guess I should say our client has been in conversation for quite some time with the property to the south and I think that they are kind of making some headway, so we should be able to figure that out and, then, the



concept plan -- the changes weren't super huge and we have already started on them. So, I think that should be enough.

Holland: One question -- one follow-up question for staff. I know that Sonya is not in the room yet, but we -- we just continued the other application to August 20th as well. Can you tell us how many other applications we have?

Weatherly: Commissioner Holland, this would be the third hearing for that evening.

Holland: Okay. Thank you.

Fitzgerald: Any additional questions for the applicant or for staff? Is there any -- anyone in the public that wishes to testify on this application? Please raise your hand on Zoom or if you are in the audience let us know you are there. Seeing Andy's eyes can you tell me no. With that being the case, can I get a motion to --

Seal: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Seal: I move that we continue Prescott Ridge, H-2020-0047, to the date of August 20th, 2020, to allow the applicant to work their concerns pertaining to utility extension, allow more time to get comments from the school district and ACHD.

Holland: Second.

Fitzgerald: I have a motion and a second to continue the hearing for Prescott Ridge, H-2020-0047, until the date of August 20th, 2020. All those in favor say aye. Any opposed?

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thanks, Stephanie. We look forward to seeing you on the 20th.

Leonard: Okay. Thank you guys.

**2. Public Hearing Continued from June 4, 2020 for Teakwood Place Subdivision (H-2020-0006) by Hesscomm Corp., Located at 1835 E. Victory Rd.**

- A. Request: Annexation and Zoning of 7.35 acres of land with an R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 26 single- family residential lots and 2 common lots.

Fitzgerald: Okay. Moving on to our first application for consideration tonight is a public hearing that was continued from June 4th, Teakwood Place Subdivision, file number H-2020-0006, and let's start with the staff report. Joe.

Dodson: Thank you, Mr. Chair. Yes, as Commissioner Fitzgerald stated, this was originally heard on May 7th and it was continued to the date of June 4th. Prior to that meeting staff did a site visit and it was, then, I -- we decided that it was best to continue the project further to continue working through some of the issues presented at that Commission meeting on May 7th and since then staff has received revised plans and it has -- those plans have corrected some of the issues previously discussed. I will try not to rehash everything, but, generally speaking, the plan did change significantly, so I will probably cover everything all over again. The application before you is for annexation and zoning and preliminary plat. The site consists of 7.35 acres of land. Currently, zoned RUT and is located at 1835 East Victory Road. The request for annexation and zoning is with an R-9 zoning designation and the preliminary plat consists of 22 building lots and four common lots. One of the 22 buildings --

Fitzgerald: Joe, do you have your -- sorry to interrupt you, but do you have the slides up that you can -- so everybody has them in front of them.

Dodson: Thank you.

Fitzgerald: There we go. Thank you, sir.

Dodson: Yes. One of the 22 building lots contains the existing home that is to remain. The future land use designation for the subject site is medium density residential, which allows detached single family homes and requires that growth density resides between three and eight dwelling units per acre. The applicant's revised plat has a gross density of 2.99 dwelling units per acre, which can be rounded up to comply with the Comprehensive Plan. In addition, the applicant has reduced the number of lots since the previous Commission hearing from 28 lots to 22 and the proposed project is now proposed as one phase, instead of two. The minimum property size is 4,784 square feet, with an average buildable lot size of 10,318 square feet, which exceeds the 4,000 square foot minimum lot size requirement for the R-8 zoning district. As noted there is a home on the subject site that is intended to remain and reside in one of the proposed building lots. The plan before you is the original plan that showed two different phases and more building lots. This is the new revised preliminary plat. In addition, some of the accessory structures on the property are proposed to remain. Any structures that remain on the property must comply with the dimensional standards of the requested R-8 zoning or they will be removed. Current access to the property is via a driveway connection to East Victory Road and the applicant is requesting that this access remain for the existing home. Keeping this access does not comply with city code or with ACHD policies. However, ACHD has amended their policies and offers their approval of keeping the access on sites and sites the reasoning for this as a low number of vehicle trips that would occur from one home. Staff cannot support this due to code requirements that access be taken from a lesser classified street if it is available. Staff believes that if the existing access is not

closed at the time of this development, it may never be closed. The applicant -- the applicant should be required to close the access to Victory Road and take access from the proposed new local street within the subdivision East Fathom Street. The applicant is requesting a Council waiver to keep this access. The applicant is also proposing to construct an emergency only access that connects the proposed East Fathom Street to Victory Road in the very northwest corner of the site. Staff is recommending a condition of approval that this emergency access be constructed prior to any issuance of certificate of occupancy. Parking for the development is required to be provided in accord with the standards listed in UDC 11-3C-6 for detached single family homes and based on the number of bedrooms per home. The proposed street sections are 33 feet wide, which would also offer on-street parking where no fire hydrants or curb cuts exist for driveways. In addition, the applicant has proposed a larger than normal cul-de-sac at the end -- I should say the south end of the development. This cul-de-sac has a 57 foot radius, which is nine feet wider than the standard requirement -- or standard cul-de-sac of 48 feet. Therefore, allowing on-street parking along the edge of this cul-de-sac as well. The applicant has submitted sample elevations of the single family homes for this project. The single family homes are depicted as mostly single story structures with a variety of finish materials, with stone, stucco, and lap siding combinations. Some homes also depict extra large spaces for RV storage. All single family homes appear to meet design and architectural standards. In the northeast corner of the site, depicted in hatched red along the boundary, the master pathways plan shows a small section of multi-use pathway. The applicant has worked with both Planning and Parks staff to propose a pathway easement in this location, instead of constructing the pathway. The easement is partially located within the irrigation district easement and that portion of the pathway will be obtained by the city. I should say built by the city. The logic behind this is twofold. One, to minimize the impact to the existing homeowner who is to remain, since the pathway would encroach into their back porch if it were entirely on the subject property. And, two, to not construct a pathway that would lead to nowhere for the foreseeable future, since adjacent county property owners have shown little intention on redeveloping in the near future. Staff is supportive of this option to provide an easement that is shared between this property and the irrigation district and to be constructed at a later date. Staff has spoken with the irrigation district and they are also supportive of this easement so long as they have the space for their 18 -- their existing 18 foot wide access road. To ensure this small pathway section is built in the future, staff is recommending a DA provision that the multi-use pathway be constructed by this owner if the existing home is redeveloped or subdivided prior to the city constructing the pathway in the easement. Otherwise, the city will build it via having control over the easement. Five foot detached sidewalks are proposed along all internal local streets in accord with the standards in UDC 11-3A-17. A five foot wide detached sidewalk is required to be constructed with the required frontage improvements along Victory Road. This sidewalk should be constructed within the required 25 foot landscape buffer along Victory Road. A 25 foot wide common lot is depicted on the plat, but is proposed with no new improvements. The applicant states that the existing and mature spruce trees along Victory Road have to be removed in order to construct the frontage improvements with a detached sidewalk. Staff finds that the existing trees do offer a quality landscape buffer between Victory and the proposed -- proposed subdivision, but I'm afraid that if the frontage improvements do not occur now they may

never be installed. The frontage improvements are required by city code and, therefore, the applicant is asking for a Council waiver to require the improvements at a later date when the lot with the existing home is redeveloped or subdivided in the future. A minimum of ten percent qualified open space meeting the standards listed in UDC 11-3G-3B is required. Based on the proposed plat of 7.35 acres, a minimum of .74 acres of common open space should be provided -- of qualified common open space to be specific. According to the applicant's revised open space exhibit, the applicant is proposing approximately 39,888 square feet of open space, .92 acres, which is approximately 12.45 percent, consisting of common lots with open space. The exhibit also labels 32,295 square feet of that 39,000 -- approximately .74 acres as qualifying open space. That's approximately 10.09 percent. Just over the minimum. This is a reduction of approximately 10,000 square feet from the previous plat -- the previous open space exhibit. I apologize. Let me go back to -- from this previous open space exhibit. The open space is primarily proposed as two common open space lots, with one residing in the very southeast corner of the site and one more centralized, but smaller. The common open space lot in the south of the proposed project is also going to be used for storm drainage and meets the minimum 20,000 square feet lot size for that to count as open space by a few feet. The open space is to be available at the time of development, as the project is no longer being phased. All lots appeared to meet -- all common open space lots appear to meet UDC requirements to count towards the qualified open space. The proposed open space meets the minimum UDC requirements by less than 200 square feet. Staff finds that the proposed open space again meets the requirements, but is not premiere. The revised open space exhibit and plat has also presented a couple of issues regarding Lot 19, Block 1, which is the lot containing the temporary turnaround in the center of the development. The revised plat shows some of the nonqualifying -- qualifying open space on this lot, which is the green area around it, which the applicant has deemed this as nonbuildable until the stub street is extended via a plat note and the temporary turnaround is removed. Staff agrees with this designation, but making it nonbuildable and also including any overall open space depicts a potential issue in the future. Will this lot be a future common open space a lot or will it be a future buildable lot? Staff wants to ensure that all of the open space numbers, regardless whether qualifying or nonqualifying -- sorry. And the numbers of the building lots are confirmed prior to this application being developed. In addition, if Lot 19, Block 1, is intended to be a common open space lot in the future, instead of a buildable lot, an additional small pocket of open space is not ideal. If this is the intended purpose of this lot, staff recommends that the applicant revise the plat to have the proposed open space more contiguous to each other. Minimally, the applicant should clarify what the intent of this lot is in the future. With the revised plat and the open space exhibit, the applicant has also not proposed an amenity. The future pathway cannot be counted as an amenity as it is not being provided with this application and development. Staff requested that the landscape plan be revised to show an amenity on one of the common open space lots prior to the Commission hearing, but staff did not receive those updated plans. The city has received a number of written testimony regarding this project dating back to the original public hearing date. Some of them -- we have received I think one or two since the continuance in June as well. I will go over these briefly. Mrs. McLaferty, which is a board member of the Tradewinds Subdivision HOA directly to the west, has concerns

over additional traffic being the only access for this development is through their subdivision -- cites issues of the emergency response times and concerns over the drainage pond and it's correct engineering and in addition height of homes abutting the east side of Tradewinds and the west side of this development. Trisha Garcia-Brown, also a Tradewinds Subdivision resident, concerns over the single access into Teakwood through their subdivision. Mrs. Mary DeChambeau, which is a neighbor to the east, concerns over construction vehicle traffic not utilizing their private road for access -- her private road for access and drainage concerns of Eight Mile Lateral -- or the Eight Mile Canal -- Creek -- whatever word you would like to use there. Mr. Sandy Blaser, Tradewinds President, has concerns over the single access into Teakwood and concerns over building height for those homes directly abutting Tradewinds as well. Mr. Mike McClure, Tuscany Subdivision, which is to the south, concerns over pathway connections from his subdivision into this one. His specific requests were that there would be a connection. Unfortunately, there are not any common open space lots adjacent to this, so there -- there really is no way to do that. And, then, again, Mrs. McLaferty responded a little later and had the same concerns. Hopefully, Commissioners were able to review those pictures of the pond in Tradewinds. My understanding is that there is no pond proposed here, but they are going to be using the -- again, the open space lot in the south of the development as their storm drainage lot. Despite these issues and the plat being of a minimum standard, staff does recommend approval. Staff notes that the Commission should determine if this is an appropriate time for this annexation and -- and appropriateness of its quality. Staff will stand for questions. Thank you.

Fitzgerald: Thanks, Joe. Are there questions for staff? Commissioner Holland.

Holland: Mr. Chair. Just to clarify, Joe, the -- the open space lot that's on the right side of our picture off of the cul-de-sac is the one that they are looking for a drainage pond?

Dodson: Commissioner Holland, that is correct. At least -- well, let's clarify --

Holland: And I thought I remember seeing something, but did -- did you have discussions with the applicant about ways to reconfigure the open space, so it could be all a little bit more central and bigger, instead of having the two smaller chunks. Did they have any comments back on that?

Dodson: Commissioner Holland, Members of the Commission, I have not received any comments back about my staff report. No, ma'am. That is something that has been discussed more than a few times along different lines and for different reasons, but this is what they have revised and proposed.

Holland: Okay. Thank you, Joe.

Dodson: You're welcome.

Fitzgerald: Thank you, Commissioner Holland. Any additional questions for staff? Not hearing any at this time, would the applicant like to come forward and do a presentation on the application?

Lardie: Good evening, Mr. Chairman, Commissioners. Dan Lardie, Leavitt & Associates. 1324 1st Street South, Nampa. 83651. So, first of all, let me -- let me say thank you to Joe and to staff for -- for helping out with this. We -- we have been working hard at trying to make things more palatable for everyone involved. Joe, did -- did actually meet us on site and that was -- that was very nice to meet him. I actually put a name to the face, which was nice. For that -- do I need to access my PowerPoint from here or is it on your guys --

Weatherly: Mr. Lardie, you have the ability to share your screen, so you can pull it up on your computer.

Lardie: Okay. Okay. So, if I just pull it up, then, I can share my screen?

Weatherly: Yes. And you will click the green button at the bottom of the Zoom that says share screen and, then, choose the screen shot that you want to share and that should be your presentation.

Lardie: Okay. Can you guys see it? Oh, share screen.

Fitzgerald: It shares what picture you -- or the actual screen you want to show.

Lardie: Do we see the annexation and rezone for proposed Teakwood Subdivision? Blue screen?

Fitzgerald: Not yet.

Lardie: Not yet. Okay. Let's see here. Apologize.

Weatherly: Mr. Lardie, did you press the green share screen button at the bottom of the Zoom window?

Lardie: No, I have not. Let's see.

Weatherly: If you hover over the bottom of the Zoom window there should be a green share screen icon right in the middle. There you go. Correct.

Lardie: Are we there?

Weatherly: Yes.

