

**Public Hearing continued from March 6, 2025 for Latitude Forty Three
Subdivision (H-2024-0059) by Rodney Evans + Partners, LLC.,
located at 675, 715 and 955 S. Wells St.**

- A. Request: Annexation of 17.27 acres of land with R-8 (13.78 acres), R-15 (2.42 acres) and C-N (1.07 acres) zoning districts.
- B. Request: Preliminary Plat to re-subdivide lots 7, 21 and 22, Magic View Subdivision, Amended into 81 residential lots, 1 commercial lot and 12 common/other lots on 15.97 acres of land in the R-8, R-15 and C-N zoning districts with some Private Streets

Lorcher: The next item on the agenda is for Latitude Forty Three Subdivision, for annexation and preliminary plat, and we will begin with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. The first application before you tonight is a request for Latitude Forty-Three Subdivision. I do just want to make a quick note that since the original submittal the plat was revised to include all public streets. Private streets are no longer proposed. And the number of building lots were reduced from 81 to 79 residential lots and the number of common and other lots were reduced from 12 to 11. The applicant is requesting approval of annexation and zoning and a preliminary plat. The site consists of 15.97 acres of land. It's zoned RUT in Ada county and it's located at 675, 715 and 955 South Wells Street and that is Lot 7, 21 and 22 of Magic View Subdivision amended. I will give a little history on this property. In 2019 an annexation request was approved for the development of a senior living facility. However, the development agreement was never signed and, consequently, the property wasn't annexed. In 2021 another annexation request with a preliminary plat and conditional use permit for an assisted living facility was denied by Council due to it not being in the best interest of the city at that time. The Comprehensive Plan Future Land Use Map designation for 13 acres of the property, the northern end of the property, is designated medium density residential, which calls for three to eight dwelling units per acre and the southern 4.4 acres is designated mixed-use neighborhood and the residential density within that mixed-use designation calls for six to 12 units per acre. The applicant is requesting annexation of 17.27 acres of land with R-8 zoning and that's 13.78 acres for R-8. 2.42 acres for R-15 and 1.07 acres for C-N zoning for the development of 79 single family residential detached homes, 59 in the medium density residential designated area and 20 in the mixed-use neighborhood designated area at gross densities consistent with the underlying future land use map designations. A commercial building pad is proposed on the south end of the mixed-use neighborhood area for a mix of uses as desired. A preliminary plat is proposed as shown there on the left to resubdivide lots in Magic View amended subdivision into 79 residential lots, one commercial lot and 11 common other lots on 15.97 acres of land. A phasing plan was submitted as shown there on the plat depicting two phases of development. The proposed plat layout provides a good transition in lot sizes and widths to Woodbridge residential development to the west and most lot lines aligning or only being slightly offset. The Five Mile Creek bisects this site within a 100 foot wide easement. Access is proposed

via existing and proposed local public streets with an emergency only access to East Magic View Drive. Two stub streets are proposed to the west to be extended with future development. Three common driveways are proposed off internal local streets. ITD has requested a traffic impact analysis due to the development size and anticipated impacts to State Highway 55. The applicant is working on this request. Residents in the abutting Woodbridge development to the west have expressed concern pertaining to the high volume of traffic currently passing through their neighborhood between South Locust Grove Road and East Magic View Drive for access via South Eagle Road and the impact the proposed development will have, which will exacerbate an already challenging situation. In an attempt to alleviate this the applicant is not proposing public access via East Magic View Drive. The bridge on Wells Street that provides vehicular access across the Five Mile Creek is scheduled in the ACHD's five year work plan to be replaced in 2029. The bridge is currently designed to match existing facilities, which do not include bicycle lanes or pedestrian facilities. However, the width of the bridge will accommodate these improvements in the future when adjacent properties redevelop and provide these facilities. ACHD will require a road trust from the developer for the cost of these improvements and include them in the project if this development goes forward. Staff had recommended a five foot wide temporary asphalt pathway be provided alongside Wells Street where the bridge is located over the creek if there is adequate area. However, ACHD has confirmed there is not enough room for a pedestrian walkway in this location. The applicant is proposing landscape street buffers along East Magic View Drive and South Wells Street, a ten foot wide landscape street buffer is required along local streets on the C-N zoned property, on the south end, a segment of the city's multi-use pathway system is proposed from South Wells Street to the west along the north side of the Five Mile Creek stubbing to the west property line for future extension and to the northwest for connection to the existing pathway in Woodbridge in accord with the Pathways Master Plan. So, if you can see right here where my pointer is, this is where the Five Mile Creek bisects the site. There are existing trees on the site that may require mitigation in accord with UDC standards. Fencing is typically not allowed to prevent access to natural waterways, such as the Five Mile Creek. In limited circumstances and in the interest of public safety larger open water systems may require fencing as determined by City Council. A cross-section of the Five Mile Creek was submitted as shown that depicts approximately a three to one slope on the north side of the creek and a four foot tall retaining wall on the south side of the creek, with an approximate four to one slope. Because the slope on the north side meets the slope requirements in the UDC for accessibility and maintenance of storm water facilities of three to one or less staff recommends no fencing is installed on the north side, but does recommend six foot tall wrought iron fencing is provided on the south side for public safety. Council should determine if this is appropriate. A portion of this site is located within the floodway along the creek. A flood -- floodplain permit is required before any grading in the floodplain begins and a floodplain permit is required for each building in the floodplain, along with elevation certificates certifying lowest floor elevation is two foot above base flood elevation. A minimum of 15 percent or 2.28 acres of qualified open space is required to be provided within the development. A total of 2.47 acres or 16 percent is proposed as shown on the open space exhibit. A minimum of three points of site amenities are required. A total of 12 points are proposed from the quality of life and recreation activity

