

Meridian Planning and Zoning Meeting

February 3, 2021.

Meeting of the Meridian Planning and Zoning Commission of February 3, 2021, was called to order at 6:00 p.m. by Chairman Andrew Seal.

Members Present: Commissioner Andrew Seal, Commissioner Bill Cassinelli, Commissioner Nick Grove, Commissioner Steven Yearsley, Commissioner Maria Lorcher and Commissioner Nate Wheeler.

Others Present: Adrienne Weatherly, Kurt Starman, Caleb Hood, Jason Korn, Bill Parsons, Sonya Allen, Joe Dodson, Alan Tiefenbach and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Nate Wheeler	<input checked="" type="checkbox"/> Maria Lorcher
<input type="checkbox"/> Vacant	<input checked="" type="checkbox"/> Nick Grove
<input checked="" type="checkbox"/> Steven Yearsley	<input checked="" type="checkbox"/> Bill Cassinelli
<input checked="" type="checkbox"/> Andrew Seal - Chairman	

Seal: All right. Good evening. Welcome to the Planning and Zoning Commission meeting for February 3rd, 2022. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff from the city attorney and clerk's offices, as well as the City Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting. You will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion. If you have a -- if you have a process question during the meeting, please, e-mail cityclerk@meridiancity.org and they will reply as quickly as possible. If you simply want to watch the meeting we encourage you to watch the streaming on the city's YouTube channel. You can access it at meridiancity.org/live. With that let's begin with the roll call.

ADOPTION OF AGENDA

Seal: All right. First item on the agenda is the adoption of the agenda. We do have Meridian U-Haul Moving and Storage, H-2021-0085. That will be opened for the sole purpose of continuing to a regularly scheduled meeting. They will open -- or it will open only for that purpose. So, if there is anybody here tonight to testify for that particular application we will not be taking testimony. Can I get a motion to adopt the agenda?

Grove: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor, please, say aye. Any opposed? Motion carries.

MOTION CARRIED: ALL AYES.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the January 20, 2022 Planning and Zoning Commission Regular Meeting**
- 2. Findings of Fact, Conclusions of Law for Pine 43 Pad G (H-2021-0097) by CSHQA, Located at 1492 N. Webb Way**

Seal: Move on to the Consent Agenda. We have two items on the Consent Agenda. We need to approve the minutes of the January 20th, 2022, Planning and Zoning Commission and Findings of Fact, Conclusions of Law for Pine 43 Pad G, H-2021-0097. Could I get a motion to accept the Consent Agenda as presented?

Grove: So moved.

Wheeler: Second.

Cassinelli: Second.

Seal: It has been moved and seconded to adopt the Consent Agenda. All in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: ALL AYES.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

DEPARTMENT REPORTS

- 3. SolSmart Community Presentation**

Seal: Okay. Our first action item -- we will move on to our Department Reports and we have a presentation for SolSmart Community.

Hood: Good evening, Commissioners. We are going to do a joint presentation here with Jason Korn. The city is participating in the SolSmart designation process. Jason is our environmental programs coordinator and he is acting as the city's project manager in working with a consultant on this designation and he will, again, walk you through and explain a little bit more about what the program is in just a second, but part of that process to become a designated SolSmart Community includes a comprehensive review of current city code and, then, presenting that analysis to you with the findings and answering any questions or comments you may have on that. So, a zoning review has

been completed and the analysis was shared with you in the packet. So, if you haven't already done so you should have access to that. Staff is currently evaluating some of the findings from that review -- zoning review and contemplating potential changes to the way we process solar applications in our code, the way we permit, the way we inspect and potentially streamlining the process and if nothing more, if you have looked at the analysis, making it clear how one would go about getting a permit. Maybe adding some definitions and some other things at least to make it clear the process to install solar in our community. So, that's a brief overview. I'm not planning on running through that with you, but if you have any questions I will maybe let Jason go first and, then, we will stand for any questions you have.

Seal: Okay. Thank you.