Lardie: Sorry about that. So, I won't restate it, but I will try and just hit a few of the highlights. So, we reduced the density -- okay. So, the density was reduced and so now

we are down at 4.23 dwelling units per acre, if -- it meets the future land use representation of medium density R-8. So, it's located on the south -- on the southeast corner. Here is the outlined property. You have seen that in the staff report. So, in this -- in this slide we see -- oops. Too far. Sorry. So, here we see the fact that there are no sidewalks adjacent to the -- adjacent to the site. So, the property due west doesn't -- is actually -- I believe it's an enclave. There are no sidewalks in front of it. And there -- there is no sidewalk in front of this portion of Sagewood -- or Sageland. It does have a detached pathway and it meanders back and forth and actually feeds everybody back into their subdivision and, then, to the east we have -- we have irrigation property, which owns this -- this access to their -- to their path or to their -- so, they can service the -- the canal and, then, there is no -- there is no other pathway or sidewalk to our east. There is a sidewalk across the street on the north side of Victory. With -- with this -- and that's one of the reasons why we are asking for is not to -- to build the detached sidewalk along Victory, which would just create the fact that people would go out there and attempt to cross the -- cross the road here and possibly creating a public nuisance or a public safety hazard, which is -- which is problematic. The Richardsons, who live in -- who live in the existing home, they have been there since the '90s and they watched the ground develop and they are just trying to exercise their private property right in order to get to where they need to be for -- to develop their ground and -- utilize their home -- stay in their home without being uprooted and, then, still not have to care for the 7.35 acres that they own. They -- they have gotten used to the traffic out on -- out on Victory Road. They are used to going out there. They have watched it develop around and they have dealt with it. So, the traffic isn't a problem for the homeowner, which is the reason why we are asking for the existing driveway access to remain. They also still have some large vehicles, including a gooseneck trailer that they still like to be able to access off of Victory in order to get into their -- into their site, which they don't have quite the same access as coming in off of East Fathom. The city -- let's see. Apologize. So, currently Victory Road is actually -- is actually at its full width across our frontage. It's built out to its full width as far as three lanes and it does have existing curb, gutter. It's only missing the detached sidewalk. There are -- there are some mature trees in this location, which I will show you later, and, then, there are some large irrigation boxes that run along Victory Road, which are problematic to -- to be relocated. They can be, but that's the only -- that's the reason why we are not asking -- or why we are requesting not to build a detached sidewalk. One, it's a sidewalk to nowhere and, two, there are a lot of obstructions that could possibly wait to -- to be developed when the area around -- and it's more conducive to develop those particular items. So, the access and the future sidewalk should be addressed in a development agreement and noted on the plat, which my client is willing to do, that it could be done -- those things could be provided for at a later date when the Richardsons leave their home or that Lot 2, Block 2, develops. So, this is -- this slide is the development as a whole. You have seen this one. The eastern stub is in the common lot. It's intended to be a common lot in the future. Even when this cul-de-sac decides to -- or can be abandoned, it will remain as open space, which will provide -- which could provide a segue into open space into the future development of this property when it's -- when it gets -- when it gets abandoned. So, we moved the large open space to the cul-de-sac to allow for safe play and -- and additional parking around the cul-de-sac, which was achieved by a larger cul-de-sac. This area can be accessed through the internal

sidewalks of the -- of the project, which are a requirement and can get you there safely. The green space -- let's see. The open space on Lot 7 provides a respite -- a buffer to the homeowners, a respite stop area that might be more serene for someone to use versus the large play area in the back, which may have a large gathering or such. The green space around the curve, which helps the buffer, Lot 2, Block 2, from the subdivision and allows -- or prevents double fronted access, if they -- which -- being that we are asking for the existing access out to Victory to remain, we don't want them to take access off of Fathom until this lot redevelops. So, the next slide is the open space summary. You have seen this. It's -- it's the same thing that -- that Joe has shown and a picnic table was proposed meeting UDC requirements, both in -- in the large open space and in the small pocket space, Lot 7, and at the end of the cul-de-sac. This is a blow up area of the cul-de-sac. So, last time I was before you Commissioner Holland had stated that she would like to see some way to handle some parking, because this is an issue that the city faces constantly is parking jammed up in a cul-de-sac. Originally we had tried park -- putting a parking island in the middle and we submitted that to the Fire Department and the Fire Department came back and said, no, they wouldn't allow anything in the middle. They suggested a larger -- a larger cul-de-sac to provide access -- or parking around the side -- or along the outside and, then, still providing their safe access and turn around in the middle. So, here -- this is a photograph of Victory Road and it -- and this is looking east towards our site. Those large evergreens are on our site that you see off to the -- to the left -- or to the right. Excuse me. There is a large irrigation structure there that I had mentioned earlier, which is one of the drawbacks of -- or not drawbacks, but one of the deterrents for providing that detached sidewalk. More photographs of the -- the existing mature trees. Again this is the existing mature trees looking -- looking westward. These power poles also exist in the -- in the -- within that same area where we are trying to put that sidewalk and this is our property -- the subject property and, then, the slope down from the existing Victory Road. It -- it comes right off the curb, it's a foot flat, and, then, it starts dropping into our site and there is a large irrigation structure here, which is another deterrent for putting that -- or installing that existing sidewalk -- or not existing sidewalk -- the proposed detached sidewalk. Pardon me. I won't bore you with the same thing. And, then, this is the sidewalk across the road. This is on the north side of Victory and this actually attaches to the city's multi-use pathway to the east along the Eight Mile Lateral, which to our thought on our side doesn't exist and probably won't exist for quite some time due to the neighboring develops -- or our neighbors -- neighboring -- neighboring landowners. So, some modifications to the staff report or at least trying to make -- make -- if we apply for a waiver on those I don't want to be held up by some of the staff report modifications -- portions 8-A-1-F, all -- all dealing with the access to Victory and the -- the publication -- or, excuse me, the construction of the detached sidewalk and I believe that's 8-A-1-F and, then, 8-2 -- 8-A-2-B and that has to do with access to Victory. Victory Road. We would like -- we would like that to say that it's subject to a development agreement and that Lot 2, Block 2, is allowed access and 8-3-F. That includes -- that -- that is concerning the frontage improvements along Victory Road also being made subject to a development agreement. With that I will stand for any questions. Thank you.

Fitzgerald: Thank you. One quick question for you. So, the amenity -- just to be clear -- is the two picnic tables; is that correct?



Lardie: Yes. Meeting UDC's requirements. I believe there is a shelter structure or some shade structure -- whether that be from trees or an actual structure will be proposed on those.

Fitzgerald: Okay. And, then, the second question is how much of that chunk in the back of the south side open space are you using for drainage? Because I -- being that the water table is as high as it -- it seems to be out there, I -- I mean you and I both know that we have seen the open spaces turn into marshes real fast, so what are -- I mean I -- usable open space for the neighborhood versus a -- you know, a swale, give me your thoughts there.

Lardie: We have not done a -- we have not done a preliminary calc on that. I was hoping to go underground and use a side -- a side sand filter. So, we infiltrate into one side -- or we go into one side, be cleaned, and, then, transfer over the other side and percolate in, which is usable for shallow groundwater. You have something like that up on the storage units on McMillan and -- I can't think of the side street. I believe it's near Goddard Creek. Something similar to that situation -- or to that system to function here, which should allow most of that space to be usable above surface and below surface for drainage. We are not making a marsh out of it.

Fitzgerald: Additional questions for the applicant? Anyone? Thoughts? I will ask one more while you guys are discussing -- thinking about it. Dan, what about that the -- the -- I guess it's the cul-de-sac that the turnaround for the firetruck -- how do you calculate in that -- that common space or the open space behind that? Is that part of your calculation? Is it not? Just to clarify that.

Lardie: Mr. Commissioner, it is in our open space. It is not qualified in our open -- it's not qualified open space.

Fitzgerald: And, then, in regards to taking access off, is there a real reason -- I understand the -- the ease of use and with their trailer, but I -- kind of when you develop you develop; right? So, if -- I understand that ACHD was giving a waiver here, but it seems that it's really easy to access that back road from their property. Give me the -- the real reason besides the trailer to close that access off.

Lardie: Mr. Commissioner -- or excuse me. Mr. Chair, the -- on the site plan, if we can -- if we can go back to the site plan real quick. Let's see. So, in order to -- if we were to get access off of -- off of Victory to get the gooseneck -- and they actually take -- they actually take access off of here. They have an agreement with the irrigation district to provide this access and they utilize this access to get back and around into their -- into their larger area where they bring the trailer in -- again, it's just -- they are very used to this access and they didn't want to have to take access through and I know the neighbors are already complaining about 22 -- or 21 homes. If they start bringing their gooseneck through here -- well, of course -- I don't believe that they can get the gooseneck in through -- off of Fathom and around to their shop back here. At one point in time we had talked about putting an easement here and that just wasn't working for them, because they

would have to drag that all the way through. It was easier for them to keep their access off of Victory and that's really the only reason. The neighboring -- property -- and part of the problem with -- with some of the thoughts or suggestions with the property to the -- to the west of this was allowed to keep their access off of Victory and I know -- we mentioned this to Joe and Joe -- Joe was very right. He said, you know, two wrongs don't make a right and so -- and we agree. But the Richardsons are very used to this access and they -- they needed to -- to actually access this building in the rear.

Fitzgerald: Any additional questions for the applicant? Commissioner Cassinelli or Commissioner Grove?

Grove: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Grove: I have a question for you regarding the -- the future plans for this site and how it relates to it being laid out now in terms of when the owner of the residence decides to have their current house developed, how does that impact this current layout in terms of making it doable by extending Fathom in and -- it -- I'm just having a hard time seeing how that -- it looks like we might have future problems is what I'm trying to get at I guess. So, what's the plan?

Lardie: Mr. Chair, Commissioner Grove, so future development of this lot -- I would have to leave it to the future development, but I believe that you could pull a common drive off of Fathom and supply -- I believe six -- six lots back that way and still provide a -- and, then, do away with the access off of Victory.

Fitzgerald: So, do you have a follow up?

Grove: Not necessarily. Just kind of thinking out loud. I don't -- I think the common drive is maxed out at four. Is that -- that might be a question for staff, but -- that's a future question. But I'm just having a hard time with this layout knowing that something else will have to happen at some point.

Dodson: Commissioner Grove. Or Mr. Chair? This is staff.

Fitzgerald: Go right ahead, Joe.

Dodson: The max in our code is actually six off of a common drive. How a common drive would work here staff does question exactly where they would pull that off of, because it couldn't be off of that emergency access, unless there is an easement across it and so I wanted to clarify that.

Fitzgerald: Commissioner Grove, did that help?

Grove: Yeah.

Fitzgerald: Any additional questions for the applicant at this time?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Dan, what did the Fire Department -- I have got several concerns with this and one of -- one of which is the -- the -- what came up before, the parking on the cul-de-sac. The Fire Department -- you said the Fire Department said you couldn't put a parking island in there. What was their -- what was their reasoning on that? Did they want it even larger to be able to do that or what?

Lardie: Mr. Chairman, Commissioner Cassinelli, when I spoke with the assistant chief, the fire chief, he said that he wouldn't allow anything in the middle of that cul-de-sac, no matter its size, and I stated the fact that there are some of these that already exist. We actually had elongated the cul-de-sac and widened it and provided that parking in the middle and I sent that over to the Fire Department and he just absolutely said no.

Cassinelli: He didn't give you anything if it was another ten feet wider he would allow it, he just -- it was a flat out denial.

Lardie: If it -- it was a flat out denial and his suggestion was to make the cul-de-sac larger, the 57 foot, and that way he could have his turnaround, his safe turning distance inside of that.

Cassinelli: Okay. Thank you.

Fitzgerald: Commissioner Cassinelli, did you have any additional -- did you have additional questions?

Cassinelli: Not right now.

Fitzgerald: Okay.

Dodson: Mr. Chair?

Fitzgerald: Commissioner Seal? Oh, Joe. Go right ahead.

Dodson: No. The other guy in here. The -- from my understanding Mr. Bongiorno had said that it doesn't meet fire code. He did not state what fire code that is, but he said it does not meet fire code to have parking in the center of the cul-de-sac.

Fitzgerald: Okay. Thank you for that. And if there are no additional questions at this time, Mr. Lardie, we will get back to you and let you close after we take public testimony. Does that work, sir?

Lardie: Mr. Chairman, thank you.

Fitzgerald: Thank you, sir. Madam Clerk, do we have folks who would like to testify -- that signed up to testify?

Weatherly: Mr. Chair, we have several people signed up, two of which have exhibited a wish to testify. The first is Pat Thacker joining us via Zoom. Pat, you should have the ability to unmute yourself.

Thacker: Okay. Did that do it?

Fitzgerald: Yes, Mr. Thacker. Welcome to the Commission. Please state your name and your address for the record and the floor is yours, sir.

Thacker: Pat Thacker. 1033 West Newfield Drive, Eagle, Idaho. I represent the landowners. We are very in favor of the plat as proposed. We have worked for about 15 months now with the developer. Very hard. Joe was gracious enough to meet us on site to -- a picture's worth a thousand words and when you meet on site you kind of get a -- a reality check on how these things need to work. But we are very much in favor of the way it's proposed. I would like to address a couple of issues. One would be the sidewalk on Victory Road. In our conversations with ACHD they are going to do some future developments to the intersection of Locust Grove and Victory Road and they are -- they are -- they are very fine with us keeping our driveway, the entrance onto Victory Road, and when they finish the intersection of Locust Grove and Victory, at that time they are proposing that they will complete the sidewalks and at that -- and they have -- when they did the bridge a few years ago they did a small taking of property for a better easement in front of the Richardson's property and so I think it would be logical, plus much safer for the public, if ACHD continued those sidewalks at that time. At this time if you go there and stand on it, traffic gets rolling pretty fast by the time it gets in front of this property here and the bridge and it would really be a dangerous spot if we had children or cyclists and stuff trying to cross the road there, as opposed to the crosswalks that are over at Victory and Locust Grove right now. The buffer in front of there is a virtual forest of blue spruce, et cetera. So, it's really a nice buffer for the subdivision. Another issue I bring up is that this does create a second emergency access. The one that's proposed for Teakwood also gives a second one for Tradewinds. So, that doubles the amount of emergency access for Tradewinds, which I think is a great benefit to the public. And another thing is -- as far as them keeping their access, they do still have a couple of old horses that they would like to keep and part of the property that is going to be abutting the subdivision is where their small pasture will be, so they can finish out keeping those horses, which have been part of their family for decades. And, then, they do have an agreement with the irrigation district and that's where they come in with their trucks and trailers and they use that shop out back. So, taking their access off of Fathom would be difficult. If you haul trailers very much you would see it would be pretty hard and it would take away any opportunity for them to continue to use their shop and their pastures. So, those would really be difficult for them. And, then, the open space -- they have given up about 25 percent of what they had wanted to keep in order to help the developer meet

the open space requirements and where those open spaces are I think are already quite nice for people in both subdivisions to use and it creates more walking space and, then, on the back of that pasture, since I'm familiar with the land -- I have known the owners for about 30 years. On the open space to the south there is already -- on the very southern edge I believe that's where some of the irrigation currently travels through, there is a very low spot at the very very south edge and so I think that -- the proposed drainage that Mr. Lardie was proposing I think would work quite well. I think the majority of that would be very usable open space. Is there any questions?

Fitzgerald: So, I do have one question. So, you just said something that caught my attention. So, you said they are currently using access that the ditch rider has, not their own access, to get that trailer out. So, they don't need their main access to get their trailer out if they -- the shop's in the back if they are already using the ditch rider road. What's the reason to have the additional road access if you have that right there?

Thacker: Well, you -- you couldn't get to their house from that backside. They -- that driveway goes right into their house and into their shop out front and so they wouldn't have any way to get in there, because that all --

Fitzgerald: I understand that piece, but the argument is that you can't get the gooseneck trailer out through the neighborhood and if they are using the ditch rider's road, then, that in my mind negates that argument, because if they are accessing the shop through that road off to the north -- or I'm sorry -- off to the east, they are not accessing the -- they are accessing their house through the access off of Victory, but not to their shop; correct?

Thacker: That's correct.

Fitzgerald: Okay. I just want to make sure I'm clear.

Thacker: Yeah. But I don't understand how that negates --

Fitzgerald: The access to -- I mean if they are -- they can take that road right onto Fathom.

Thacker: Take which road right onto Fathom?

Fitzgerald: Their -- their -- their driveway. Instead of accessing Victory they can spin a road right onto Fathom and access their house.

Thacker: That would go right through their shop. It would go right through their pump house. They wouldn't be able to get to their house that way.

Fitzgerald: Okay. I appreciate that.

Thacker: They have got a garage and a -- and a pump house and what have you back there.

Fitzgerald: Okay.

Thacker: Then the shop's on the other end. So, the way the property is laid out they -- they wouldn't be able to do that.

Fitzgerald: Okay. And the layout -- the layout that's in front of us right now there looks to be quite a bit of room around that house. I just -- just walking through the different components of this thing -- because we have seen the thing -- I think this is the third time and I -- I'm having concerns, like where we -- we go to develop, we kind of got to either jump in or not and so I understand the need to keep the house and they want to keep the house and so I'm just having some challenges finding the balance, if you will, so -- but I will let my -- I will pop out of the mix and let my other Commissioners comment or ask questions if they have them.

Thacker: All right.

Fitzgerald: Are there additional questions for Mr. Thacker? Okay. Sir, thank you very much for your time. Thanks for being here tonight.

Thacker: Thank you very much.

Fitzgerald: Madam Clerk, who do we have next?

Weatherly: Thank you, Mr. Chair. That would be Sandy Blaser joining us in person. Madam -- Mr. Blaser, I think the clerk is waiting for you in the other room, so -- hopefully you will be joining us in a second.