categories consistent -- excuse me -- consisting of a picnic area, a tot lot and sports courts. Several conceptual building elevations were submitted as shown for the proposed single story and two-story single family residential detached homes for each of the lot sizes proposed. A variety of building materials are proposed in a variety of colors and design elements and features with varying roof profiles and wall modulation that demonstrates the quality of development proposed. Conceptual elevations were not submitted for the commercial structure. Compliance with the nonresidential design guide -- or excuse me -- standards in the Architectural Standards Manual is required. There were several letters of testimony received on this application and I will go through those in just a moment. The applicant also submitted a response to the staff report in agreement with all provisions, but is requesting approval to remove the sidewalk along the west side of South Longitude Drive, so that a detached sidewalk may be constructed with a landscape parkway when the abutting property develops in accord with the comprehensive plan, which desires tree lined streets in mixed-use designated areas and I'm going to go back to that real quick and show you where that's at. So, that's this section, if you can see my pointer here, and this is Longitude, so it's just this little strip right here. So, as I mentioned several letters of testimony have been received. They are included in the public record with concerns from residents of the Woodbridge development to the west that live along Woodhaven Avenue on lots abutting this site. Concerns and comments include the following: The existing fence along Woodbridge's east boundary, the site's west boundary is crooked and doesn't lie on the property line in many places due to the location of existing trees and poor construction. Request for details on what the plan is for fencing along the west boundary of the site and desire for vinyl fencing not to be an approved material in this area. The high volume of traffic going through Woodbridge Subdivision between Locust Grove and Eagle Roads which will worsen with more homes being developed in this area. Long wait times at the intersection of Eagle Road and Allen Street at the traffic signal and safety concerns. Request for this area to be rezoned for nonresidential uses. Privacy issues with two-story homes being built next to single story homes and the question if two-story homes will have windows facing adjacent rear yards. Request for the developer to provide details and writing of their planned building setbacks on lots next to Woodbridge to be included in the development agreement and request for the developer to address what future builders can do to prevent drainage issues on abutting lots in Woodbridge due to the higher elevation of the subject property. Staff is recommending approval of the project with the requirement of a development agreement per the provisions in the staff report with two new conditions that Commission should consider including in their motion tonight. The first is include mitigation information for existing trees on the site being removed with development in accord with the standards listed in UDC 11-3B-10C5 as applicable and the second condition is remove the sidewalk along the west side of South Longitude Drive and provide right of way to the west property line. The applicant is here to present tonight. Staff will stand for any questions.

Lorcher: Would the applicant like to come forward?

Semple: Good evening, Madam Chair, Members of the Commission. Ben Semple with Rodney Evans and Partners, 1450 West Bannock Street, Boise, Idaho. 83702. First and

foremost want to thank Sonya and Bill. We have been at this quite a while, gone through a lot of iterations. I'm going to kind of walk you through that to show how we have addressed some of the neighbor concerns, as well as why we think this is a really great opportunity for development of the -- of the site here. So, just to get you oriented again, project site is here. The freeway is just south. Eagle Road is to the east. Locust Grove is to the west. Again just highlighting the current zoning. We have R-4 to the west, R-8 to the north, we have some L-O and some C-G into the north, east and south and, then, there is a lot of RUT kind of enclave parcels in here from Ada county, including a larger lot subdivision to the -- to the west of our southern portion and showing that the future land use again, medium density residential for the northern portion with that MUN on the south. This was the initial concept that we had brought to the city and I believe had been discussed with the neighbors maybe initially. As you can see there is a public road connection to Magic View Drive. If you can see my cursor here. We had brought in a public street off of Wells Street and that would have connected up there. Pretty much the remainder of this remains as it is now. I -- sorry, I do want to highlight that we were -- can you take me back one? Sorry. Can I do that? Thank you. Good. I want to point out that this had 84 residential units initially with this concept. After that initial concept discussed this was actually the pre-application conference concept. We removed the public street connection to Magic View primarily due to some feedback that the developer had received from the neighbors to limit traffic getting out onto Magic View close to where they could turn left and immediately go through the Woodbridge Subdivision. This -- this still had public streets. We were not utilizing a current public right of way that comes off of Wells. It's not opened or turned into a road yet. We were going to vacate that. This had gone - - had raised the unit count to 90 residential units. This was the neighborhood meeting concept that we showed. What we had done was converted the north half to private streets with a gate. We still had the -- the emergency only connection to Magic View Drive and we felt like this potentially could -- oops. What happened? Sorry. That -- that could potentially help with some home values. Again this was 90 residential units. Oops. Sorry. Eighty-five residential units with the private streets. I apologize. We initially submitted a preliminary plat application with 81 residential units and all private streets, again trying to vacate the right of way. After a review with the city and some discussions it was determined that we needed to -- well, first of all, we would have had to extend our process because we would have had to vacate the portion of what is Gentry Street that is the unopened right of way that has a cul-de-sac bulb on the adjacent parcel here. So, instead of vacating that and extending our process by about six months we decided to use that right of way and made all of the roads public on the -- on the north side again with only a -- an emergency connection to Magic View Drive trying to address some concerns with where traffic would go. If you exit onto Wells Street, if you turn right or south or north it is a pretty quick trip to Allen Street to get out to Eagle Road. This one had 79 residential units. This is the final iteration that we came up with. This does not show the detached sidewalks on the south side in the MUN land use zone, but that is being adjusted currently, so we will have detached sidewalks with eight foot planter strips and street trees along the south -- or in the southern portion. I apologize. Just to highlight the phasing plan, first phase is the north section. Second phase is the south. This is just showing a little bit more detail of the -- the improvements proposed here. We will have sidewalk -- curb, gutter, sidewalk that comes down the west side of Wells Street and just