Korn: All right. Thanks, Caleb. So, as Caleb said, I'm the environmental programs coordinator in the Public Works Department, so I do not get a chance to speak in front of Planning and Zoning very often and it's probably my first time in five years with the city. But one of my programs is sustainable city operations and we were approached by an environmental consulting company late last year that was awarded a grant from the Department of Energy to assist Idaho cities in achieving the SolSmart designation. We presented that to Mayor Simison and he thought it was a good idea and aligned well with our city's strategic plan goals relating to sustainability and dedicated staff resources to work towards a bronze designation, which is I think the best we could get without going through a major code rehaul and we have a short time period that we want to get this completed by, at least submitting our package by the end of February, and so the designation process is scoring points in various categories, including permitting and inspection, planning and zoning and government operations and it looks like we have enough points to achieve that bronze designation. There are a few prerequisites and one of those prerequisites was a zoning code review and presenting it to our planning and zoning governing board, which is you guys, which is why we are here today, so -- and with that I will stand for any questions.

Hood: And maybe just before questions, just to be clear, we don't necessarily need any action from you this evening. It is more for your information. Again just here to answer potentially any questions you have. We may come back in the future if there are any substantive changes or any changes that require your approval, but it's just more of an FYI and, like Jason said, we are -- we are checking the box so we can get the credit for informing you and engaging with you, so --

Seal: Okay. Any questions? All right. Thank you very much. Appreciate it. Okay. With that I will move on to explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant is finished we will open the floor to public testimony. Each person will be called on only once during the public testimony. The Clerk will call the names individually of those who -- who have

signed up on our website in advance to testify. You will, then, be unmuted in Zoom or you can come to the microphones in -- in chambers. You will need to state your name and address for the record and, then, you will have three minutes to address the Commission. If you have previously sent pictures or a presentation to the meeting, it will be displayed on the screen and our Clerk will run the presentation. If you have established that you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf, you will have up to ten minutes. After all those who have testified in advance have spoken we will invite any others who may wish to testify. If you wish to speak on the topic you may come forward in chambers or if on Zoom press the raise hand button in the Zoom app or if you are only listening on a phone press star nine and wait for your name to be called. If you are listening on multiple devices, such as a computer and a phone, please, be sure to mute the extra devices, so we do not experience feedback and we can hear you clearly. When you are finished if the Commission does not have questions for you you will return to your seat in chambers or be muted on Zoom and no longer have the ability to speak and, please, remember we will not be able to call on you a second time. After all testimony has been heard the applicant will be given another ten minutes to come back and respond. When the applicant is finished responding to questions and concerns we will close the public hearing and the Commissioners will have the opportunity to discuss and hopefully be able to make a final decision or recommendation to City Council as needed.

ACTION ITEMS

4. Public Hearing for Meridian U-Haul Moving and Storage (H-2021-0085) by Gurnoor Kaur of Amerco Real Estate Company, Located on Parcel R8257510015 and at 1230 and 1270 E. Overland Rd., Near the Northwest Corner of E. Overland Rd. and S. Locust Grove Rd.

- A. Request: Conditional Use Permit to allow self-storage, ancillary retail, and warehousing and vehicle and equipment with outdoor display.

Seal: At this time we would like to open the public hearing for Meridian U-Haul Moving and Storage for continuance. Correct. We will need to know when they want to continue that to though.

Parson: Mr. Chair, Members of the Commission, next available is probably best for them, after they realize they were bumped from this hearing because they did not post correctly. So, as long as we meet -- they meet the posting requirements the next available would be great.

Seal: Madam Clerk, do we know what it looks -- the next couple of meetings look like?

Weatherly: Mr. Chair, on February 17th there are two noticed public hearings for that evening.

Seal: Okay. So, the 17th sounds like it if somebody wants to jump in there on that motion.

Grove: Mr. Chair, I move to continue file number H-2021-00852 to the hearing date of February 17th.

Wheeler: Second.

Seal: It is moved and seconded to continue H-2021-0085 to the date of February 17th, 2022. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: ALL AYES.

5. Public Hearing Continued from January 20, 2022 for Verona Live/Work (H-2021-0080) by J-U-B Engineers, Inc., Located at 3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd. and McMillan Rd.

- A. Request: A Conditional Use Permit for 16 vertically integrated residential units within four (4) buildings on 1.75 acres in the L-O zoning district

Seal: All right. Move on to Verona Live/Work, H-2021-0080, continued from the 22nd of January 2022 and we will begin with the staff report.