Blaser: This is Sandy Blaser. My residence is 3370 South Como Avenue in Meridian. We are on the -- just on the -- we are the houses abutting the development to the east. I guess I can't get my head around the way ACHD interlocks different subdivisions. I mean I'm looking at this property and I'm looking at it from the standpoint that each subdivision should be self -- if -- I mean it should be -- should have its own access and not depend on another subdivision, because we have got 40 -- 41 homes there that are going to be impacted by another 22 plus homes and if that other lot is developed maybe five or six more and it's going to substantially change the -- the traffic and in our opinion, most of the homeowners, the quality of life there. Also as I'm sure you are aware, Locust Grove is a north-south street and I think the load on -- the traffic load on Locust Grove right now exceeds the east-west traffic load on -- on Victory and I just -- looking at this property I just can't see why we can't accommodate this road to go through directly to Victory. I know ACHD is saying Victory is a major arterial. Well, I think Locust Grove is also a major arterial and the other -- the other situation is emergency services having to go -- have to go to Victory, then, having to make a -- go south on Locust Grove and, then, to go east into our entrance on Coastline and, then, we go through over to Fathom and, then, back to that -- to the development, it's just going to take more time for emergency services to get to a situation. So, I just think as one of the homeowners it's just a bad -- a bad plan and most of the homeowners, again, are -- are against the traffic load being increased at

Tradewinds. And the other concern I have, which I have already stated before, is that although we can't force the developer to do this, but to try to balance the homes that are going to be constructed right adjacent to our homes on the west that basically we don't have higher elevation homes facing lower elevation homes on Como. If they can mix that properly so it -- it looks sort of continuous as far as the heights of the various structures that would be appreciated. And that's -- that's really all I have and I thank you for considering my testimony.

Fitzgerald: Any questions for Mr. Blaser? Thank you so much, sir.

Blaser: Thank you.

Fitzgerald: Madam Clerk, do we have additional testimony?

Weatherly: Mr. Chair, that's all who signed up.

Fitzgerald: Okay. Is there anyone who would like to testify on this application that is here virtually or in the audience? Please raise your hand either via Zoom or in person and Commissioner Seal and the clerk will point you out and we can get you squared away. So, not seeing anyone raise their hand on the attendees -- okay. Mr. Lardie, would you like to come back up and join us, sir? Or join us virtually I guess it would be.

Lardie: Mr. Chair, I'm here.

Fitzgerald: Would you like to close, sir? Any additional comments and I will open it for questions.

Lardie: Additional comments. Mr. Blaser's -- Mr. Blaser's concerns about traffic -- I understand his concerns. I'm not sure what to tell him about traffic concerns and ACHD is -- is the controlling factor on -- ACHD and the city control how we access our property. So, I don't have anything else more to say to him about it -- at least traffic. I can't help that. The home sites, you know, we have -- we have proposed homes, we have provided elevations on those, and they are mostly single stories, with maybe a buffer -- or a bonus room above, which will be like one and a half stories, but they all meet -- they will all meet the zoning ordinance as far as height. With that I can stand for questions, Mr. Chair.

Fitzgerald: Dan, would you be willing to match their -- their lot to lot for -- you know, one story to one story?

Lardie: Mr. Chair, I don't know that I can commit to that. You know, it -- it's zoned a certain way and the zoning has their own height restrictions and I'm willing to comply with those or state that we will comply with those.

Fitzgerald: Okay. Appreciate that. Additional questions for the applicant? Hearing none -- none at this time.

Holland: Mr. Chair? I do have a question.

Fitzgerald: Commissioner Holland, go ahead.

Holland: So, I know -- I know we have already talked about this a little bit, but one of my biggest pet peeves in looking at this is, again, the open space -- having the piece on the south be kind of a drainage field slash open space, but just the ability to have usable open space for those in there. Was there any other configuration we could look at on how to combine those two sizes of open space to make it more usable for -- for the neighborhood and make kind of a bigger green spot? I still keep going back to that and I just wanted to get your thoughts on it.

Lardie: Mr. Chairman, Commissioner Holland, there is a chance that we could possibly swap some for some. There is a chance that we could look at that and try and maybe utilize a little bit of space in Lot 18 and lot -- maybe Lot 15, that way it's at least contiguous across. So -- let me see if I can grab my -- can you guys see my pointer? Probably not, so --

Holland: I don't think we can.

Lardie: Okay. So, Lot 19 there is -- oh.

Holland: Now we can. Yeah. We are with you.

Lardie: Okay. So -- and this is kind of what Joe had suggested was Lot -- Lot 19 and maybe creating a pathway through on Lot 19 and maybe squaring this lot and, then, trading Lot 7 for Lot 15 and, then, this becomes open -- Lot 19 becomes open space, connected to Lot 15, and, then, that way at least provides a pathway from future when -- when the roundabout -- or, excuse me, the turnaround gets -- gets abandoned or even -- even still it provides a pathway to -- from one road to the other, aside from the sidewalk. But, then, Lot 7 wouldn't become a buildable lot.

Holland: Okay. And, then, one follow-up question. I -- I apologize if I missed this. Did you already talk about an amenity -- a site amenity that you could add into the open space?

Lardie: Mr. Chair, Commissioner Holland, so if we were to reconfigure this open space we would provide a pathway from one road to the other, that would -- that would count as an amenity, but, then, we would also -- what we are currently proposing is a picnic table on both open space areas, along -- meeting the UDC code, which -- if that means it needs a shelter or some additional trees for shade, we would do that.

Holland: Thank you. Appreciate it.

Fitzgerald: Additional questions for the applicant?



Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Dan, did you guys ever provide a -- some concepts for -- for the additional development of the existing home there and what that might look like?

Lardie: Mr. Chair, Commissioner Cassinelli, we did at one point in time have that lotted out for a future phase and everyone was against the phase development, so we took it off.

Cassinelli: Not phase, but just future -- you know, once that house is sold it becomes part of this -- you mentioned I think four or five lots --

Lardie: That would be phased development in my -- in my opinion and we did show that as lotted as -- as -- as a future phase, which would be when that lot became available and it was -- it was frowned upon from both staff and from the Commission. Well, I don't know about the Commission. I won't put words in your mouth. But it was frowned upon from staff.

Cassinelli: Joe, can you speak to that?

Dodson: Commissioner Cassinelli, Mr. Chair, yes. That is correct. Originally they did show some phasing. This one -- here you go. This is what they did have. Staff was not supportive of phasing it, mostly because of the request to keep the access to Victory and not do any frontage improvements. We were showing a concept plan of how this large lot with the existing home could redevelop is perfectly fine. They -- I'm sure Dan can make that exhibit relatively with ease with his expertise. But in general phasing the project was not something I was in support of, because I wanted to ensure that the -- as much of the site got developed now rather than later, because there is no guarantee we will get that existing home. Part of that phase two was, again, keeping that access to Victory. We wanted to make sure that we had that now closed.

Fitzgerald: Questions?

Cassinelli: Okay.

Fitzgerald: Commissioner Cassinelli, do you have follow up?

Cassinelli: For -- for Joe when we are done with the applicant.

Fitzgerald: Okay. Perfect. Additional questions for the applicant? With that can I get a motion to close the public hearing?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: I move that we close the public hearing for Teakwood Place Subdivision, File No. H-2020-0006.

McCarvel: Second.

Weatherly: Mr. Chair?

Fitzgerald: I have a motion -- oh. Yes, ma'am.

Weatherly: I apologize. We have a newcomer in the audience online that has their hand raised. I don't know how you want to handle that.

Fitzgerald: Let's bring them on and, then, we will let Mr. Lardie respond if he needs to.

Weatherly: Tony, you should have the ability to unmute yourself.

Johnson: Madam Clerk, Tony can verify, but I believe he is speaking on another application this evening.

Fitzgerald: Oh. Okay. Perfect. So, I have a -- I have a motion. We want to restate that motion, please, motion maker.

Seal: Move to close the public hearing for Teakwood Place Subdivision, File No. H-2020-0006.

McCarvel: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-0006, Teakwood Subdivision. All those in favor say aye. Any opposed?

**MOTION CARRIED: SIX AYES. ONE ABSENT.**

Fitzgerald: Okay. The application is properly before you all. Anybody want to kick it off?

Seal: Mr. Chair?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: I had a couple of questions for Joe. First of all, access from the -- I can't see the name of the street that goes -- the stub street to the east, but assuming that property develops to the east and that's the -- that's the big if is -- I mean that could be beyond our lifetimes. I mean it -- or it could be in five years. I guess it's Richardson Street. Who

would be responsible -- would it be the -- because I think the -- the property adjacent has the lateral running through it, so it would be that -- it would be their responsibility to bridge that, because -- and would that be a requirement to eventually have access -- cross-access go out Richardson and, then, assuming to a mid mile connector or something up to Victory? Is that going to make that assumption?

Dodson: Mr. Chair, Commissioner Cassinelli, yes, that is correct. It would be up to the HOA at the time after this is developed to remove that temporary turnaround off of Lot 19 and, then, the subdivision, if there were one -- the property to the east would, then, redevelop and likely construct their portion of the pathway along the lateral, as well as extend that street within their subdivision and continue that on through the site and stub it to Mrs. DeChambeau's property, which is further to the east on the other side of the lateral.

Cassinelli: Would that be a requirement of any future development directly to the east that -- that Richardson be extended all the way, so that there would be full cross-access in a -- and, basically, access to Victory out that direction or would we find ourselves with that being -- somehow being closed off forever?

Dodson: Commissioner Cassinelli, the short answer is, yes, that is a standard requirement that we want a local street plan infrastructure layout, for lack of a better term, to connect and, then, eventually get to a mid mile mark. However, the site directly abutting this to the east is landlocked somewhat by the lateral, so their only access is over the lateral. If that property were to redevelop it would be -- it would, then, be stubbed to the property to its east and north, which is Mrs. DeChambeau's, which is a larger property. But until such time that that property develops there would not be an access out to Victory.

Holland: Commissioner Cassinelli --

Fitzgerald: Follow up -- oh, go ahead, Commissioner Holland.

Holland: I was just going to make a comment. I believe we heard from that property owner directly to the east last time we heard this application. I think Commissioner Cassinelli was absent, but they had indicated that they didn't have a desire to redevelop at anytime in the near future and they planned to stay where they were. So, it's unlikely we would see something come through in the near future at least.

Cassinelli: I -- I remember this, but I don't remember the -- I don't remember that -- that neighbor's testimony on that and that's certainly a concern to me that that could be -- Richardson could -- could not have cross-access for what could be a very long time.

Fitzgerald: Additional comments? Commissioner Holland, did you have anything additional while you are off mute?

Holland: Sure. I think -- I could go next. You know, the -- the open space I agree with staff that it's -- it's okay, it meets the minimum standards, but it's not premier and I think

we try really hard to make sure that we prioritize open space in all of the subdivisions that come through and if we are not doing a good job of being premier, I'm wondering if there is still something that they could do to make it a little bit better before it goes to Council and I was open to the applicant's idea of reconfiguring the green space to be kind of between that cul-de-sac and that -- the other stub road and be a little bit more central and a little bit more usable. Having a pathway to me doesn't seem like enough of an amenity, because it's such a short distance through there. I think I would at least want to see a picnic table and shade structure there at a minimum, in addition to their pathway. I struggle with the roadway improvements on Victory. I understand what the applicant is saying on why that's difficult until that property redeveloped, but at the same time we don't get sidewalks on major roads until things like this come through. So, if we were to allow them to wait to do that I would want to see some sort of condition that said they could wait until redevelopment or until one of the neighboring properties to the east or west of them redeveloped at some point in the future and put in sidewalks and maybe have that be part of a development agreement and I'm not sure if that's even possible, but that's one thought I had. Let's see what else I have.

Fitzgerald: The only comment to that, Commissioner Holland, is if that's the case, then, I would probably look for a bond for it, because if -- if they are going to have -- like that's my concern is we never get another shot at the deal.

Holland: Right. I agree. I think it would be reasonable to ask them to have it in the development agreement and bond for that future improvements, so that they could move forward on it when the neighboring property comes in and does sidewalks on there. The third thing I wanted to say is I still would prefer to also see access off of Victory removed and have them access the neighborhood. It's a little cleaner, because there is not a lot of opportunity to redo that again in the future either. Those are my three comments right now.

Dodson: Mr. Chair?

Fitzgerald: Go right ahead.

Dodson: Thank you, Mr. Chair. Commissioner Holland, just wanted to clarify that the pathway -- they are not proposing a pathway with this. It's just an easement. So, that is not an amenity and I believe Mr. Lardie said that their amenities that they are proposing are a couple picnic tables. I did not see that on any of the landscape plans, so that's -- I appreciate him presenting that tonight though.

Holland: Yeah. And, Joe, just to clarify, when he was talking about reconfiguring the open space and moving it a little more central, I asked what amenity could be in there and he said if they put it more central they would have a pathway that would connect the two areas, the cul-de-sac basically to that stub street and that could be counted as an amenity and I would agree with you that that doesn't seem like enough of an amenity to me.

Dodson: Understood. Thank you.

Holland: Unless I misunderstood what he said.

Seal: Mr. Chair?

Fitzgerald: Other comments? Yeah, go ahead, Commissioner Seal.

Seal: I really struggle with this one. So, I understand what the occupants are trying to do. I guess the problem that I have with it is they are -- they want to keep everything -- they are not willing to -- to -- you know, they -- they don't want to do anything that is, essentially, required by code, but at the same time they want, you know, the Commission or the -- you know, the planning bodies to -- you know, to kind of work around all of that. So, I mean to me this -- you know, you use the term it's -- they are trying to be a little bit pregnant here. So, I just don't -- I don't understand, you know, the layout as it exists. I mean the answer to this is to develop all of it, so -- in my mind. You know, I sympathize for the -- for the couple that are trying to stay there, but, you know, at this point the -- the open space is -- you know, again, it's just big grassy areas and a water catch. I mean in order to make the emergency access count as open space they added, you know, shrubbery and things like that. So, that's another expense of the subdivision that's going to have to deal with -- you know, it doesn't help them, it doesn't beautify their space, but, you know, it counts as open space. So, you know, that's another expense that they are going to have to deal with. You know, I mean basically I agree with everything that the staff report says and has to offer, with the exception that I -- I wouldn't approve this. I just don't think it fits and I think that it's -- you know, it needs to all develop or not develop at all.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I kind of echo some of that. I have -- I don't know that I have seen this before, so it's new to me -- or at least if it was not new to me it feels new to me, but I'm just struggling with it. It feels forced and it feels like we are going to have problems down the road with it developing after the fact. I don't like the access onto Victory. I think if we do move forward that that driveway does need to go in, especially after, you know, hearing the back and forth that you had, Mr. Chair, with Mr. Thacker on the -- the trailer situation and whatnot. It also feels like that we are just hitting the bare minimums on absolutely everything for this project and it doesn't feel -- you know, if we don't add in certain pieces like the sidewalks or removing access, it feels like we are not extending the urban and suburban fabric of our community and we are just kind of popping in houses without strategy almost and I don't -- I don't know. I have a really hard time with this one. I don't quite see it yet.

Fitzgerald: Thank you, Commissioner Grove. Commissioner McCarvel.

McCarvel: Yeah. I have got notes written all over here. But pretty much echo what's been going on and I know it is -- the subdivision will access the subdivision to the west, there is just -- there is no doubt about it and I see in the future where it won't have any access to Victory, that it will have to depend on, obviously, the sub -- whatever develops in the future to the east and I have got comments written here -- you know, they want min -- they want to just barely meet minimum code on everything, but, then, they want -- they are going to turn around and when -- when and if that other piece of land where the original house sits gets developed, then, they want to use the maximum of put six lots on a common driveway. I mean it just -- I agree, it is just either all -- it's just that piece of land that either just all needs to get developed or not, because it is just in between other things and, I agree, it makes -- I don't like having -- leaving that access off of Victory. I mean I can kind of see where it makes sense to leave some of that frontage improvement until either the time that Locust Grove and Victory gets improved or as the neighbors develop, because I know that -- that irrigation situation out there and just the way that land sits is probably difficult to even envision having a sidewalk on it, but -- but, yeah, the money would have to -- I just -- I think it's just not the right time. I mean you can't have your cake and eat it, too. That's kind of where I'm at with it. Because of the way it's been chopped up and the open space here and there, I just think it could be -- it -- it's in between stuff anyway and it's going to be hard to connect with everything, but trying to keep the original house and all that property there is making the design that much harder and that much more chopped up. I don't --

Fitzgerald: I'm in agreement with what you just outlined. I think -- we always -- we try to do the best we can. I think my -- there are two big concerns I have. One is that big open space is going to be used as a drainage swell and/or a drainage bed and we have seen where we have attempted to -- the technology is getting better about the transitioning of water under -- under the -- underground, but based on the picture we saw from the public there is a high water table out there, I think the test report that they got back where the water table was pretty high. That's going to be unusable space. So, the common area becomes nonfunctional and, then, we are -- we have limited access to go to public parks that are across the street. I think we are -- we are shoehorning this thing in here and I understand -- I agree with Commissioner Seal's comments about being a little bit pregnant. I -- I understand and I totally sympathize with the landowner about wanting to do the development in the back and maintain their life in the front, which I understand that, but kind of got -- when you develop you kind of got to jump in and do it and so you got to choose and -- and if they are -- they want to do the development that's great, but we need a different tact in taking it on and so I'm just -- I'm having trouble as well. Commissioner Cassinelli, did you have thoughts, sir?