past Gentry Avenue we will stop it there at the predetermined spot where ACHD is starting their bridge project with the installation of the curb, gutter, sidewalk that the trust will be paid. I believe the initial number they gave us was like 90,000 dollars that the developer will contribute to ACHD. So, when they do their bridge project they will use those funds to build the bike lane, the curb, gutter and sidewalk across that bridge. Moving into the southern half, as -- as I stated we -- this current plat doesn't show the detached sidewalks, but we will be modifying that. These lots are plenty deep enough in order to absorb that into the front. So, it won't impact the elevations or any of the home plans for the south. I did want to touch on -- this is just a very conceptual layout on this commercial pad. There is not a user identified yet. It will just be padded out and kind of a build to suit. When a user is identified they would come back in with a CZC or -- or other project -- a proposal to be able to build that out. We are stubbing a pedestrian walkway to the north side of the commercial lot and so I imagine that a condition of approval that requires that to extend to the front entries of a future commercial business would carry through with the development agreement, so that when that business came in they would build a pedestrian walkway to promote that connectivity. The open space exhibit -- I just want to show this again real quickly. Kind of a very large consolidated open space that does include part of Five Mile Creek, but there is a very nice open space green area in the -- in the top here. There will be a tot lot with commercial play equipment. The picnic area will have a solid roof shade structure on it as well and, then, we will have two striped paved pickleball courts on the south side part of phase two as the other amenity and, then, the -- the ten foot wide multi-use pathway that would connect to Woodbridge here to the west and it carries through down like this and over to Wells Street. There is a stub to this parcel here as the ultimate alignment that the city pathway plan calls for is to hug Five Mile Creek, but we don't currently have control of this parcel and so we couldn't put that on there. But we did want to set that up for the future. Preliminary landscape plan here, again, conditions of approval have asked us to relook at this, look at some of the layout of the trees. We are in agreement with that. Currently the -- the consultant is going through those modifications. The fencing plan I did want to highlight. I have called out here. We will remove the fence on the north side of Five Mile Creek per the conditions and we agree with -- with the city staff's evaluation of that and one of the concerns that the neighbors have brought up in almost every letter -- I think probably every letter that I read -- it's -- there is some variable conditions on that fence. The developer is going to work with those adjacent property owners to figure out some sort of agreement or some sort of ability to work together to make sure that fences are on the property line and that if there is some disrepair. Obviously, with new homes they want to have a high quality fence on the back there as well. But we also know that the bylaws of the Woodbridge Subdivision require wood only material for fencing. So, the developer and the builder is going to continue conversations. They have talked with the neighbors multiple times along here. One of the neighbors went to their design studio and toured a couple of their other communities that are in the valley here over the last couple of days and so I know that there is a very open line of communication between them. While they can't commit to replacing that entire fence they -- with this application they are committed to working with those neighbors to find a solution that works for everyone. Just to highlight again some of the conceptual elevations that are proposed here, there is a mixture of one and two-story homes that would be proposed. The 24 foot wide product up here is only