Dodson: Thank you, Mr. Chair, Members of the Commission. Good evening. As noted this first actual project tonight is going to be Verona Live/Work conditional use permit. The site consists of 1.75 acres of land, currently zoned L-O, which is limited office, located across two parcels, 3020 and 3042 West Milano Drive in the general vicinity of the northeast corner of McMillan and Ten Mile. The application before you tonight, again, as noted, is a conditional use permit for 14 vertically integrated residential units within three buildings within that -- or I should say on the 1.75 acres. The office future land use designation is meant to provide opportunities for low impact business areas. These would -- these uses would include professional offices, technology and resource centers and some ancillary commercial uses may also be considered. Vertically integrated residential project is listed as a conditional use within the UDC for the L-O zoning district. West of the subject site sits one vacant L-O parcel, which is in common ownership with this property and, then, on the -- to the north is one is -- this is the common ownership and this is the additional L-O parcel to the west that has a medical office on it that I believe is a pediatric medical office of some kind. Further to the west are two additional L-O lots that have additional medical office buildings. Because of the common ownership of the land of the north parcel here that's vacant, the applicant is showing an office building directly to the west of this site. It's not part of this proposal, I'm just showing it for reference. To the east and north of the subject sites are detached single family residential. They are part of the Verona Subdivision. To the south is approximately ten acres of C-G zoned property, which I will go back to this so you can see. That's at the hard corner of McMillan and Ten Mile. The existing use on the actual hard corner, which

is the only building out there right now, is a fuel service station and convenience store. Directly to the south from this site, the largest parcel, has approvals for a -- it's about a ten acre site and has approvals for 164 unit 55 and older multi-family development. Staff anticipates that future residents of that site could utilize some of the future services provided within the commercial spaces of this project should it be approved. Because the proposed use is adjacent to a mixture of existing and planned uses that are residential, office, commercial, et cetera, staff does find an appropriate use within the future land use designation of L-O or I should say of office. Vertically integrated residential projects incorporate commercial spaces and residential uses within one structure and most often include commercial space on the first floor and residential on the floor or floors above. Our UDC defines it as the use of a multi-story structure for residential and nonresidential uses where the different uses are planned as a unified complementary whole and functionally integrated to share vehicular and pedestrian access and parking. In this project the applicant is proposing a small commercial space at the front of the building on the first floor with the proposed residential portion of the units being both behind and above the commercial space. Therefore, the applicant is proposing a two story concept for these buildings with the vehicular access for each unit from the rear via a two car garage. In addition, the applicant is proposing 24 additional off-street parking spaces. The UDC -- or I should say the specific use stands for vertically integrated require one space for every residential unit and, then, the commercial space at our general ratio of one per 500. Because all the commercial units are less than 500 square feet, you could do just two per unit, 14 times two is 28, they are meeting that simply with the two car garage that is included with each unit. So, the -- the surface parking is in addition to the minimum parking requirement. The proposal does meet all defined UDC regulations, except for a couple of the drive aisles will need to be widened to 25 feet to accommodate and meet code for two way drive aisles. Vertically integrated as noted is a conditional use in the L-O zoning district, so the Commission should determine if this proposed project, despite meeting the minimum code requirements, meets the intent of the proposed use of vertical integrated and if the design that's proposed as desired in this location specifically. Following the original publication of the staff report and some of the concerns that were noted within, the applicant requested a continuance in order to meet with staff and we did have that meeting. It was a productive meeting. The applicant following that meeting submitted some revised plans, this being one of them. This is a color concept plan that was revised. You should have seen my memo from January 28th noting these changes and discussing some recommended provisions within -- and conditions that I recommend changing. The revised plan shows the following notable changes. First of all there is a loss of the two unit building to the interior of the site and the inclusion of additional green space. So, this used to have two units, now it has green space and a plaza, which I think is a great addition for any of the future residents and users of the commercial spaces. They also revised the floor plan of the four unit building on the north side to include an additional commercial space on the front of the units. So, as you can tell this footprint is larger than this footprint mostly in the length, because they added another commercial space on each one of the four units. So, now they have two office spaces in the front. So, again, four of those were changed out of the 14. They also are showing additional sidewalk connections to the existing sidewalk along the Milano and Cortona Way, which is also something that staff recommended and a great benefit