Cassinelli: I'm going to -- I'm going to echo a lot of these thoughts. I think there is just -- a question, Joe. Would -- given that to the south is R-4 does this fit under -- if this were to develop as R-4, would that be -- would that be within the future of the comp plan future land use map designation? And, then, maybe -- and my thought there is that maybe some of these concerns -- if this were developed as an R-4, maybe -- maybe it can be configured as that. Just a -- just a thought there. Joe, would that -- is that -- is R-4 acceptable?

Dodson: Commissioner Seal, thank you for your question, sir. It -- yes and no. The zoning is not what ties it to the density, the density is low. It's on the very low end of the medium density residential, so it's probably already less density than the subdivision to the south that is R-4, they are just requesting R-8 to make sure they have a couple lots that can go below the 8,000. But like I said in my staff report, it is -- the average lot size is 10,000 square feet, which is over the minimum lot size for the R-4. So, it -- the density is the key there and they are right at the bottom at three dwelling units per acre.

Cassinelli: So, they are -- they are almost into the R-4 anyway, is that what you are saying?

Dodson: Yes, sir. Yeah.

Cassinelli: Okay. So, I guess continuing on with my thoughts, I'm -- one of my biggest concerns -- and this is an ACHD thing -- is that we may never see access on -- onto Victory, which I don't get, because, you know, to the north of Victory there you have got two access points to the development to the north coming in on Victory. Why they wouldn't allow one to the eastern-most portion -- in the future, granted, the house is there right now. I -- I get that they want to develop it. I fully get the property rights. But all these concerns, the common area, the -- a big concern to me is the amount of -- is the amount of number of homes that will take access only off -- off of one point, off of Locust Grove, and yet ACHD's report -- we only get traffic counts for Victory. We get nothing from Locust Grove. I was perplexed by that. I think they could adjust the driveway and bring it in off Fathom and still take the access from -- from the irrigation district's -- from that -- from their access point over there and not have to worry about that. But, yeah, I have got -- I have got all these concerns myself and I just don't think -- I don't think it's the right layout. I don't -- not necessarily not the right time, it's just -- I think the whole layout has to be just completely rethought.

Dodson: Mr. Chair?

Seal: I think you are muted, Mr. Chair.

Fitzgerald: Oh. Okay. Additional thoughts? I think we have some -- motions are always in order, but do you guys have any thoughts additional?

Dodson: Mr. Chair, this is Joe.

Fitzgerald: Joe, go right ahead.

Dodson: I had just one last comment on the ACHD staff report and this is also related to what Mr. Thacker had said. The ACHD staff report does state that they are requiring -- or they were -- one of their site conditions of approval are to construct the detached sidewalk along Victory. So, just wanted to clarify that.

Fitzgerald: So, Joe, to follow up on that, he did mention -- Mr. Thacker also mentioned that in that report or in their comments work with them, they said they would be -- they would construct everything -- when they did Victory and Locust Grove that would be completely done by -- by ACHD; is that correct? Just to make sure we are clear.

Dodson: Mr. Chair, that is the conversation that I was not a part of and it is not in the staff report that I am aware of. That was I think a sidebar discussion that I was not a part of. So, I would say that I -- no, I'm not aware that they would be constructing this when they can get it through development as is the norm.

Fitzgerald: Okay. Thank you, sir. Additional thoughts? Commissioner McCarvel.

McCarvel: Yeah. Mr. Chair. I think, you know, we have spent a lot of time on this one a couple of times. I think we are unfortunately -- I'm guessing from all of the thoughts that we have heard tonight I think we are just at the point of about recommending denial and let City Council figure -- you know, take our recommendation and go from there, because I don't think -- I mean the layout isn't going to change all that much as long as that -- the original house and all that property stays up front.

Fitzgerald: And I appreciate the comments about maneuvering through the common area into the middle, but that was the feedback we gave them the first time -- or the second time that we had a conversation and we are still back to a similar layout. So, I'm -- I'm concerned we are going down the same road and not meeting the goals we were trying to lay out and get to. So, I'm -- I'm of a similar mind.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, did I cut you off? Sorry. Go ahead.

Seal: That's okay. I will -- I will throw a motion out there, unless anybody else has --

Fitzgerald: Good.

Seal: -- more to contribute. After considering all staff, applicant, and public testimony, I move to recommend denial to the City Council of file number H-2020-0006 as presented during the hearing on July 16, 2020, for the following reasons: It does not fit well into the city's vision for annexation and premier properties, as well as -- or concerning minimal and unusable space -- open space, as well as the undeveloped property takes too much away from the developed property.

McCarvel: Second.

Fitzgerald: I have a motion and a second to recommend denial of file number H-2020-0006 to City Council. Any additional comments?

Holland: Mr. Chair?



Fitzgerald: Commissioner Holland, go right ahead.

Holland: Just to put it on the record, I think when Council looks at this, if they decide to go a different route than the denial route from our recommendation, if they were going to consider still approving it, I would say they would need to see a different plat with more significant open space, more centralized, that shows at least that usability and, then, resolve some of these issues that we have been chatting with tonight if they wanted a chance to have Council look at another option there.

Fitzgerald: And I agree. That said, all those in favor of recommending denial of H-2020-0006 say aye. Any opposed? Motion passes. Thank you very much.

MOTION CARRIED: SIX AYES. ONE ABSENT.

**4. Public Hearing Continued from June 4, 2020 for Landing South (H-2020-0005) by Jim Jewett, Located at 660 S. Linder Rd.**

- A. Request: Rezone of 2.43 acres of land from the R-4 to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 11 building lots and 2 common lots on 2.27 acres of land in the proposed R-8 zoning district.

Fitzgerald: Thanks, Joe. We appreciate it. Moving on to the next item on our agenda, which is the public hearing for Landing South, file number H-2020-0005, and let's start with the staff report.

Allen: Thank you, Mr. Chair. This application was before you a while back. The Commission continued this project in order for the applicant to work with ACHD to facilitate a construction entrance off of Linder Road until initial occupancy and reconfigure the plans to include a pathway between Lots 58 and 59 that complies with UDC standards and specifically fencing standards, possibly reduce the density or modify the design to improve parking and internal circulation and revise the east lots to more of an R-4 size. So, the plan there on your left is the original plat that was submitted. The applicant has submitted a revised plat shown on the right that depicts two fewer buildable lots for the Commission's consideration in response to their direction at the hearing on June 4th. They plan to retain the existing 50 inch silver maple tree on the site, which will reduce their mitigation requirements to 17 inches and that is in regard to condition number 3-B. ACHD will allow a temporary construction entrance off of Linder Road during development of the subdivision, but not during home construction. There are two on-street parking spaces and two additional spaces at the end of each of the two common driveways for a total of six spaces, in addition to those provided on individual lots and garages and parking pads. Private sidewalks are proposed to each of the lots from the sidewalk along Linder Road. A common lot with a pathway from Spoonbill to Linder Road is not proposed and the lots on the east side of the development were increased to have an R-4 size, 8,000

square feet. The applicant is here tonight and can respond to any questions you have on this revised plan.

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

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Sonya, I have a question with the preliminary plat that we received this afternoon. I'm having a hard time understanding what I'm looking at. Could you walk me through that a little bit just in terms of Lot 62, 63, 64 and 65? I don't fully understand what --

Allen: Yes. Mr. Chair, Commissioner Grove, Commissioners, they have reduced the plat by two lots on the east side, the two buildable lots. They have created flag lots. So, the original lots, if it helps, are shown in a lighter gray color and, then, the new lot lines are shown in black. So, these are flag lots you are looking at here and they are required to have a minimum 30 feet street frontage. So, that is what they are proposing. This is a common driveway right here for access to these two lots and, then, again, these are the configuration of the new lots. For the record, staff's really not in support of the proposed revised plat.

Grove: Follow up questions?

Fitzgerald: Go right ahead.

Grove: What -- do you -- I guess I'm just struggling. What is the piece for Lot 64 that's in between 65 and 63 on the east side?

Allen: I'm not really sure. Let's have the applicant answer that.

Grove: Okay.

Holland: I had the same question.

Fitzgerald: Any additional comments or questions for the staff? I think the applicant is going to have to walk through that preliminary plat with us -- or for us.

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Sonya, could you repeat what you said there? I think you said that staff is not in favor of the current layout, is that what you said?

Allen: Yeah. The configuration of the lots are really wonky and -- yeah. Prefer the former plat between the two anyway.

Fitzgerald: Do you have follow up, Bill?

Cassinelli: No. I was looking for more of a reason, but I guess wonky is --

Fitzgerald: It's good enough.

Allen: It's an official term now.

Cassinelli: Yeah. Well -- and you said you prefer the -- you prefer the -- the original. We are talking about those 62, '3, '4, '5 versus the six lots that were over there. Yeah. I think it was six. Okay.

Pogue: Mr. Chair? Sonya or Bill, is there any chance you could use the yellow like crayons to draw each of the lots that are now depicted to make it clear? So, Commissioner Grove, I had the same question earlier and it did help to actually see them drawn out.

Allen: Well, I can -- Bill's the color, I am not, Andrea. If you can see my cursor here I can trace the outline of the lot. Like I said, it's the black line, it's not the gray line, so that's that lot. This is the flag for this lot that comes in. This is that lot. And, then, right here is the flag to this back lot.

Pogue: Thank you.

Fitzgerald: Commissioner Grove, did that help? Because I think you -- and we will get the applicant to explain it, but I think you're seeing an overlay with the gray behind it with the old layout, so --

Grove: Yeah. It's not that I couldn't see each, but I just don't understand it, I guess, like --

Fitzgerald: I'm with you, man. And I had the same question during our meeting earlier today, so --

Grove: Okay.

Fitzgerald: Is there additional questions for staff? If not, we will have the applicant come up and explain it so we can get a better handle on it, because I'm with you, that's what I want as well.

Jewett: So, it's Jim -- Jim Jewett at 776 East Riverside Drive, Suite 204, Eagle, Idaho. Can everybody hear me okay?

Fitzgerald: Yeah. Go ahead, Mr. Jewett.

Jewett: Thank you. So, at our last hearing there was a lot of discussion about changing the lots to the east to a more R-4. So, I drove my engineers crazy with trying to create an R-4 lot when you had such limited right of way frontage in which to configure and so we had to use these series of flag lots to maintain the minimum frontage on the public right of way and not use a common driveway. So, what you see is -- is the result of that and, for example, that one little panhandle that goes out to the east between -- and -- and I can't look at the lot numbers on my small screen, I'm sorry. That's just what was left over to make the one triangle'ish looking lot 8,000 square feet. That's all it is. This is -- this is what it looks like. I'm not in favor of it at all and the reason we overlaid it over the old plat was to illustrate how it doesn't work and I tried every other avenue, but if I went back to the common driveways it just made sense to stay with our original plat. So, we are here tonight to support our original plat and I believe that the staff is in the same position and, you know, my planner submitted a letter putting in support for why our regional plat extends and with that I will stand for your questions. I'm sure you will have many more for me.

Fitzgerald: Appreciate it. Commissioner Holland, go right ahead.

Holland: So, in the way that you reconfigured the new lot -- I appreciate you trying to meet our request and eliminate a couple of lots to make it fit better. If you went back to your original plat -- and maybe I -- I mean keep the -- you have got your common drive, but still reduce a couple of lots on there and reconfigure how much space they had, was that not something that was a possibility there?

Jewett: And, I'm sorry, I don't know which Commissioner is talking.

Holland: This is Commissioner Holland.

Jewett: Okay. So, Commissioner Holland, without -- not using the common drive, because what I took from the last hearing was to change the flow and not utilize a common drive, you have to maintain frontages and that only exception is when you use common drives. So, we only have so much frontage to use, so unless we simply kept the common drive and just made the lots bigger, that would be the only other option.

Holland: Well, I think that's what my question is, too, is would you be willing to consider maybe eliminating one of those lots to make those bigger, so you have less number of homes off of that common drive. I think that was our challenge before is we just didn't like that there were one, two, three drive aisles off of that one common drive and, then, there were two off of the -- or three off of the other one, because there is just a lot of homes coming off of that hammerhead there and so if there was the ability to keep a similar configuration, but maybe eliminate one or two lots, making less homes off of those access points, that might be more favorable.

Jewett: Commissioner Holland, certainly that -- we can reduce lots. In looking at it I would think that the reduction would probably be off of the public street, not the common drive. The common drive in its configuration and trying to get to those lots to the east are going to mandate that there is three lots on it regardless of what I do. So, if you lose a lot it will most likely be up to the north on the public frontage. So, I don't know how that helps anybody and I will give you the other side of that story and that is the way we configure now with the six slots, we have a similar size that we have in our existing previous phase, which was the Landing Number 13 and we offered product in that phase in the high 200s to the low 300s with an occasional home being larger into the mid 300s and an affordable product in Meridian right now. If I lost a lot I would simply average that value back into the other lots and you would take in that affordability and notch up, so you would have no more homes in the three -- are low two -- high two and low threes and you would start in the mid threes and I just don't know if that's really what's necessarily needed in Meridian right now is to have more expensive homes. I think we need to fill that medium income family and that's what this lot is intended to do. So, the answer to your question is yes and all I would do is change price points and I guess I would ask if that's really what you want us to do.

Fitzgerald: Well, in follow up to that, Mr. Jewett, because I wasn't here for the original hearing for this, but my understanding is you have duplexes on the west side of the road, whichever side you are looking at, and, then, single family homes on the east; is that correct?

Jewett: That's correct.

Fitzgerald: So, I mean we are -- you are putting in quite a bit -- I mean a large amount of homes in a pretty small space and I understand that we are trying to match price point and those kinds of things, but we also need to make sure we are being safe and not causing a little bit of chaos in that area. So, just -- just want to make sure that's on the record and everybody understands it.

Jewett: So, Commissioner Fitzgerald I believe is who --

Fitzgerald: Yes, sir.

Jewett: Yes, to provide a diversity of housing and to provide the -- along Linder Road, other than the back of people's homes, we did design a duplex product that would front face off of Linder and rear access off of this interior road, which is a unique design that I think that the Commission was in favor in our original hearing. I said I'm -- if -- if the desire of the Commission is to lose a lot and that's the recommendation that I can accept, I just want to make sure that everybody is aware that it just is a rebalance of value and from my original submittal to the city the staff asked me to lose a lot and which I did. So, that would be a total of a two lot reduction from my original proposal. You guys only saw the first lot reduction. This would be a second lot reduction.

Fitzgerald: Additional questions for the applicant?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Cassinelli, go right ahead.

Cassinelli: Yeah. Can -- correct me if I'm wrong, but the last time that we looked at this wasn't there an issue with -- and I -- and I don't have the street name there, but wasn't there an issue with the width there and access in and out of that? Wasn't that one of the big issues we faced? And if that's correct can you -- can you address that and where we stand, so if the street got wider?

Jewett: Commissioner Cassinelli, I don't believe the street width was an issue, I think that the terminology that we used in the motion was -- or their recommendation was that I tried to improve the flow and I took that to mean that -- to lose the private drive -- the common driveway. I don't recall a discussion specific to width of the street. Our street width is the same width as a street that comes out of the Landing Number 13. We haven't reduced it below that -- that section, which is at 33 foot back to back.

Cassinelli: And maybe I'm thinking of something else. So thank you.

Holland: Mr. Chair, one more quick follow up question. I read in the staff report about the -- the sidewalk that was connected over to the main road, because we had asked for some sort of sidewalk or pathway that would connect between the homes and it didn't meet pathway requirements, but there was going to be some sort of private sidewalk. Can you just expand that for us?