proposed -- well, primarily proposed for phase two. Theoretically they could go on one of the larger lots in the northern portion in phase one if someone decided they wanted a smaller home on a larger lot, but any of these three other groups would fit on any of the large lots on -- on the northern portion. This is a couple pictures that are built communities from Pacific Lifestyle Homes -- is going to be the builder on this project and these were some recently completed homes in the area and, then, one of their other communities that is currently under construction as well. I just wanted to bring up a couple pictures of some real world homes that they have built just to show the quality. Oh. Getting to the neighbor concerns, I did read through all those letters that were received. I think there were seven -- or there was seven public comments received. Traffic is really first and foremost in every one of those letters is the cut-through traffic that goes through Woodbridge. You know really with that in mind we have done everything that we feel that we can do to mitigate traffic going through their -- their public roads. We can't gate the public road for them. ACHD could look at some traffic mitigation options for in there if feasible. The traffic impact analysis that ITD is requiring will more than likely lead to some sort of mitigation items that the developer needs to take on to handle some of the traffic and it could be traffic calming. It could be a lot of different things that they could require the developer to contribute to to help improve the State Highway 55-Eagle Road Intersections to the east here to help promote traffic to go to the arterial roadways like we like them to, rather than cutting through the residential subdivisions. Again we talked about some fencing. We are coordinating with affected neighbors there. Setbacks was another big one. The R-4 zone of Woodbridge requires a 15 foot rear yard setback. Our requested R-8 zone has a 12 foot setback. In talking with the builder, Pacific Lifestyle Homes, they feel very comfortable that their two-story and even their one story model of homes -- the -- the main back wall of the home could be held to a 20 foot from that western property boundary, but they really don't want to restrict that setback, because they do have some options for covered patios on the back of these homes that we feel would help increase the livability of those backyards, so while they feel comfortable with a 20 foot to the home, like to maintain that 12 foot setback in case a buyer chooses to add a covered patio to their home. Every one of the lots that they sell -- they sell the lot to a homeowner, that homeowner chooses their home design. This isn't a spec built community. This is the homeowner goes to their design studio that's here in town. They pick their finishes, they pick their floor plans, their elevations, their materials. It's a very high quality and collaborative process with the homeowners here. One of the other things that the builders really highlights with their communities is having a nice backyard, because everyone likes to have a nice backyard in their homes. So, they don't want to put up -- the back wall of the home up to 12 feet from that back property line. Again R-4 -- or R-8 would allow that. They feel comfortable with 20. We don't necessarily want to restrict that setback. I think it sets a precedent there, but just to help with the understanding of who this builder is and what they plan to do. If we need to insert some language into the development agreement, yeah, that's something that we could work with staff on. But, again, we feel very good about the homes that will be built on here and that the future homeowners aren't going to want to be -- they don't want a 12 foot backyard that's basically unusable. Home heights were another concern due to privacy. The builder has 50 and 60 foot wide lots along -- all along the western boundary that is adjacent to Woodbridge. They won't be restricting them to one or -- one story only on the west side. It limits their buyer pool.

They also have a lot of options within their designs for window locations and, you know, bonus rooms that are on the front rather than the back. A lot of different options. There is a mixture of one and two-story homes on the Woodbridge side of the fence as well and with the additional backyards or the nice backyards it will lead for some additional -- or allow for some additional landscaping treatments for those homeowners and they feel like they can really work to make sure that there is -- to lessen the impacts on the neighbors to the west without requiring them to restrict their home heights. The code already restricts them to 35 feet. It's the same as the height that's restricted to an R-4. So, there is not any homes that would be taller than any of the homes to the west. The drainage issues that the neighbors have mentioned -- so, I'm sure the Commission is aware city, state and federal guidelines don't allow you to run storm water off your site to other parcels and so the development of this portion will actually fix some of those problems. It currently does slope to the west on this property and southwest. I apologize. They will be installing drainage -- you know, drainage facilities and with their gradient design we will make sure to capture all on-site drainage and direct it to the facilities on their site, which should alleviate a lot of the problems that the neighbors are experiencing to the west here. And the last thing was a lot alignment and ratio. Currently we are at a one-to-one ratio. There is 15 lots on the Latitude Forty-Three side. There is 15 lots on the Woodhaven side. Matching up the lot lines exactly creates some issues. We actually get a lot that's narrower than 50 feet, which impacts the builder's desire to put kind of their more premium homes there, which helps protect property values of the neighbors, as well as the future homeowners here and so -- but they are within a few feet of those corners. So, there won't be two homes behind one lot. There will be -- effectively you will see one house behind one house. Again, I just want to touch on real quickly -- we are in agreement with the conditions of approval and after discussions with the staff and ACHD these were just showing our desire to waive the -- or remove the sidewalk on the west side of Longitude, which ACHD and it sounds like city staff are supportive of and other than that we agree with everything. So, I would stand for any question.

Lorcher: Thank you. Commissioners, do we have any questions for the applicant at this time?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: Can you go over with me a little bit more about the concerns regarding mitigating traffic on Magic View. So, traffic will exit onto Wells and head north or south. If they head north to Magic View, make a right or left --

Semple: Correct.

Perreault: -- help me understand how that actually mitigates any traffic.

Semple: So, by having -- we initially had a public access to Magic View right here on the -- right across from another public road that connects. If traffic is exiting there it's much

easier for them to make a left turn and go through the neighborhood fast. We feel that with traffic exiting from the north side to Wells down here, the -- the idea is that it's helping because they are further away from that Woodbridge entrance into that subdivision. It's -- there is not much else we can do to mitigate, you know, to stop people from taking those public roads over to Locust Grove. Our hope is that with some of the mitigation that we will be required to do through the traffic impact analysis and by locating our roads as far away from there as possible, that people are just encouraged -- you know, ultimately these are hopefully friendly neighbors to all the Woodbridge neighbors and they all become friends and they all have eyes on the street that can help, you know, lower some traffic speeds and -- that's kind of what we are hoping for.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: I appreciate you taking that neighbor feedback into account and attempting to work through that. That's -- that's really great. Personally I like the second access. I -- I know that area really well and I don't think it's going to mitigate any traffic just moving it over to Wells, but if -- if that's, you know, what you are comfortable doing that's great. I'm just -- I wasn't here for the first meeting, because I just came on the Commission, but just wanted to understand that -- that that is being done as a preference from the neighborhood -- or the neighbors or the community and not something that the city is requesting.