to the project. They also revised the elevations as seen here to show -- well, first of all, to include dedicated commercial entry door in addition to the internal shared access for one. So, the previous elevations did not have an entrance door on the front, it was just a shared door. So, now they are showing the commercial door here. They incorporated some nonresidential style awnings that show area that would allow for some signage, which they are showing conceptually here. The applicant also added taller windows on the first floor facade adjacent to the commercial entry door to create more of a storefront consistent with nonresidential buildings and not just residential. Staff does find that the revised plans, as well as the elevations, are a great improvement from the original that largely looked one hundred percent residential. In general -- in general staff finds that the proposed revisions improve the project. I did have some recommended conditions to change within the memo, I just put them on here for convenience for -- for the Commission. As of this morning -- or I guess as of now there is only one person that provided public testimony online. It appears to be the owner/operator of the pediatric facility directly to the west. She noted concerns that the project does not mesh with the existing office that she has, nor the existing residential area. She also had concerns over increased traffic, a lack of parking and lack of green space for the -- for the tenants. The staff -- staff does recommend approval with the noted conditions in the staff report and these recommended revisions as noted in the memo. Following that I will stand for any questions.

Seal: Thank you. Would the applicant like to come forward?

Shrief: Good evening. My name is Wendy Shrief. I'm a planner with JUB Engineers and my business address is 2760 Excursion Way. We are here in Meridian, Idaho. 83642. Thank you. We are really glad to be here this evening. We were going to be here originally a couple weeks ago, but we have worked with Joseph on a couple revisions and I think we have really strengthen the project. So, thank you, Joe, for taking the time to go through our -- go through our renderings and go through our site plan. I think it's a stronger project. I think we are probably a better fit after making some of those changes. I want to go through and first kind of talk to you about the area that we are in. I don't know if this is my -- can I move this myself?

Dodson: Yeah. I would recommend just using the arrow keys.

Shrief: First I want to talk about where -- where we are located. We are at the northeast corner approximately of Ten Mile and McMillan. So, we are in what was -- previously these were two platted lots from Verona Subdivision. It was originally zoned L-O for light office, but the reason why I think this is a really good location for vertically integrated -- we are adjacent to some office uses, but, really, when you look at to the north and to the west we are in a residential neighborhood. We held a neighborhood meeting for this project and the second one for a future project. We met with the neighbors. I think what people were really happy to see -- and I will show you our render -- our architectural drawings in a minute -- was that this was a use where we were compatible with the neighboring residential uses. This is an area where we could potentially, with L-O zoning, come in with a much more intensive land use that would generate a lot more traffic. The

neighbors were really happy to see that we were doing this type of live/work product where we were -- it was a commercial use, but a much lower intensity of traffic, what could potentially be located there and visually we really matched up with those -- those neighbors to the north and the neighbors to the west. And I will show you the renderings here -- here in a second. Let's see. And I -- and we do -- we do show a single story office building. It's a principally permitted use. It's not a part of our application, but we are for reference showing this and we do meet all your parking standards for that as a standalone land use. We are proposing three groups of townhouse style live/work buildings. As you can see, one of the major changes that we made after working with -- with Joe on our project where we are showing now kind of a centralized open space, we had originally had two additional units. We thought that that kind of -- that that detracted from the project and so we -- we lost those two units and now have kind of a community gathering area and some additional open space in that area. Let's see. Here is a copy of our site plan. We -- we really, if anything, were kind of over parked. Each of these individual townhomes will have a dedicated private patio space and a two car garage and in addition we are providing 20 plus parking stalls for -- for anyone who is -- who is visiting the businesses and I will show you the -- the renderings and show you kind of what's part of the design idea for this was -- these are really marketed towards someone with a professional office, maybe someone who is younger starting in a business or someone at the tail end of their career kind of wrapping up a business where you want to live near work and have a professional office. So, this would be perfect for an architect, an attorney where you can have clients come in. We -- we have changed our project a little bit. We now have a dedicated commercial entry to these offices. They are right around 500 square feet. They vary a little bit in space, but it's a -- it's a dedicated professional office, which is completely separated from the residential. So, these are going to be -- and we have got some floor plans -- so, these are two stories. Most of these are two to three bedroom homes. Really nice for -- I live in a small house in the Boise bench in Boise and these are a lot larger than the home I live in with my husband and two kids. So, this really is perfect for someone who is working remotely and for someone who needs to have a professional office where you can meet with clients, an accountant, an attorney where you don't have to go meet at Starbucks, which I know a lot of people who work from home do when you don't have a professional office at home. So, it's really great for people. I think either at the one end of the spectrum where you are -- you are starting a business up, maybe you have a very young family or -- or you have a business where maybe, you know, you continue to your law office, you are working from home and you want to have a professional office where you are not commuting and spending time away from your family. So, some of the design idea behind that, I want to show you our colored site plan that really shows how this ties together and I think if you look really -- so, this is I think -- especially in the kind of neighborhood we are in it's really visually compatible with -- with the surrounding residential uses and we worked with -- with Joe to make sure that it's -- where we had envisioned maybe like a pretty low, you know, pedestrian -- foot counts for these businesses, we really -- I think it strengthened the commercial element where we probably have a wider range of commercial users that can move in and use these where we have got additional room for signage, we have a -- we have a glass store front and we have got a dedicated commercial access. So, I think that really kind of widened the range of commercial uses that -- that would be suitable in this location. Again, we have gone