Jewett: Certainly, Commissioner Holland. At the first hearing there was a discussion of making a little bit more interconnectivity to Linder Road from the cul-de-sac and we had talked about potentially putting a pathway between the lower two duplexes and the other duplexes. Sonya pointed out that had to meet the pathway standards if we put any pathway at all. We looked at that and it reduced the lots too greatly that we would end up losing one entire lot and so we opted just to keep that private -- our connectivity from the sidewalk to the front private amongst those duplexes and their lots, not making it public. Still the public pathway exists along the canal, the Kennedy, which I have built from the first phase -- or in the Landing Number 13, just to the north of the subdivision. Interconnectivity to Linder still exists there, second public pathway within a hundred or so feet of the other one and to have to lose a lot for that didn't seem appropriate.

Holland: So, that -- just to clarify, that private -- private sidewalk, is that still something people could use if they were living in this subdivision and wanted to walk to Linder Road?

Jewett: Certainly. If they -- and most specifically is for anybody that's at the cul-de-sac that wants to reach the front door of any of those duplexes, that's their way of accessing to there. So, certainly anybody else would be able to use it as well. It just wouldn't be meeting the public standards for a pathway and open space, which we didn't need the additional open space and since we couldn't encroach anymore on the open space that

we had to our north -- originally I thought I could squeeze up to the north, but I can't. I don't have sufficient room to do that to create that additional path.

Holland: Thank you.

Grove: One question.

Fitzgerald: Yeah. Commissioner Grove, go ahead.

Grove: Jim, question for you on the -- where do we sit with the trash receptacle situation for this project? At one point it was said that there was going to be like a centralized -- is that still the plan and -- or where do we -- which direction are we going in there?

Jewett: Commissioner Grove, yes, staff raised the question of trash early on in our planning process and we had offered to put a centralized trash receptacle -- a dumpster and -- dumpster containers -- I don't know what we call them now. Then we had the fence and -- instead of having individual trash receptacles and that seemed to solve that issue and I believe that is in the staff report that we will put a centralized facility for that trash, instead of the individual cans. The general location -- the general location of that will be between the northerly two duplexes and the southerly duplexes right along the public right of way is where we would locate that. Again, that was conflicting the pathway that we were putting in, too, and where to focus that trash receptacle.

Fitzgerald: Sonya, can you verify that that's in the staff report, because I -- thinking through it I don't recall off the top of my head.

Allen: I'm sorry --

Fitzgerald: Go ahead.

Allen: -- Chair, could you repeat the question?

Fitzgerald: Can you verify that we have -- the requirement in the staff report for a trash receptacle location? Because I -- I'm blanking on the fact if it's in there or not.

Allen: So, an actual trash enclosure, rather than private ones?

Fitzgerald: Yeah. Yes, ma'am.

Allen: No, there is not one.

Fitzgerald: Okay. Would the staff be amenable to that?

Allen: I thought you were asking the applicant if he was amenable to that. Yes, that's an option if you would like it to be.

Fitzgerald: Okay.

Allen: Although I'm not sure where they would put it exactly.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: Just a -- I mean if -- if that's something that we condition in here -- I mean the trash enclosure itself has minimums and maximums that it has to be able to fit and I don't know -- with that being a private path already, I don't know that it's going to be there. That would be my -- I kind of share the concern is I don't know where it's going to go in here.

Jewett: Mr. Chairman, Commissioners, what our plan was to locate it between the northerly and southerly set of duplex lots along just west of the public right of way. We would make a trash enclosure there that the trash company once a week would come and unloaded it and we would have a stucco facility or a cement block facility there like you see in some of the commercial projects, albeit a little smaller than those, because it's only going to be servicing this many people. So, it doesn't have to be as large.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I have a follow up on that. Which preliminary plat are -- are you referencing in regards to that configuration, the original or the one with the long driveway things?

Jewett: Commissioner, Grove, good question. It's the original one. So, if you look at -- as I'm looking at my screen it's the one on the left and it's between Lots 58 and 59, those to sideways. The southerly part of one unit, northerly part of the other. It would be located between those two driveways.

Fitzgerald: Additional questions for the applicant? Commissioner Grove, did you get everything squared? Did you get --

Parsons: Mr. Chair?

Grove: Yes. I think I'm struggling with how that's actually going to work, because there are size requirements that are -- need to be kind of factored in that I don't see, especially right at the end of -- or where the shared driveway is. I just have some concerns without knowing how it's been thought through.

Parsons: Yeah. Mr. Chair, this is -- this is staff. If I could chime in.

Fitzgerald: Go ahead, Bill.



Parsons: If I could chime in on the enclosure. So, I think we really have to think about that and the reason why I'm thinking about it is because I'm a Meridian resident and my bill has my tote service in with my water and sewer. So, how is our utility billing companies going to figure out how to charge the appropriate trash for each one of these individual lot owners or how is the HOA going to set up the payment for that? So, to me that becomes a problematic issue that we are passing on to future homeowners in this subdivision and that's something that we do not want to do or encourage. So, I would really take that into consideration in your deliberation tonight that I wouldn't encourage that. Certainly that could be considered a commercial rate charge to those homeowners that could potentially be a higher rate than what they anticipate paying is -- all of us as Meridian residents enjoy now that are pretty low tote rates. So, again, I haven't seen it in my 13 years with the city where we have required an enclosure in a residential subdivision. That's really meant for a commercial setting. So, again, I guess from my perspective I would not be supporting that request and I would encourage you not to do the same. Thank you.

Holland: Mr. Chair?

Fitzgerald: Commissioner Holland.

Holland: I was going to ask in case the applicant wanted to address it, but my concern is if you put it between Lots 58 and 59 you may have people that are in that neighborhood that take advantage of that trash enclosure and drop things like furniture or bigger parcels that normally wouldn't be collected by trash carts and, then, you have got a bunch of junk sitting between those two lots that is hard to manage and hard to pin on who dropped it where and I share the same concern that staff just represented. It's tough to figure out the fair distribution of that and I think it would be hard to manage how much trash people would be allowed to have per week as well before they need to, you know, take a run to the dump or something. I think you could have a problem with someone dumping three trash can loads worth of stuff there just because they can. I have a lot of concerns about that, too.

Fitzgerald: Thank you for that and I appreciate, Bill, your input. Thank you. Any additional comments or questions for the applicant? Hearing none, Mr. Jewett, we will come back to you after we take public testimony, if there is any, and we will let you close, sir. Madam Clerk, is there anyone who would like to testify on this application?

Weatherly: Mr. Chair, we didn't have anybody signed in, but I do believe Tony Baggio, who is joining us via Zoom, has his hand raised for this. Tony, one moment, please.

Fitzgerald: Thank you, Madam Clerk.

Weatherly: Tony, you should have the ability to unmute yourself.

Fitzgerald: You can click on the bottom left corner of your screen, there is a mute button on --

Baggio: It does. All right, sir. Let's go.

Fitzgerald: State your name and your address for the record and the floor is yours, sir.

Baggio: All right. Thank you very much. Yeah. It's been a long little thing. So, Anthony Baggio formally. 1414 West Joshua Street, Meridian, Idaho. So, I live in the new development that Jim built and what's being built around the corner is a concern. So, what I would like to understand -- which I didn't get in the conversation -- originally the number a lots for the original preliminary plat was 11, of which there was nine single homes and four duplexes. Now, what's changed is I don't know how many duplexes and single lots, because that was not conferred. So, that's my question, number one.

Fitzgerald: And, Mr. Baggio, we will have Mr. Jewett respond to you when he does his closing, make sure that that's very clear.

Baggio: Okay. Good. Because you have -- okay. So, the reason I bring that up is because the last time we had a TIS done was 2017, before the 28th home was built here. So, the -- the travel and the people getting to Linder have been growing and if we are going to add 60 more cars based on what the Council did with Tanner Creek, which is going to be 550 more cars, we are going to have a big problem. So, I need a TIS. Secondly, I would like to have access -- and I have taught -- I am a director on the HOA for Mallard Landing. We have access for construction, but not for house building. Why can't we have both? That's a request. We have people selling in the original Mallard Landing right across from where I live because of everything happening. They all want to leave, because of the volume of construction traffic. So, what we have here is not a City of Meridian issue, we have an ACHD issue and that -- the Tanner Creek thing and now it's this. So, whoever is running ACHD is not a forward planner. That's second. Then the general trash situation. I wrote down the Council has mentioned their good comments on that and I agree with that. It's ridiculous to have a central dump for duplexes, because Jim Jewett got grant rights for the land that I live on and he got grant rights in the land that he's trying to develop, which is in complete opposition to doing duplexes in Mallard Landing. So, he built his own duplex in our little area and didn't pay the HOA. Now he's going to build four or five -- I don't know how many more, but I'm not very comfortable with somebody who does those types of things. And, then, a central dump site. So, that's it. Thank you very much. I appreciate your time.

Fitzgerald: Thank you, sir. We appreciate you being here tonight. Thanks for participating. If there is anyone else in the public who would like to testify on this application, either via Zoom or in person, please, raise your hand using the Zoom application or raise your hand in the audience, Commissioner Seal will point you out. Not seeing anything on the panelist side or attendee side. Commissioner Seal, we are good in the audience, sir?

Seal: Nobody in the audience.

Fitzgerald: Mr. Jewett, would you like to close. Thank you.

Jewett: Mr. Chairman, it's Jim Jewett again. So, I will answer Mr. Baggio's question. There was a general application and the original proposal that went in front of the neighbors was for seven new residential lots and four duplex lots, totaling 11. After that submittal staff requested that we lose one lot. That resulted in six new residential lots, four duplex lots, and that was the application that came before you in June. So, that is what our request is, is for four duplex lots and six additional residential lots. There was reference to another subdivision. I don't know what that subdivision is, but Mr. Baggio did suggest that we get a TIS. A TIS is -- is not required for an additional traffic count that we have. ACHD has found that all the internal roads meet the requirements of our additional traffic. ACHD and staff are not supportive of any -- putting any additional connections onto Linder Road, so there was no TIS required and there wouldn't be for this many lots. Five hundred lots, yeah, that's -- that's a TSI, but not this. He talked about my grants rights having to do with the subdivision. Yes, I did obtain the grantor's rights for the previous subdivision that will extend to this subdivision. That's a course of business. I don't know if that's really an issue. As I do these annexations I specifically address documents within the HOA documents that provide that I can put a duplex on these additional phases, but not previous phases. Oh. The trash receptacle. I was offering that as a solution to everybody wheeling their trash can to the curb. I wheel my trash cans to the curb. Most of Meridian wheels their trash cans to the curb. There is common driveways all spread out in Meridian and people wheel their trash cans to the curb. So, I'm okay with whichever direction staff and the Council and the Commission wants to go when it comes to trash. I can understand that even in my -- some of my commercial projects I go there and I see trash, but I don't know where it came from and people use them to get rid of stuff. So, I know how trash receptacles can be abused. It was just a way I could offer a solution to what was perceived as a problem having to do with trash receptacles at the curb. Hopefully I would have addressed all of the concerns. With that I would stand for anymore questions.

Fitzgerald: On access, can you address that? That was an ACHD requirement or allowance. Can you talk about that real quick?

Jewett: Yeah. Commissioner Fitzgerald, at the previous hearing it was requested that I inquire. I did inquire and ACHD responded with, yes, during the construction of the subdivision they would allow the temporary access, but not after the road construction was done, because from that point on the -- the individual home construction has to occur through the public streets and I understand their point, they don't have -- no idea the timing of when one home will be built or the next home will be built. In theory we are going to do them all right away, but things happen that change that and they wouldn't want to keep a temporary construction open indefinitely and I get their point and there might be able to be a little room with ACHD if they know that we are going forward with the initial four duplexes right away and allowing that access for those, but I just think that it's not an indefinite thing that ACHD is willing to grant.

Baggio: No. You have to -- no, you have to cut off one of the duplexes to get the rest of the development.

Fitzgerald: Sorry. Mr. Baggio, you had your time. Go ahead, Mr. Jewett. Sorry about that.

Jewett: And so I will continue to work with ACHD and to work with the neighbors. I do understand when the last phase is at the back of any subdivision and all the construction traffic has to go passed the neighbors. I do understand it. I do understand it's an inconvenience. Unfortunately, that's just the way this played out and I will do the best I can in attaining whatever temporary easements I can with ACHD, but I do have to say that construction of the roads and all those dump trucks and cement trucks and grading material won't -- not coming down their street is a great benefit to them, allowing us to utilize our existing access for all that will certainly mitigate a lot of that for the neighbors.

Fitzgerald: Are there any additional questions for Mr. Jewett?

Grove: Mr. Chair?

Fitzgerald: Go right ahead, Commissioner Grove.

Grove: All right. I had a question. You had mentioned being able to -- or be amenable to changing some of the lots to be a different size or shape. Which lots were you considering? Are you talking about Lots 65, 66 and 67 on the original preliminary plat?

Jewett: So, the one lot -- it looks like -- unfortunately, my screen is so small, but it's the three lots to the north of the common driveway going to the east. I would reconfigure those into two lots versus the current three.

Grove: And with that -- just as a follow-up question, with those -- would that street, then, where it is or would you make the cul-de-sac bigger? What -- I guess -- and, then, the access with both -- or for both lots are off of Spoonbill, is that kind of the line of thinking?

Jewett: Commissioner Grove, like I testified earlier, I don't think that reduces the amount of lots that would access to common drive, it would certainly allow the common drive to slide north and make the three lots to the south a little larger and, then, just one lot taking access from the public roads versus two lots and I think that to get to that rear lot without creating a flag lot has to be a common drive. If I turn and made them real skinny that really isn't functional. We just have a real limited frontage along the -- the private -- I mean, excuse me, the public roads. So if we were to lose one more I certainly would want to slide the common driveway slightly north, make the three on the -- lots on the bottom a little deeper and, then, just reconfigure -- have one lot taking access off of Spoonbill and, then, the lot in the back would still take its access of the common drive.

Fitzgerald: Commissioner --

Jewett: And that would -- sorry.

Fitzgerald: Sorry. Go ahead.

Jewett: That would provide for a little -- some additional on-street parking along Spoonbill, having one less driveway cut on that street.

Grove: Thank you. I understand what you are saying. I guess I'm just looking at it a little bit differently and thinking that there would be a way to get better parking up front and have longer lots, but if -- if that's not the direction -- or if that's not feasible I understand, so -- thank you.

Jewett: Commissioner Grove and other Commissioners, I don't -- if you have seen the amount of iterations that we have made on this plat, even before submitting it, it's an in-fill. It's problematic. It's difficult. It's not the easiest thing to do. As you can see in my attempt to make R-4 lots, it -- it is really problematic and we struggled to find a plat even that I was comfortable with submitting. So, I would -- I would just ask you to just please consider all the time I put into this and trying to figure out -- I don't know how I can do the common driveway with one less access. Just -- it's frontage that makes it real problematic.

Seal: Mr. Chair?

Fitzgerald: Sorry. Go ahead.

Seal: Just -- I mean in looking at this I have -- you know, it seems like we have got -- in the current configuration -- and I like what the applicant's attempting to do with facing the homes towards Linder, but it -- I mean there is only so much creativity you can do. I mean I'm kind of getting to -- it seems like we are trying to put ten pounds of apples into a five pound bag here. So, in -- I mean -- and what I'm looking at -- and let's -- instead of trying to go mixed use in here, I mean wouldn't it be simpler to simply have duplexes on both sides of this road, extend the road down to the bottom, and have the turnaround at the bottom of it and call it a day? I mean maybe I'm oversimplifying it, but to me -- I mean there is -- it's a very very small space. I mean either that or, you know, ditch the idea of duplexes and just, you know, do like the land to the south of it, have -- you know, just basically make it a giant turn around with some houses that spring off of it, so -- and -- and I understand this is probably the thousandth hour you have spent on this in the timing of it, so just -- maybe less creativity is something that can be applied here and you will probably rarely if ever hear me say something like that about this, but -- I mean knowing that this is in-fill, I would like to see it filled in, but having it fit a few more criteria would be nice and to me, you know, I think simplifying the road structure and simplifying the layout of it just overall would probably help everybody. I mean that's going to clear up a lot of issues as far as where the trash cans go, how does the Fire Department turn around, you know, on and on and on. For me anyway.