Semple: Madam Chair and Commissioner Perreault, yes, that's correct. That's a developer driven. That was our decision after getting feedback from the neighbors trying to find a way that we could limit traffic directly accessing Magic View there. The emergency access will be there as required, because we are over 30 lots in there, but it will be bollarded. Effectively it will provide a public access from Magic View through this development to that multi-use pathway as well, so they don't have to walk around to Wells Street, so --

Perreault: Thank you.

Semple: Thank you.

Lorcher: Commissioner Grace.

Grace: Thank you, Madam Chair. Just to follow up on Commissioner Perreault's question, you -- you mentioned that ITD might require you to engage in some traffic mitigation. What -- what do you think that looks like?

Semple: Madam Chair, Commissioner Grace, I have seen them require intersection improvements, widening of intersections. You know, just working with them on timing of lights and, you know, potentially trying to identify I guess another location for an access there. But it's pretty limited with the amount of commercial and office development along

Eagle Road. Unfortunately, we don't have their feedback yet as to what that looks like, but I have seen it in some other developments where that's kind of -- they look at the intersections that are on those highways and ways that they can improve that to help traffic move better.

Grace: Follow up?

Lorcher: Uh-huh.

Grace: The -- the points -- the points that you made about the fencing and the setback is that going to be memorialized in the -- in the development agreement? Are you agreeing -- will you agree, then, to -- I thought I heard you say a 20 foot setback on that western boundary and, then, excuse me, with the fences -- you said you would work with them. So, we don't know exactly what that means right now, but will you -- will you agree to work with them in the -- in the DA?

Semple: Madam Chair and Commissioner Grace, yes. You know, I -- I want to make sure to -- to state that we don't want to encumber and place a 20 foot setback line on the back of those lots, but the developer has had conversations internally, the builder has -- and they have looked at all their lots with all their home models and the majority of them they want -- would stay at 20 feet. So, they are pulling them closer to the street, because they want to provide their residents and buyers with a nice backyard. I can follow up with you during my rebuttal on that and after I have a chance to talk with the builder and see how far he is willing to go on that commitment, but definitely committed to working with the neighbors on the fence issue and they are trying to protect everybody's privacy is -- is very important.

Grace: Okay. And just last question, Madam Chair. The commercial structure -- it didn't sound like you -- you knew what the design elements would be. What -- just a little more information about what you are maybe intending for that commercial.

Semple: Madam Chair, Commissioner Grace, yeah, I don't -- the user that we have for the residential portion is not a commercial developer. You know, there is some office uses down here. With the C-N, you know, there is a lot of different allowed uses within that land use --

Grace: Right.

Semple: -- and so nothing that drives too much traffic to the area. I think -- you know, you won't be in here listening to an In and Out presentation for that location. I would imagine something that's complimentary to the neighborhood though. It could be a small cafe. It could be, you know, a couple office buildings, something like that.

Grace: Yeah. It looked like that was the -- the appropriate type of thing for that -- for that -- what is it, C -- C-N?

Semple: Yeah.

Grace: Yeah. So, smaller scale, so -- okay. Thank you.

Semple: Thank you.

Lorcher: I had a couple questions for you. In regard to the commercial portion, following up with Commissioner Grace, will the commercial portion also have access via Freeway Drive or do you have to kind of meander through to get to the southern -- from -- to the southern portion of it?

Semple: Commissioner Lorcher -- sorry. Council President.

Lorcher: You are totally fine.

Semple: Yeah. I know. No, that one will have access from Wells Circle. There is -- Freeway Drive does come down here. It's just off the picture. It does loop in and connect to the south side of Wells. So, Freeway Drive could access that commercial --

Lorcher: That commercial --

Semple: -- site. Yeah. It doesn't have direct access.

Lorcher: So, I don't have to meander through the whole subdivision to get to those commercial parcels. And, then, this is showing off the freeway like you would be able to see it from the freeway?

Semple: Correct.

Lorcher: Got you. Oh. That's a better picture. Okay. Thank you. One other question regard to setbacks. So, you said that each home is built to suit per whatever the customer -- client wants. What happens when one wants a 12 foot setback with a bigger backyard and one says, oh, I don't want a big backyard, so I will go 15 and, then, another says, well, I want 20 and, then, all you have got is this staggering thing kind of going on. How do you manage that to make it look like they all belong together on the same street?

Semple: Sure. Commissioner Lorcher, yeah, the -- the fronts will all be up, you know, similar to a front that you see on any public street. The backyards, even on the -- the existing homes to the west vary in depth. There is some that are up to I think 25 to 30 feet even there. There is some that are right at that 15 foot setback when I was just taking some measurements off of aerial photos. So, I -- you know, it will be a case-by- case basis. Typically something with a two story home on it is going to have a larger backyard than a one story just by the sheer take of square footage that they can get out of the two-story by not having to have as large of a footprint. But I mean I don't know if they are really going to restrict them to all have a flat plane across the back either. I don't know if that would really be desirable.