Jewett: I believe that was Commissioner Neal. My screen just says City of Meridian. The -- the idea of putting duplexes on both sides, obviously, simplifies things and I'm certainly not opposed to that. It provides a diversity. I think that the neighbors would rather have seen some level of residential versus all duplexes and I think the mix was appropriate and that's why I went down that path. Again, I appreciate your comments. I

have put a lot of time into it. It is in-fill. It is problematic. Everything I have done here -- I'm not asking for any exceptions to any UDC rule. I have met every UDC rule. I have met every zoning guideline. I'm -- I'm right in the middle of the density, which is appropriate under the Comprehensive Plan. So, I would like to just have a recommendation based on my current plat and we can just go from there.

Fitzgerald: Additional questions or comments for the applicant? Mr. Jewett, thank you for being here tonight, sir. We will deliberate and see where we go from here.

Jewett: Thank you all.

Fitzgerald: Thank you. Can I get a motion to close public hearing?

Holland: So moved, Mr. Chair.

Seal: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-0005, Landing South. All those in favor say aye? Any opposed? Motion passes.

**MOTION CARRIED: SIX AYES. ONE ABSENT.**

Fitzgerald: Who wants to lead off? Commissioner Holland, you are unmuted, does that mean you are -- go right ahead, ma'am.

Holland: I suppose I can. I know Commissioner Cassinelli is unmuted, too, but that's all right, I will go first.

Fitzgerald: I saw you first.

Holland: I -- I really struggle with this one and I know we did last time we heard this, too, and we -- I was a little disappointed that the revised plat wasn't more of a significant change that was actually reasonable for consideration, because we had given them some feedback on what we wanted to see differently and what came back to us was not a practical use of the land. So, I was a little disappointed because we -- we didn't really have another option to look at. We basically just rehashed what we saw last time. It was a little bit disappointing there. But I -- I understand that the applicant has worked really hard on this and I certainly appreciate his creativity and trying to bring a different product than Meridian has seen. A couple of comments I had last time, I -- while I like that the -- the units faced Linder Road to kind of give more of that boulevard feel, it almost still feels out of place to me, because you only have a duplex unit facing Linder and everything else was facing internally and so when you are driving it looks a little -- almost out of place versus what you see in like a downtown Boise or you are used to seeing in a downtown Meridian type thing where everything is facing the main road and you have got the access drives on the back. I still struggle with that concept a little bit, even though I understand where they are trying to go with it. If it went for, you know, a quarter mile or a half mile

and had more consistency or was next door to commercial where there was easy walkability and it was nice to have those houses facing Linder, it could be different, but to me it could be a challenge long term, because it might look like it doesn't fit the rest of the neighborhood over there. So, that's one comment I have. Two, I don't like the idea of the shared trash enclosure. I think we have already kind of covered that, though. I think that can be problematic. We talk about shared drives all the time. I -- I hate seeing more than two driveways off of a shared drive, just because it causes challenges for people backing in, people needing to turn around. If someone has a truck, if someone has a motorhome or whatever it is, you are not likely to have a motorhome if you are living in a duplex, but you still might have friends that want to come over and even though there is a few extra parking stalls in there, I don't know that it's sufficient enough if you are going to have someone over for a Super Bowl party or -- or whatnot. So, it's -- it's a small piece of land and a lot of homes in there and not that it's our job to redesign it, but, you know, if I was looking at this with -- if I was a developer, you know, I could consider maybe doing duplexes on the -- where 57 and 58 are and, then, on the right where -- I'm sorry. I can't see the numbers. Where 67 and 66 are, you could do, you know, two sets of duplexes there where you still get your eight units and, then, use the rest of that cul-de-sac just to build out some nicer big lots and maybe -- maybe have a couple shared drives that go two lots in there. That's probably how I would look at configuring it to make it a little bit better. But I think we are still -- we are not where I feel comfortable with this going through. I think it's -- it's a tough layout to me, especially with the way that you get into it is kind of a winding roundabout and I know I heard from a lot of the neighbors last time we heard this application and they wished that they could access Linder directly, but that's just not an option for us, so it is an in-fill parcel. Could it be a little less dense? I would probably be okay saying that because of where it's located. So, that's where I will start off.

Fitzgerald: Thank you, Commissioner Holland. Commissioner Cassinelli, you are unmuted, so I will let you comment next, sir.

Cassinelli: Okay. I'm going to -- mostly I'm going to echo what Commissioner Holland started off with -- with a -- something that's just driving me nuts when I look at this. Why there wasn't a future stub street coming off of either Waltman or Gander to access this and I think, you know, had this been a big loop going into one of those, I don't think we would be having the -- he wouldn't be trying to -- I love Commissioner Seal's analogies tonight -- trying to squeeze ten pounds of apples into a -- into a five pound box. We wouldn't have that problem I don't think, but no on the central trash. As much as I do -- what Commissioner Holland said, as much as I like that idea of the -- of the front of the duplexes facing Linder, but just with -- with just a small number there it doesn't -- it doesn't fit. I understand the applicant wants to maybe try and have a lower price point in there, but it doesn't fit -- even if we did duplexes on both sides, which might make the street -- the layout work a little bit better. It doesn't -- you are putting a product that doesn't fit the surrounding -- surrounding neighborhood I don't think. So, I -- I hate to tell them to go back to the drawing board, since they have already spent so much time on, but it -- I -- and I get it, I mean it gets difficult, this -- what they are trying to -- trying to in-fill this. It's just -- man, it's a hard piece, especially when you can't take access off of Linder or anything, it's difficult. I sympathize with him on that. I just -- it just doesn't seem to fit the

existing neighborhood right now. I don't have a -- I don't have a magic wand that I could make it happen, but it just doesn't fit for me. So, those are my comments. Not -- not that I'm necessarily opposed to it, it just doesn't fit.

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I would -- you know, we have had comments that he's spent a lot of time on it, but I just -- since we made our comments at the last hearing for this, you know, what was brought back was not a lot of time spent. I don't think it's a reasonable layout to even be considered. So, I think, you know, it -- it is, it's just -- it's trying to fit too much in there or just the wrong product mix, because I think it could be real simple just bringing that road in just a little farther and lining things up around a nice big cul-de-sac, instead of trying to put all these little inlets trying to squeeze all that in. Yeah. And here we are again on another application where we have spent a ton of time a second time. Yeah. I don't know that we do another continuance or just recommend denial on this at this point, since this has always been offered.

Fitzgerald: My thoughts on -- just giving my two cents. I -- we are doing our best to get things squared away and help the applicant get down the road and the staff is doing an amazing job of working with them trying to do that, too. If after the first one we can't get it down the road, then, we got to move it forward in a direction that recommends what we think and so I don't want us as -- we are relatively lay people, it's not our job to redesign projects. We can give them our thoughts and give them the aspects that we can provide, but we got to trust our staff and -- and try to figure out how best to do it. But I -- I'm -- I mean I understand that there was an attempt to do a duplex and, then, modulate into a single family residential -- the buffer in between, but I agree with Commissioner McCarvel's comments exactly, you know, bringing a cul-de-sac in and -- finishing it off with a cul-de-sac and making those all lots that were similar even easier, although you do have a -- backing up to Linder Road, which is kind of a white elephant. So, I think per your comments I agree, I think we have got to help -- like we can give a continuance once, that's great. I think last round -- we did give them two rounds, which was -- didn't seem to help either, so -- then we got to do the application that's in front of us and see where we can go from -- go from there. I don't know if we are making progress in some of these where we are continuing with our thoughts and they -- they are coming back without a great deal of additional thought.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I will throw my two cents in really quick. I don't have as much issue with the Linder facing fronts. I -- I understand what the other Commissioners have said. I don't have as much problem with that. I was really looking forward to this application coming back, because I thought that we would get a higher -- or a lot -- different creativity with the layout on the east side of this project and I was excited to see what they came up with and the -- the long driveway piece and weird shapes weren't what I thought they were



going to come back with and I'm just really struggling with both of the preliminary plats that they have shown for the reasons that we mentioned last time and all the things that we have said today. So, I don't know what -- where to go with this, but I still have some concerns.

Fitzgerald: Additional comments? Commissioner Seal, did you have thoughts there?

Seal: No, nothing further. Thank you.

Fitzgerald: Okay. Well, folks -- Commissioner Holland, go right ahead, ma'am.

Holland: I was just going to say I think everybody's kind of on the same page. I -- I would agree that at this point I don't know that continuing is going to help us that much to get where we want to be, so I would lean -- lean towards recommending denial on this project and if Council decides they want to, you know, reconfigure some things and see if they can make it work -- I know we have made a lot of recommendations to the applicant if they wanted to try and revise something before the Council hearing if they still want to try and move forward with a denial recommendation, but the way that it sits right now I just don't feel like it's a good fit for the -- what the city's Comprehensive Plan has, what the -- with the trash enclosures, with the tightness of turnarounds, all those things, there is a lot of challenges with it to me, so -- so, with that I want to be sure I have the right file number here. Hang on. This is Landing South; right?

Fitzgerald: Yes.

Holland: So, after considering all staff, applicant and public testimony, I move to recommend denial to the City Council for file number H-2020-0005 as presented during the hearing on June -- it's not June 4th, but it is July 16th, 2020, for the following reasons: That it doesn't seem to fit the -- the Comprehensive Plan. There are some challenges with turnarounds and access drives and the revised preliminary plat didn't solve some of the issues that we had discussed as a Commission previously.

Cassinelli: I will second that.

Fitzgerald: Have a motion and a second to recommend denial of file number H-2020-0005, Landing South. Any additional comments before we take a vote? Hearing none, all those in favor say aye. Any opposed? Motion passes.

**MOTION CARRIED: SIX AYES. ONE ABSENT.**

Fitzgerald: Moving on to the next application on the docket --

Parsons: Mr. Chair? Mr. Chair? This is staff.

Fitzgerald: Yes, sir.

Parsons: Before we move on to the next item, could I suggest a five minute break and let staff get re-adjusted so we can start presenting our applications to you?

Fitzgerald: Absolutely. So, let's take a five minute break and go from there.

Parsons: All right. Thank you.

Fitzgerald: Thank you.

(Recess: 8:40 p.m. to 8:45 p.m.)

**6. Public Hearing for 2020 Comprehensive Plan Policy Prioritization (H-2020-0073) by City of Meridian Planning Division**

- A. Request: To amend the text of the City of Meridian Comprehensive Plan by adding priority levels and assigning responsible department leads to the existing policies of the Plan. This amendment makes no revisions to the text of the Plan, except to add priorities and responsible leads for the policies adopted in December of 2019.

Fitzgerald: So, moving on on the docket, like to open the public hearing for the 2020 Comprehensive Plan Policy Prioritization, H-2020-0073, and we will turn it over to Brian McClure for the staff report. Brian, go ahead, sir.

McClure: Good evening, Commissioners. I'm here tonight to discuss the Comprehensive Plan text amendment with you. Really briefly, though, the current Comprehensive Plan was adopted in December of last year. It's still very shiny. There are 492 policies, 380 which are action items. The plan is really two documents, the regular text policies and, then, the map, of course, which is the Comprehensive Plan and that focuses on the report and, then, the existing conditions report, which is an addendum to the Comprehensive Plan. The report is needed to address some of the state requirements and it's focused on where we have been and where we are today. It's usually updated every few years. Why do we plan and what are the state requirements? In summary, we plan because we are supposed to for the community good and to incorporate the community's vision. The 17 required components of the state enabling legislation, which is on the right, is part of the Local Land Use Planning Act, and which just also note in there that Planning and Zoning is specifically called out in that act. And this is why we are here tonight. This amendment does not change the map and it doesn't revise any of the text in the adopted plan. The purpose of this update is to add priorities and responsibilities to the adopted policies. This is needed for transparency, so the public can understand our priorities and to be efficient. We also said we do it, which is incorporated into the text of the plan. The text on the right here is straight out of Chapter One under the next steps and I have highlighted the relevant sections in red. We can't go through all the policies due to the number of them, but you have the complete information in your packets. On a high level

and as a method of process, though, these policies and responsibilities were reviewed and proposed by consensus. I think that's pretty significant. We shared them with city leadership and discussed what was best for everyone. A few areas may receive some proposed tweets when we do this -- the first real update, like for next year, but for now they remain unchanged. As an example, some of the action items are too big for just one department to delete and we will likely want to split those up. Hopefully you have all been able to take a look at these and if you have any suggestions we can certainly take those forward to City Council. Briefly on the right here you can see a breakdown of policies by topic. Each one of these falls within a chapter or thing and here are the policies by lead and priority and, then, ongoing by department. These were all in the packet, both the application letter and the staff report. The ones with a time frame -- so, low, medium, high, very high -- those are like the projects and the ones that are ongoing are more day to day or specific to development review. Lastly, into the next steps, priorities will help to inform other planning and budgeting efforts across all levels of City Hall. I do have one slide after this, which is related, but not part of an action. I guess for now, though, I would stand for any questions on this proposed amendment.

Fitzgerald: Thanks, Brian. We appreciate it. Are there questions for staff?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: The only remark I would like to make is on the priority it just says -- there is a lot in here that just say ongoing and that to me doesn't really put them into a bucket that's kind of nice and tidy as far as what the city's priorities are on that. Is that something that's going to be addressed or is that on purpose?

McClure: Commissioner Seal, that is on purpose. We certainly are open to feedback, though. The reason for that is the -- the projects that have a time frame -- so, a low or time frame associated with them -- so, low, medium, high, very high -- those are more -- it's something we do for a one time when we need to implement -- do something that there needs to be a new plan, there needs to be a new process, there needs to be something. The ones that are ongoing are something that we don't ever finish, we continually do those every -- at every opportunity or every time we review a plan. Does that help?

Seal: Would those be considered high priority then?

McClure: That is a good question.

Seal: And that's more where I'm going. I mean it's hard to define in there and understandably. I mean there is a lot of things that are ongoing, because -- I mean there is a lot of things that are marked that way, but it would be good to know, even though they are ongoing, what the priority is of those, you know. I mean if there is something that happens every day, every week, every month, is that something that's still a priority to the

-- you know, to the inner workings of everything or is it a lower priority, but it comes up regularly?

McClure: Commissioner Seal, maybe I can help with that then. So, the intention is to do it at every opportunity. So, the things we never do not want to do, it just -- they don't always come up all the time, so you might see a plan reviewed next week that has X and Y, but not Z and the following you might see one that has -- that has Z on it. So, it really just depends on the circumstances. There is some in there -- it may say ongoing, but it will say like yearly do an update of this and, then, the -- the status or the priority is -- is ongoing. Well, the action item itself said how often to do it, we just marked it as ongoing, because we are never going to check it off the list and we are never going to remove it from the plan. At least that's the intention.

Fitzgerald: And it would be my guess, too -- and you can correct me if I'm wrong, but based on change in Mayor, change in City Council, it may shift; correct?

McClure: Commissioner Fitzgerald, yes. So, this is a living document. We typically review this once a year. We provide an update to Council. Sometimes we remove them, because they have been done, sometimes we add new ones, sometimes there is changes for other reasons.

Parsons: Yeah. Mr. Chair, if I can just add a little context to it as well. If you -- if you think about it this way, with development applications, you know, it -- a lot of times the way the code is written, the comp plan is set up, it's -- the comp plan is a visionary document. The code is what we use to enforce that. So, when we start looking at developments, a lot of times those certain things are triggered with development, not necessarily driven by a city priority or city project. So, some of those ongoing priorities or policies that we have would be -- an example I could give you would be along the Chinden corridor where we have a policy that says preserve right of way through future widening. Yes, we are not getting that road widened right now, but it is a priority for us to widen that through that corridor and we work with our transportation agencies to get that done through the development process. So, we may never get to the finish line on that priority, but it doesn't mean that through the development process we don't make that a priority, it's at least set aside future right of way for that to happen and you can see the fruits of those labors today with Chinden being widened and development occurring along that corridor and all the public and private partnerships occurring up there. So, I think that gives you some example of why some of these have to stay ongoing, because they are, they are a longer time -- it's hard to put a time frame on it, because you just don't know when properties are going to come in, when they are going to develop and what obstacles you are faced with trying to get some of these priority provisions -- what I'm trying to articulate is you don't know when these properties are going to come in and develop or when the city is going have the funds or the agency partners are going to have the funds to do some of those projects as well. That's the basis for at least having a discussion with our Council and those partner -- partnering agencies as well, so that we can send a letter to them and let them know, hey, this is in our Comprehensive Plan, we think this is important and I think if a lot of you keep hearing the message of the Mayor, he's pushing

for that Linder Road overpass right now and so that is a priority. But, again, it's still ongoing in our Comprehensive Plan. But it's something that we definitely need and how we communicate to our partner agencies as well.

Seal: As a follow up to that, just in the -- in the layout of it, would it make sense to have -- I mean a priority and maybe a time scale or something along those lines as far as a heading? That way it's -- it's understood? And the reason -- in my head, I mean I'm -- like we pick on pathways and things like that, I mean that's an ongoing, but it -- is it -- you know, how big of a priority is that in the -- in the mix of everything else that's -- that's going on? So, just trying to get a sense of holistically what are the high priority items versus what are the, you know, low and medium priority items and, then, you get a sense of, you know, this is something that happens -- if it's ongoing, essentially, it's going to happen all the time or it really has no end or other things -- you know, they have a -- you know, a termination date on them or something attached to them where a goal may be that -- to have something completed by that time.

McClure: Commissioner Seal, we can certainly pass it on to City Council if you -- if you wish. We -- we do have that outlined in the staff report and the letter, but if you want something like that in the plan I can look and see if we can fit that in there somehow.

Seal: Appreciate that.

Fitzgerald: Thanks, Brian. Additional comments or questions from -- for staff? So, Brian, since you invited the opportunity, the only thing I'm going to share is I think if -- and I think Council knows it, the Mayor knows it, when Chinden is done being widened and the citizens realize that there is a giant bottleneck, I think the city is going to be in a -- in a really bad spot. I think ICD PCC Meridian partnership needs to come together to fix that problem in short order, because all the barrels that have been up and will be up for the next six months -- when it's all said and done and there is a bottleneck between Meridian and Locust Grove, I think people are going to lose their mind. So, that's just food for thought. As we look at prioritization I think that is crazy and I had the conversation with Director Ness asked about that specific thing and he said that would never happen. They would never let that one mile stretch not get fixed and so I'm pretty disappointed by the fact that that -- we are widening that road, using STARS money to do it, Costco money to do it, and other developers' money to do it and the state and the city can't come together to figure out how to widen the mile stretch of road while we are doing it. So, that will be my only comment and the Mayor can beat me up later, but that -- I think that's crazy. We are going to see a massive influx of folks moving to the state of Idaho, moving to the Chinden campus where HP is and we are not taking advantage of an opportunity where we mobilize to fix the road and we are going to leave a mile that's a bottleneck. So, just comment and that's not for staff, just -- it's a policy decision that someone's made and I think it's a really poor one. So, just wanted to share.

McClure: Commissioner Fitzgerald, thank you for sharing that. I -- I do agree with you.

Fitzgerald: I know you guys do. With that do we -- Andrea or -- do we need to make a motion to recommend approval of these or what is the request?

Pogue: I believe you do.

Fitzgerald: Okay. Well, is there -- do we have public testimony that needs to be taken on this? Madam Clerk, is there anyone out in the audience who would like to testify on it?

Weatherly: Mr. Chair, there is not.

Fitzgerald: Okay. Is there any -- one more person online that's an attendee. Anyone want to testify, please, raise your hand. Commissioner Seal, is there anyone in the audience that wants to testify?

Seal: No one in the audience. So, we can clear it out for the next one, too.

Fitzgerald: Brian, we really appreciate the input and the -- just the information, I think it's great for us to understand how you guys work through this. Thank you. And did have it before we go or is for the next application?

McClure: This is just a before you go. You can read it if you want. I don't have to go through it. I just would put a plug in for using the online plan. It's pretty interactive and you can search and do all sorts of stuff. So, if you haven't checked it out, please, do so.

Fitzgerald: Thank you for that information and for sharing with us. We appreciate it. With that can I get a public -- or I mean a motion to close the public hearing?

Seal: So moved.

Grove: Second.

Cassinelli: Second.

Fitzgerald: Motion and a second to close the public hearing on H-2020-0073, the Comprehensive Plan Policy Prioritization for 2020. All those in favor say aye. Any opposed? Okay. Motion passes.

**MOTION CARRIED: SIX AYES. ONE ABSENT.**

Fitzgerald: Team, any comments or thoughts before we make a motion? I appreciate the information greatly. I think Commissioner Seal's comments were well onlined. I think that makes sense, see where the Council goes with that, but any additional comments?

Holland: Mr. Chair, I would just say thank you to staff. I know they have been working really hard on this Comprehensive Plan and I sat on that committee and they have done

a great job with the website tools and trying to make it really accessible for the public and I -- I know that prioritizing these things is not -- not easy to do. So, I just wanted to say thank you to staff for all their hard work on that.

McClure: Thank you.

Fitzgerald: I agree with that. It was informative as heck when I read through it, so thank you. I thought it was really well laid out.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I will go ahead and do the motion then.

Fitzgerald: Oh, good.

Grove: After considering all staff and applicant testimony -- I lost my place. See if I can -- can't do it from memory. Sorry. I'm still new. I can say that for like a year; right? Okay. After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of file number H-2020-0073 as presented in the staff report for the hearing date of July 16th, 2020.

McCarvel: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0073, 2020 Comprehensive Plan Policy Prioritization. All those in favor say aye.

Seal: Real quick?

Fitzgerald: Oh, we have a comment. What's up?

Seal: I just had a comment about adding a column to -- for the timing, so that they can classify all the priorities from low to very high. I would add that in there.

Fitzgerald: And that's up to the motion maker. Mr. Grove, that's your call.

Grove: Okay. How do you want that worded, I guess, Commissioner Seal?

Seal: I was -- I was going to put it in as just literally -- the following modifications to add a column for timing and classify all priorities low to very high or -- the scale that's provided in there, as far as I can tell, it's low to very high. I don't know that there is any more categories than that, but --

Grove: All right.

Fitzgerald: Are you modifying your motion in that regard?

Grove: Yes.

Fitzgerald: Is the seconder okay with that?

McCarvel: I am. Second continues.

Fitzgerald: Okay. Second continues. I have a motion and a second to recommend approval of file number H-2020-0073. All those in favor say aye. Any opposed? Okay. Motion passes.

MOTION CARRIED: SIX AYES. ONE ABSENT.

**7. Public Hearing for 2020 UDC Text Amendment (H-2020-0072) by City of Meridian Planning Division**

- A. Request: Request for text amendments to update certain sections of the City's Unified Development Code (UDC) pertaining to Code Enforcement and Penalties in Chapter 1; Specific Use Standards in Chapter 4; the Public Hearing Process in Chapter 5; and the Subdivision Design and Improvement Standards in Chapter 6.

Fitzgerald: Brian, we will go back to you on the second one. I will open the public hearing on 2020-UDC -- or 2020 UDC Text Amendment, H-2020-0072. Start with the staff report.

Parsons: Thank you, Mr. Chair. I'm actually going to be presenting this one for you this evening.

Fitzgerald: Okay. Go ahead, Bill.

Parsons: Give me a moment here and I will bring up another screen, the table that I have to share with you tonight. All right. Mr. Chair, can everyone see those changes now?

Fitzgerald: Yes, sir.

Parsons: Or at least the table here.

Fitzgerald: Yep.

Parsons: Perfect. So, Mr. Chair, Members of the Commission, last item on the agenda this evening is the 2020 UDC Text Amendment. I think this body is aware that staff tries to come forward at least once a year with some proposed changes to the UDC. The one -- this year we are going to attempt to do two in a year, just because one we have heard loud and clear through the Comprehensive Plan process that there needed to be -- public



involvement did not seem to be very transparent in the eyes of our community and as much as staff has improved the system over the years trying to be -- increase the transparency, we realize that we can do things a little bit better and so that's really the first phase of the changes before you this evening is really to change some -- some procedural changes in our code to -- to require a greater radius to our citizens, so that they can participate in the process. We have also partnered with code enforcement like we did on last year's changes to help them do their job better. We actually have Lacy Ooi, who is the planning -- code enforcement planning supervisor -- or supervisor this evening here. She is here to answer any questions you may have -- at least on the first section of the text amendments and that's really pertaining to chapter one that we have here. So, it's really the first two pages of the table of changes. Again, this -- these are only being proposed to help them do better -- to help them with their job of enforcement. I know in my conversations with Lacy -- we are in close partnership. We want to make sure that they understand our codes and that whatever job they do out in the field it's easier to enforce. In my conversation with her again she says they come from a place of education, rather than -- so, they want to help educate the public, more so than enforce the rules, but I won't go into all of the proposed changes. Again, this is just to kind of clean up the code, clarify some sections at least in Chapter One and how they can enforce the code and it just -- again, it helps educate the public a little bit more, but also helps them to do their job better. So, I would turn it over to you for any questions you may have for the code enforcement officer that's here this evening. If you don't have any questions, then, I will go ahead and continue on with my presentation.

Fitzgerald: Thanks, Bill. Is there any questions on the code enforcement side, so that Lacy can be a part of that conversation? Thank you. We appreciate you being here tonight. Hopefully you don't have any questions. So, Bill, you can carry on, sir.

Parsons: Thank you, Mr. Chair. Again, next sections -- really, the changes tonight -- we will have one -- or code enforcement changes two. We have a couple cleanup items in the code and, then, three, again, as I mentioned to you, is just clean up some of the process improvements that we shared with the City Council about six to eight weeks ago with them. And, again, this was some of the feedback that we were getting from our customers, our citizens, our residents and I know this body's pretty familiar with some of those changes. Recently we had someone testifying that we know -- so, what these -- these plans that we have coming before you a lot of times there could be a lot of different modifications to those plans and they come in at certain points of the process and not -- the citizens don't always understand how the process works and certainly we want to make sure that we share that information with them, but we want to make sure we share that with them in a prudent timeline and not just get it at the last minute, so that, one, staff isn't scrambling, you are scrambling and not getting the information that you need in order to make a decision and it also will help us formulate a better recommendation for you moving forward. So, that's really what I want to spend my time on this evening is just focusing on the process improvement changes in the code that we are proposing this evening. So, the first one that we realized -- recently we had a home occupation that came -- the staff approved and one of the residents -- adjacent neighbors did not feel that the -- the resident met the requirements of the code. So, they actually appealed the direct

-- director's decision and we realized -- and that went before City Council and we realized that that process wasn't laid out very well. So, essentially, that person that appealed the AUP application had to put up a public hearing sign that was four by four for the City Council review. It just didn't make a lot of sense for an appellant to put up a big sign in their front yard to dispute what their neighbor is doing on their property and so we worked with our Legal Department to realize -- at least change the code to make it a little easier to clear that if those -- the City Council reviews are coming forward and you have smaller acreage, that you have the ability to put up a smaller sign. So, essentially, we are just making it a little easier for the customer to post within the city's requirements correctly and not require the larger sign and, then, we also lessened the acreage from three down to two. So, again, this is more of a procedural change than anything. Really didn't get any feedback from any of the development community on this particular change this evening. The second one is quite a bit of improvements -- or some -- quite a few changes that we anticipate. So, currently we require with annexation -- everything that requires a public hearing requires notification and the way the code is written we usually notify residents within 300 -- or property owners within 300 feet of a project boundary. This proposed change is changing that -- or at least -- and that includes the radius notification for neighborhood meetings. So, this particular change is actually increasing the notification radiuses for neighborhood meetings from 300 feet to 500 feet. One, we think that's going to get more people involved in the neighborhood meeting. The other thing that we did was we put some parameters on how much time between application submittal and when you hold your neighborhood meetings. So, right now what -- the way it works is there is a minimum of a ten day process for the developer to get an application to us for a neighborhood meeting. So, essentially, a developer can send out a notification for a neighborhood meeting, wait five days, hold the meeting and, then, wait an additional five days to submit their application. That's the minimum process right now. The way this is structured it will be 20 days, essentially. You have to send out your letter, wait five days, but you have to wait 15 days -- excuse me. Then you have to wait ten days before you submit your application. So, we are going from a ten day window -- minimum window to a 15 day window and why we did that is to allow the applicant time to address some of the concerns they hear during that neighborhood process. I think this body's very aware of some of the contentions and arguments that can occur at those neighborhood meetings and where they don't feel like all the information was shared, the plan doesn't match what they showed at the neighborhood meeting, and, then, all of a sudden we get up here in a debate with -- between the residents and the applicant and it just doesn't seem like a very transparent, fair process for both parties. So, this is what this is trying to do. The other thing is we are making it very specific on what days you are supposed to hold those neighborhood meetings. So, you can see here on number four on the proposed changes, we are saying they need to be held on Mondays, Tuesdays, Wednesdays or Thursdays and cannot be held on any holidays. And, then, there is a time period, too. They should be held between 6:00 p.m. and 8:00 p.m. And, then, underneath that we are saying it has to be held within a five mile radius of the proposed project area or City Hall. So, we want to make sure that the meeting is held in some proximity to the -- where the project is being proposed. Next item is the same thing with the mailing radiuses. So, we are changing what that is as well. Again, going from 300 feet to 500 feet, being consistent with the code above it. Next item is probably the one that we received the most public

testimony on, at least when I looked at the public record this evening, is the time frame in which we are going to receive written testimony. Right now we really don't have anything in the code to this. This is something new. So, as this body is aware, we could -- we could be here at the hearing tonight and someone -- five minutes before the hearing someone could submit written comments and we wouldn't have -- know if they were submitted or it was even included in the public record, because we got it too late. So, what we are trying to attempt here is establish the time frame when people -- at least residents can submit written testimony on an application and you can see here we are saying by noon the day prior to the public hearing. So, essentially, giving the applicant a day to get comments before the public hearing. Noon before the day of the hearing. In looking at the proposed -- the public record, we did receive testimony from three individuals. One was Sally Reynolds. Her testimony was pertaining to open space survey, which, again, none of these changes are even touching the open spaces at this time, that will come with the latter -- later UDC changes coming up in the year. But the two other ones were -- were specific to this topic and in their testimony they were -- they thought the city should actually have a greater time period and they were actually recommending two days to receive written testimony. So, I don't know if that is within the purview of what you want to discuss tonight, if that's something that the Council -- that Commission wants to make changes moving forward to the City Council hearing, but at least I just wanted to go on record that they didn't feel like anything -- if an applicant was scheduled for a Tuesday hearing, that written testimony would not be received -- the cutoff date for that would be a Friday and, then, for P&Z it would be a Tuesday. So, again, staff's proposed changes are here. Other than that, again, nothing much from the development community. These have been vetted the -- for the -- with -- to the UDC focus group and City Council. And, again, most of the changes are endorsed by those bodies. So, with that I will just conclude my presentation and stand for any questions you may have on the items that I discussed this evening. Thank you.

Fitzgerald: Thanks, Bill. Appreciate the presentation. Comments or questions for the staff?

Grove: Mr. Chair?

Cassinelli: Mr. Chair?

Fitzgerald: Commissioner Grove and, then, Commissioner Cassinelli, you hop in afterwards.

Grove: Real quick -- thanks, Mr. Chair. Bill, what -- is there a way that you will be notifying or making aware for the public for the written testimony that there is a deadline? What's the -- like marketing of that -- or noticing of that I guess?

Parsons: Yeah. Mr. Chair, Members of the Commission, you bring up a good point and I know Caleb and I and staff, we have all had those conversations on how to, again, improve the process and so Caleb and I will be putting together, in conjunction with working with -- with the team, putting together kind of a one page summary for best

practices for neighborhood meetings, so that we can hand out to our citizens and also our development community on what they can expect as part of a best practice neighborhood meeting. In that particular document I would imagine we are going to have this exact verbiage in there letting the community know that the deadlines for when written testimony will be received and probably laying out all of that process for them. So, we definitely want to make sure that we get this rolled out correctly for folks, so that they understand the process.

Fitzgerald: Commissioner Grove, did you have a follow up there or are you good?