Lorcher: Okay. Thank you very much. Commissioner Rust, did you have any comments at this time? All right. Thank you very much.

Semple: Thank you.

Lorcher: Madam Clerk, do we have anybody signed up to testify?

Lomeli: Thank you, Madam Chair. We have Christine -- is it Collard or Crawler?

Lorcher: Would you like to come up? Okay.

Lomeli: Madam Chair, no one else has indicated they would wish to testify.

Lorcher: And there is nobody on Zoom?

Lomeli: If the people on Zoom would like to testify, please, raise your hand using the app.

Lorcher: I see you.

Lomeli: Madam Chair, no one online is raising their hands so she's welcome to come up.

Lorcher: Yep. So, you are more than welcome to come up if you would like to testify.

McCulley: Hello.

Lorcher: Hi. If you could state your name and address for the record, please.

McCulley: Robin McCulley. 728 South Woodhaven Avenue, Meridian, Idaho.

Lorcher: Okay.

McCulley: And, sorry, I don't know the proper addresses.

Lorcher: You are fine.

McCulley: Okay. So, a couple quick things. I have been a resident of Woodbridge for ten years now and as you all know we have been going to battle about this property for a long time, but we like these people and -- but a couple things we want to talk about. We are waiting on traffic analysis. We don't need the analysis. There is a lot of traffic. We all know that. Almost all of you probably here cut through our property to get to Eagle. We all do. So, there is going to be a lot of traffic. Mitigating. There is no mitigating. There is nowhere to go. So, this is it. The fence. The fence is -- it's 20 years old. It's my -- it's 20 years old. It's old. It's crooked. It's old. There are trees. My fence is being held up by a tree that we don't know if it's ours or theirs. My issue with the fence is we are going to talk about it, we are going to talk about it, we haven't talked about it. Nobody's

talking about it. And, then, we definitely need a survey. The pins are still back there from the original survey. I have pictures of my pin. It's a solid eight to ten inches off back there. The tree that's holding my fence appears to be ours, which is going to cause problems. No amenities. They said they have a lot of amenities. The only amenities is the pickleball courts. No pool. The connection of the path to our path leads straight to our pool. They have no intention of putting a pool. They told us it's too expensive. They are not going to do it. They have a tot set or whatever that is. I'm not sure what that is. It sounds like a piece of grass. Then no single story homes. I didn't see any single story homes when he put the pictures of the single story homes. But they said that that's an option for the people. Sounds like -- I don't think we are getting single story homes. It sounds like they are all going to be two stories. I just say you guys know that area very well. I'm sure all of you do. You -- everybody drives through it. You know how much traffic there already is. There will be a ton more. We -- of course, we were all praying and hoping that would stay commercial -- medical or commercial, so that we would only get them during the week and have actually a weekend break, but that's not going to happen. So, we would just like you to take all of this into consideration. I know all this we are talking -- we are talking -- we are going to talk about. But if we say okay to this before we have it nailed down what do we do and, then, you know, we are -- and we already get it. There is -- construction is going to be a nightmare. Loud. Obnoxious. Nails in all of our tires. Yours, too, because you drive through there. But we are -- you know, we are prepared -- the city is growing like crazy. We get it and we want -- we want to do what we can for them as well. But, please, I think we need to get it nailed down before we start construction or -- or even take it to the board to say approve it, because we are just not -- I feel like we are way too early just yet. We have too many unknowns at this point.

Lorcher: Okay. Thank you. Before you go.

McCulley: Oh, sure.

Lorcher: I have a quick question for you.

McCulley: Yes, ma'am.

Lorcher: So, if I am a resident of Woodbridge --

McCulley: Yes, ma'am.

Lorcher: -- how do I get access to the pool? Do I just walk in? Is the gate always open? Do I have a key?

McCulley: You do need a key. However, we had to install monitors, because -- and we have a police officer that stops by that we hired to check twice, because they are climbing over our fence and swimming at night and that came from -- we had some construction around the corner at the corner of Locust Grove and Franklin. No. Yes. Franklin and Locust Grove. When those condos went in there or townhouses we started having people

jumping our fence and -- and swimming at all hours of the night and ruining furniture and things like that. So, that's when we installed the cameras and, then, we also hired somebody to come twice at unknown times to check to make sure that nothing's happening and even our residents don't know when that is, so that everybody's on the same page.

Lorcher: And has that worked to be able to create safety for your pool?

McCulley: For -- for safety purposes, yes. Well -- yes. The problem is when you have teenagers they will open the door to anybody and as they come in and they come in frequently and when we put 79 more houses over there with potentially five to six people living in each house, that pathway that's connected right there, though, it's a beeline straight to our pool. Straight.

Lorcher: Okay. Anybody? Nope. We are good.

McCulley: Thank you. Thanks, guys. And ladies.

Lorcher: Anybody else in Chambers that would like to speak? Would the applicant like to come forward to address some of the concerns?

Semple: Madam Chair, thank you again. Ben Semple with Rodney Evans and Partners. 1450 West Bannock Street, Boise. 83702. Yeah. I mean I think we are trying to do the best we can with a development with a piece of property that falls in a medium density residential land use. The portions that are in a mixed-use neighborhood we are trying to incorporate some more commercial use down there. Regarding the traffic, I mean we are, again, trying to push it as far away as we possibly can. With ITD -- we are not really sure what they are going to require. It could be a financial impact to the project. It could be, you know, something that's pretty intensive and, you know, we are all kind of dealing with the traffic around wherever development happens and I'm not sure what else we can do, other than go through the process with ITD to get, you know, their recommendations and incorporate that into the development. Because the traffic impact analysis was required as part of this development application it would be inserted into any development agreement that that would be a condition that it would -- the development would have to comply with. The floor plans and elevations I think, Commissioner Grace, to your point, will be incorporated into the development agreement as well and those floor plans show the footprints with the depths of the homes and so any variance from those depths would have to go through probably another CZC process. So, while they are very comfortable that those fit within and would allow for a 20 foot setback, the developer does not want to restrict their project to a 20 foot setback and -- and I don't know what more we can do other than to insert these floor plans and elevations and demonstrate that these -- that the builder builds a very high quality product and a very high quality community. Amenities. The tot lot is a playground for kids. There -- there is a lot of pathways through here. We will have a picnic area with tables and benches that also has a covered shade structure. More details of that will be developed as we go from this to City Council. So, I anticipate having some more information to present at that time, as well as the revised

landscape plans per the conditions of approval. I guess I would stand -- we are, again, committed to working with affected neighbors on -- on fencing. You know, if it's on our property and -- or if it's on their property, you know, we want to resolve that if at all possible. So, I would stand for any additional questions that you might have.

Lorcher: I have a couple of questions. So, is the -- is the traffic impact analysis going to be ready by the time you get to City Council or are you at the mercy of -- of their time frame?

Semple: Madam Chair, we kind of are. If you give me one second I can ask our civil consultant if they have had any feedback. Madam Chair, they reached out today to ITD. They didn't get any feedback. They do have their scoping memo into ITD that's being evaluated. So, we anticipate at least having the scope of the analysis by the time we get to the City Council. Maybe not the full evaluation or the determination of what those mitigation items may be.

Lorcher: Okay. Commission? Commissioner Grace.

Grace: Thank you, Madam Chair. Do you know -- the property to the west, the Woodbridge is -- what zoning -- is that R-8 or 4?

Semple: Madam Chair, Commissioner Grace, R-4.

Grace: Okay. And you said the building heights are the same for both of those?

Semple: Thirty-five foot is the max height.

Grace: Okay.

Semple: Yeah.

Grace: Thank you.

Lorcher: Commissioner Rust.

Rust: Thank you, Madam Chair. Just to clarify, is there going to be a separate fence on that western boundary that will be part of your community or is it just going to be the one fence?

Semple: Madam Chair, Commissioner Rust, we would prefer a single fence, you know, and working with those neighbors to ensure that there is a high quality single fence there, rather than the doubled up fence that, you know, then, is in various states of disrepair or repair and that would be the idea is to have one fence there, whether that's to connect to the existing if it was in good condition, replace portions of it, work with those neighbors to cost share like you typically would with a neighbor when you replace a fence on a shared property line.

Rust: Thank you.

Lorcher: And in regard to the survey markers for the properties, it seems like there is some confusion that possibly there has been landscaping that have grown over the survey markers that may be part of your land, may be part of that land. When you get this project approved all of that will be settled; correct?

Semple: I'm sure. Yes. That's -- that's the case. You know, they -- they have set those pins out there. I'm not sure when they built the fence why they moved it around so much. I can -- maybe there were some other trees that were growing there at the time or -- it -- it is kind of jaggedy and moves around a lot along that property line. So, I mean, obviously, if the property is the neighbors it's their property and if their fence is on our side, you know, we would rather have it be on -- on the property line.

Lorcher: Right. Okay. Very good. Commissioner Perreault.

Perreault: Madam Chair, thank you. Staff had mentioned that you were in agreement with everything that's in the staff report all conditions. Just wanted to double check that you are also in agreement with the two new conditions regarding the mitigation for the existing trees and then -- and, then, we talked about removing the sidewalk. So, just want to get confirmation that --

Semple: Madam Chair, Commissioner Perreault, correct. We are in agreement with all conditions of approval, including the two added conditions.

Perreault: Thank you.

Lorcher: Commissioner Sandoval, did you have anything to add?

Sandoval: No, Madam Chair.

Lorcher: All right. I think we are good. Thank you so much.

Semple: Thank you.

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

Grace: So moved.

Rust: Second.

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

MOTION CARRIED: SIX AYES. ONE ABSENT.