Grove: Thank you.

Fitzgerald: Commissioner Cassinelli.

Cassinelli: Yeah. Bill, I didn't -- there is nothing in here on the -- on the noticing issue. I want to talk about that. Signage. I don't see anything here -- I don't know if we can add -- add to that, amend to it, but recently we had a -- there was a -- an application that -- I made a comment -- I don't know if it was in public session or e-mail, I can't recall, where the noticing sign on the property -- it was very temporary in nature and had been knocked over for -- basically almost the entire time period as a notification before it came to Planning and Zoning and, then, when it went in front of -- after it went through Planning and Zoning and, then, went on to City Council, same thing. Sign went up, a day later it's down on the ground and it was -- remained down on the ground for the -- up until the point that it was -- went to City Council. So, I don't know if it was -- it was -- it was by a school. My guess is, you know, it was kids, but is there any way to put in there something that would -- would require those signs to be in the ground a little bit more permanent on -- on -- on certain developments, so that the sign doesn't get knocked over, doesn't -- doesn't get covered up, because for some people I think that's the only -- you know, that may be the only way they are going to see it. If you are not within the 500 foot radius or you are not actively going on to city's website and looking at agendas, you are not going to see it. That sign is the only thing that -- if it's temporary and knocked over, to me that's an issue. So, I don't know -- the question -- question would be that have -- I have two other comments on this, but -- and I will save until everybody else gets a chance. So, if you can address that one, Bill, I would appreciate it.

Parsons: Yeah. Mr. Chair, Commissioner Cassinelli, I remember your e-mail. I remember that discussion very well. And certainly that -- we had some of that language in this -- this round and due to just the time constraints we said let's push it out to phase two to maybe evaluate that, because some of the code -- proposed code changes -- or at least some of the vetting that we did with City Council we had proposed potentially putting out an RFP for having a sign company post the sites, so that the city could control that a little bit more and make sure that we wouldn't get too many continuances, because of these people knocking down signs or applicants forgetting to post the site. It was just too much labor -- too much upfront work at this time in order to keep this application moving forward. Council really wanted to get these -- these proposed process improvements moving forward, so we elected to remove that from this first phase and, hopefully, we will

look at -- try to -- I will take your comments and, then, reevaluate that with what we want to incorporate with phase two, if that's okay with you, Commissioner.

Cassinelli: Yeah. You -- you recall that, you know that's on the radar, so, yeah, it's just -- I would like to see that addressed as soon as you can. The next -- the next round would -- would I think be great, so thank you.

Parsons: Yeah. Thank you.

Fitzgerald: Comments or questions for Bill?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go right ahead.

Seal: First one is just a grammatical thing for 11-43-38. It looks like you want to include service, but the way that I read it it's vehicle sales or rental and service. So, should that be an or instead an and in front of service? Because the way I read it it's -- it's either vehicle sales or rental and service, not -- breaking service out being its own thing.

Parsons: Yeah. We could certainly look at that.

Seal: And, then, one of the things that I'm not seeing here -- and let me preface this by saying that I really really respect all the work that the staff does and I try to first read through the staff report, you know, and, then, go through the public comments, go through the agency comments and things like that, but one of the things that I'm noticing more as things get busy is the staff reports are coming in pretty late in the process for certain things and -- and, again, I understand the load that staff is under and I don't want to beat up on anybody here too much, but it would be nice if the agencies also had some kind of criteria for submitting comments. Also some minimums as far as which agencies should need to submit comments and, then, maybe how that ties into, you know, something as far as the staff reports being available for Commission to take a look at those, because, again, I mean trying to go through the applicant submittal without the staff report, is like -- you know, a little bit like me trying to fumble around in the dark. So, the staff report helps turn the light on for me and sometimes it -- you know, after I read the staff report I have to go back in and read different things that were submitted just to make sure it all still makes sense. So, I guess in all -- I guess what I'm trying to say is, you know, is -- is there going to be a criteria for agency submittals as far as time and which agencies we need to have submit feedback and is there something in there as far as when the staff reports need to be available?

Parsons: Mr. Chair, Members of the Commission, again, yes, the last thing we want to do is get you late staff reports and we -- I can assure you there is multiple reasons for that. I'm not going to sit up here and make all the excuses in the world. Yes, we -- our deadline is Friday, 5:00 o'clock. That's -- that's our internal deadline to you, so that you have that weekend and, then, the clerk publishes an agenda Monday, that's when you

get -- you are supposed to get the information and review the staff report from us. I can tell you next month we are starting a pilot program where the Council has -- the clerk is going to be publishing the agenda for the City Council meetings a couple days early and that's pushed our staff report deadline to them a few days back. So, I would imagine if that works and the Mayor wants to move forward some of those changes, we will communicate that to the Commission and try to see what we can do to implement that for the other commissions. But for right now we are going to test it out in August with the City Council and what I have told my staff is if -- build enough time in here to get you the information so that you need it. So, what we do now is -- the way it works is the agencies sign up for whether or not they want to be part of the agenda and they have done that through the clerk's office and, then, the clerk transmits the application to that agency. So, there is no -- what we -- what the city can't do is we can't force them to respond. What we can do is provide them a copy of the application and that's what we do. We provide all of those partners and agencies all of that information and how they choose to respond and don't, we don't force them to, but I can tell you if we don't have -- from what we hear from the City Council and the commission, traffic is a concern, so we always want to make sure we have ACHD comments. We know the schools are a concern. We always want to reach out to our partner and say, hey, what is going on, like, you know, what are your comments on this application. I don't see it in the packet. So, we try to reach out and provide that courtesy to those two agencies. The other thing that I try to do, if I know it's a controversial or a larger project that's going to take a -- take a longer period of time is I reach out to our agency partners and I say, hey, what's a reasonable time frame that we can expect comment for you and, then, we start -- we look at our schedule and, okay, this is the date we need to target for P&Z, let's back it up there and, then, work towards that goal. Most the time that works, but sometimes it doesn't. What this body doesn't know -- and sometimes we don't -- I don't know how all of ACHD works either, but I know if even one resident complains about a staff report, they have to go to the commission and I can't control who is going to complain and want to appeal the staff's decision and go to -- and schedule that thing for a night meeting or -- or afternoon meeting with ACHD. We can't control any of that. But I know our communication to those agencies are I think very -- very good. Not -- not a concern that you won't ever get the information you are seeking. Timing for that is an issue and we are starting to see that a little bit more where we are at the 11th hour and sometimes agencies will change their comments at the last minute. We were anticipating something else and all of a sudden they -- we have a staff report ready for you and we get a kink and we are like, wow, this isn't what we were expecting from you. So, we asked for a continuance or staff is trying to get that additional information to try to formalize that staff report and sometimes we can't get that information quickly enough to meet that deadline and so we need to have a discussion with our director and determine whether or not staff has the ability to be more forceful on requiring continuances on the applicant and bringing that to you as a staff recommendation to continue, because we don't have all the information to share with you. It's been our policy to let the -- kind of let the applicant drive the continuance or request those continuances. So, yeah, we have some work to do there and we are trying to do that. The other thing that we have toyed with as well is not scheduling projects for hearings until we have all agency comments. Maybe we don't bring it to you until we work everything out on the front end and, then, come in and as soon as we have all that information we get it printed

on the staff report and schedule a hearing. A lot of places do that outside of Idaho. They will want to get all the comments up front first and get the -- get it set up so that you can go forward without conditioning it that much. But those are discussions that we kicked off this week to see how we can brainstorm some ideas and see how we can improve on that. The other thing is we weren't fully staffed and now we are and we are getting to the point where we are training people and you can see them coming up to speed and seeing them grow and moving projects through the hearing process. So, as we get that experience and get people trained up and hopefully retain good people, I think we will -- our timeline should be getting better and better. I have seen that and I track all of the projects, so I know where our time frames are, what's taking us longest, but these bigger projects I would agree with you, they are taking longer and you are getting them later and that's something that we have to improve on and we have and hopefully you have seen that, you have done some projects earlier lately to where you can read that and get us comments and your questions, too. So, hopefully, you have seen an improvement on that recently, but there have been a couple outliers where, again, staff is going back and forth to the applicants at the 11th hour trying to get the information, so that we can get you that detailed report and sometimes that does bleed over into the following week. So, again, apologies for that, but we are trying.

Seal: Thank you. Appreciate that.

Holland: Mr. Chair?

Fitzgerald: One quick -- just to add on. I think your comment -- I really appreciate the text amendments you guys are putting forward. I think it gives us enough opportunity to -- it gives a deadline for everybody to be on the same page, so they get the information, we all have the same information at the same time. I think pushing it to 48 hours is probably a little bit too long, because people get -- their lives are busy and they will hear about the -- neighbors get together and getting it -- I mean you guys are scrambling, the staff is running crazy, we are trying to review things and so I think having that 24 hour period to get everything in is a great thing and I also think getting the public more involved is a good thing. We hear -- we will hear -- we are always going to hear I wasn't notified, but -- but at least hopefully show that we are being responsive to the citizen's request and I think you guys are doing a great job of putting the pieces together. So, thank you for these. I think they are -- they are a good step. Commissioner Holland, sorry about that.

Holland: That's fine. I was just going to carry on. This isn't really necessarily about the text amendments, but just a comment to what Commissioner Seal was saying. I know we have had a lot of late nights lately with the P&Z Commission, so one -- one request I might ask of you is if you see that there is going to be several that have a lot of written testimony and we know that we are going to be going late, one specific request is for the poor guy that ends up at the end of that meeting that doesn't have any public testimony and they wait until 10:30 and we are letting them in just because we feel bad for him, but I know at one point we talked about cutting off Commission meetings at -- at 10:30 or 10:00 and we have gone past that several times lately. So, I don't know if there is a way to help mitigate that and it's hard to predict how much testimony you are going to get or

how much deliberation we are going to have, but if you see some contentious ones we appreciate when you can help us balance those out on the agenda. So, just a comment. But thanks for the cleanup and I think you have done some good work here. So, thanks, Bill.

Parsons: Yeah. Appreciate those comments and I would also let you know that if there is a controversial project I try to have the team add that to that table at the -- on the first front page of the staff report, so you know to go right to the public record and see those issues, because that's something that's important to us, we want you to know -- we want you to be aware of the issues and know what's -- what's -- potentially that it could be a late evening for that hearing and, then, I do set the agenda in conjunction with the clerk's office, so I try to -- I try to get the easier projects out of the way where I don't anticipate a lot of those hurdles and that way we can get through some business before we get to the controversial project and, then, just going back to Commissioner Seal's comments I want to let them know that, yeah, we are holding ourselves to earlier deadlines, too. Just like we are for the customers, too. So, I didn't quite wrap up that comment, but I just want to let you know that's -- that's the expectation moving forward.

Holland: Thanks, Bill.

Parsons: Yeah.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: So, yeah, I think we are all in total support of you guys -- of staff, Bill. I think the comments of getting the staff report is just as much protection for you guys as it is us being able to have the time to read it. You guys do do such a good job -- I know I lean heavily on those staff reports as well, but there is only so much that's humanly possible in a work week and I think we have seen even a pandemic isn't going to slow down growth in Meridian. So, you know, however -- if there is only so many things that fit on an agenda and there is only so much that can be done and if somebody's application has to wait its turn, it just has to wait.

Cassinelli: Amen to that.

Fitzgerald: Commissioner McCarvel, anything -- additional comments from the team?

McCarvel: Yeah. I appreciate all the work that's gone into all of this and I don't have anything else that would be in reference to the text amendments. So, we can wrap it up.

Fitzgerald: Commissioner Cassinelli, you had a couple things you wanted to keep to the end. Go right ahead, sir.



Cassinelli: Yes. Thank you. You -- you take good notes or got a good memory there. One of the two. One of them was addressed and that was the -- the -- the timing of when we see things. So, Bill, thank you for going into detail. Thank you guys for doing that and -- and juggling all that. I appreciate it. But I just kind of want to ask about that. The last item on there has brought up something else and -- and I just maybe get feedback from you of when you might address this, unless you get -- and maybe you haven't, but what's come up a lot lately are the common drives and I think the limit is six. Is that something that you guys might have another look at and reduce that amount, because it seems like we always -- we beat up the applicant. We always ask them to bring it down to like two. So, I just want to know a timeline if you guys are going to -- I'm not asking you to put it on this, but is that something you have been talking about?

Parsons: We may want to. It certainly is becoming an issue to have that text amendment, bring it up, maybe go back to four. And the reason why we went to six, because they -- I think the applicant -- actually that request came from the development community. I don't remember the -- it's been a number of years, probably 13 or 14, or maybe even sooner than that. I -- I know it came forth when I did work on that Spurwing development, Spurwing Greens, when that was bought out by Brighton and Chris Anderson Sundance Company to resurrect that plat. They had some unique common drive situations where they actually had it U-shaped, so it was almost like a long U-shaped driveway and so that seemed to work in that situation where you could have six homes off of that and what's happening is people are using it to just cram a bunch more lots in. So, I don't know if it's working as effective as it should be. But, again, that section is all -- is eligible for alternative compliance, but certainly the code used to be no more than four. So, I'm not sure what this -- again, it's not on my radar to discuss, but I know the second phase we will start getting into more code changes, which will be -- there will be more involvement with the UDC focus group, who is made up of the development community and other, you know, residents -- other business professionals, staff. So, if that's something that you would like us to take under consideration I'm more than happy to add that to the list and see if they are willing or wanting to discuss that and make changes to that section of code.

Cassinelli: Yeah. I would love to see that discussed sooner rather than later. I don't know if anybody else is under the same opinion.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Just a real quick -- just kind of in the same vein for future pieces like this. Looking at the parking requirements, because that's always been the theme. It feel like that's a sticking point on some of the -- like apartment complex developments and things like that where the minimum doesn't ever meet what we are looking for or what the community is looking for. So, just keeping that on the radar. I know it's probably been talked about a lot in the past and will always be talked about, but just kind of keeping that on the radar for that future group.

Fitzgerald: Thank you, Commissioner Grove. Anything additional for staff? Bill, I think you guys did a great job. We really appreciate all your efforts and I know there is constant adjustment and constant looking at -- and we just appreciate the work the staff has done lately. I know it's been -- it's been underwater and -- and to hear that your staff is back up and getting people squared away. So, thank you for all you are doing and thank you for this.

Parsons: Yeah. Thank you. Appreciate it. I will pass along any comments to others that work on this as well.

Fitzgerald: Thanks, Bill.

Seal: Mr. Chair?

Fitzgerald: Is there any public testimony on this -- sorry. Go right ahead.

Seal: No. You go ahead. I was out of order.

Fitzgerald: Is there any public testimony, Madam Clerk? I think -- if anybody else wants to --

Weatherly: Mr. Chair, there is not. No.

Fitzgerald: Okay. Sure we are squared away. With that a motion is always in order. Commissioner Seal, were you moving that direction?

Seal: Absolutely. Do we need to close the public comment first?

Fitzgerald: Yes. Can we get a motion to close the public hearing on file number H-2020-0072?

Holland: So moved.

Seal: Second.

Cassinelli: So moved. Second.

Fitzgerald: Motion and a second to close the public hearing on H-2020-0072, the 2020 UDC Text Amendment. All those in favor say aye. Any opposed? Okay.

**MOTION CARRIED: SIX AYES. ONE ABSENT**

Fitzgerald: Any other comments before I have another motion? Go right ahead, if not.

Seal: Mr. Chair, after considering all staff, applicant and public testimony, I move to recommend approval to City -- City Council of file number H-2020-0072 as presented in the staff report for the hearing date of July 16th, 2020.

McCarvel: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0072, the 2020 UDC Text Amendments. All those in favor say aye. Any opposed? Motion passes. Thanks, team.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: I need one more motion.

Seal: Move we adjourn.

Cassinelli: Mr. Chair, I move we adjourn.

McCarvel: Second.

Fitzgerald: Have a motion to adjourn and a second to adjourn. All those in favor say aye.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Fitzgerald: Thank you so much.

MEETING ADJOURNED AT 9:37 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

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RYAN FITZGERALD - CHAIRMAN

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DATE APPROVED

ATTEST:

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CHRIS JOHNSON - CITY CLERK