Lorcher: I will start. I think when you have in-fill it's always challenging to find the square peg that's going to fit in the round hole or vice-versa that's going to take care of everyone and we also have public streets, which no homeowner owns and so if people choose to meander through Woodbridge end up into Latitude Forty-Three to work their way over to Highway 55, you know, we discourage it, but we can't stop them because they are public roads. It sounds like the developer is willing to work with the western portion residents in regard to survey lines, to fencing, to right of way, to removing the sidewalk to make sure that it's a walkable and pleasant place. I did forget to ask you one question, but that's -- okay. I was wondering what the price range of these products are, but based on -- you are telling me that it's built to suit, it's probably a little bit more elevated, as opposed to a starter home. So, in regard to those things and the fact that you have been talking with the community and you are willing to work with them, I think this is a good project for this in-fill here. I like the fact that you can access the commercial portion from the south portion, so that you don't have to meander through the neighborhood whatever that business happens to be. So, that, you know, I'm not driving down side streets to get to my doctor's office or whatever that happens to be. So, I'm in favor of this.

Rust: Madam Chair?

Lorcher: Commissioner Rust.

Rust: Yeah. I -- I agree with you. It's always challenging in these in-fill lots and I was very curious what the design elements would be when I heard this project was coming up and I was pleased to see that it's generally going to match Woodbridge. It's going to be higher end homes. I would bet that these are going to be, you know, not quite a million, but probably in that seven to eight hundred thousand dollar range. I appreciate the effort that went into the report and from the applicant to -- to be good neighbors. Even the one testimony that we had and several of the letters also mentioned that they have had good dialogue and even though there was concerns raised I think everybody recognized this is a really good fit for the general area. Something's going to go in here and I think that this matches the character of the neighborhood well. It's going to round out this section well. And I know that there is some traffic concerns and we don't have the study and the fencing is going to be -- you know, it's always a little challenging when you are trying to figure out -- we have one fence, we have got two entities that need to pay for it and figuring out how to split that baby, but I -- I believe that this is a good project and that we should give it a recommendation to the City Council.

Lorcher: Thank you. Commissioner Grace.

Grace: Thank you, Madam Chair. Yeah. I'm tracking with both of my fellow Commissioner comments. I am hopeful that some of these issues in the -- in the development agreement can be worked out. I -- I appreciate the good faith effort put forward by the applicant with regard to the fencing. Hopefully you will have -- you will listen and have conversations about the vital fencing and whether that's appropriate, along with the tree mitigation and the setback. I understand the limitations of the setback. You can't promise to -- you know, you don't want to tie the developer's hands in that

regard. So, I -- I understand there is probably a happy medium in there. So, I can appreciate that. The traffic it is -- I -- I totally understand that. I live on the corner of -- in a development in the corner of McMillan and Linder and people westbound on McMillan cut through it all the time, because they don't want to wait at that light and so I get that. I'm not sure what mitigation -- I don't think ITD is going to come up with any magic solution there. It's -- it's -- it's an in-fill project and it's -- it's -- it's consistent as you can get with what's -- with what's around it. If it helps the City Council, I do agree with the staff recommendations on the fencing around the natural waterway. I think they were proposing fencing to the north, but not the south and if I got that wrong I apologize, but I agree with the staff recommendation. I think that was -- yeah. I think that's all I had. I'm in -- I'm in favor as well. Thank you, Madam Chair.

Lorcher: Commissioner Perreault.

Perreault: Thank you, Madam Chair. First I would like to say that I really appreciate the attention to the amenities. You went above and beyond what's required in terms of number of points for the amenities for the size of project that you have. So, thank you for doing that. Keeping that in mind. I know that's a significant cost to the developer to do that. In the time that I was on Planning and Zoning prior and City Council and now Planning and Zoning again I have seen many iterations of what was to go on this property and the last applicant did not do as good a job working with the neighbors, so thank you very much on that. I had hoped that there would be some more commercial in this, but I appreciate that you tried to be in line as possible with the Comprehensive Plan on the -- on the density and as well as the lot sizes. So, I guess that's where the best case scenario -- if we are going to have more residential use on here. I would have liked to have seen that second access. I think connectivity is huge in these kinds of neighborhoods, but I don't think it's something that's going to be like a huge issue I guess in the end, but -- yeah. So, that's all we have to say. Thank you very much.

Lorcher: Commissioner Sandoval, any other comments?

Sandoval: No, Madam Chair. I think you guys did an excellent job. Pretty much my exact thoughts though. Nothing for me.

Lorcher: Okay. Thank you.

Rust: Madam Chair?

Lorcher: Commissioner Rust.

Rust: After considering all staff, applicant and public testimony, I move to recommend approval of File No. H-2024-0059 to City Council as presented in the staff report for the hearing date of April 3rd, 2025, with the two new conditions as highlighted in our brief here.

Lorcher: Do I have a second?

Grace: I will second.

Lorcher: Do we need to -- do we need to reiterate those two conditions or --

Kane: Yes, please. Specifically.

Rust: Yeah. The two conditions specifically -- to include mitigation information for existing trees on the site being removed with development in accord with the standards listed in the UDC 11-3B-10C.5 as applicable. And, then, the second condition to remove the sidewalk along the west side of South Longitude Drive and provide right of way to the west property line.

Grace: Second.

Lorcher: It's been moved and seconded to approve Latitude -- or recommend to City Council Latitude Forty-Three Subdivision, file No. 2024-0059 for annexation and preliminary plat. All those in favor say aye. Any opposed? Motion carries. Thank you very much.

MOTION CARRIED: SIX AYES. ONE ABSENT.