through some -- some sizable revisions to our project where we -- just to kind of run through those again -- where we -- we did lose two of the units and I think adding the common gathering area open space, sort of a plaza in this area, I think that really -- that helped to strengthen the project. We have also added some additional sidewalks, some pedestrian connections and I think really improved our elevations after we went through major design changes. So, we are here for any questions. We definitely are looking for a recommendation of approval and -- and want to see if -- if you have any suggestions for the project. We -- we think it stands on its own and it's going to be a really strong project and it fits really well in this neighborhood. I know we -- we had those comments that sounds like they came in from the -- the medical clinic nearby. I wish they would have come to our neighborhood meeting so they could see a little bit more about what we are proposing. I think when you first look at the elevations it looks maybe more like a more traditional multi-family project, but when you look at one of these where you have got three townhomes, this is not a building with 12 multi-family units, these are -- these are townhomes with relatively low traffic and I think with a commercial use is very very compatible with -- with the medical clinic that we are nearby. But we are here for any questions and we have Dave Yorgason, who is one of the developers of the project, is here also. Any questions?

Seal: Okay. Thank you. Are there any questions for the applicant or staff?

Cassinelli: Mr. Chair?

Seal: Commissioner, go ahead.

Cassinelli: Yeah. Are these intended to be owner-occupied -- are these -- on the residential portions or --

Shrief: Chairman, Commissioners, at this -- at this point we -- we are constructing this on two existing lots. We are not platting the individual units. They -- most likely they will be constructed with a type of common wall where in the future that it will be an option to -- to plat those as -- as townhomes. At this point we -- we are not. We are kind of -- the design makes it conducive where this could be platted in the future for individual -- for ownership.

Seal: So, to answer the question they will --

Shrief: No.

Seal: -- they will be rented.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: On that with -- with how this is laid out, then, is the intent to rent the residential and the commercial separately or as one entity?

Shrief: Chairman, Commissioners, the intent really is for these to be rented out as a -- as a single entity. I believe it would technically be possible to rent them separately. The intent is that it's -- it's someone living in a three-bedroom unit and that this is a professional office. I believe it is -- it's a requirement, Joe, that we -- that it -- we could potentially rent them separately. That's not the intent.

Dodson: It's not a requirement, no.

Shrief: Okay.

Dodson: Vertically integrated code does not speak to that portion of it.

Seal: Quick question. The -- on the commercial square footage what's the difference between the units?

Shrief: Chair, Commissioners, they are all a little bit under 500 square feet. We have a couple of the units where we -- we added to them in this last revisions and we are right below 500 square feet. If I can bring the floor plan up. It is small though.

Seal: Okay. So, 500 square foot and a few of them are larger than that?

Shrief: I believe that they are all under 500 square feet. Yes.

Seal: Oh.

Shrief: So, Chairman, Commissioners, this is really not meant for a retail space, this is more professional office.

Grove: Mr. Chair?

Seal: Go right ahead.

Grove: Sorry.

Seal: No, that's okay.

Grove: So, when you -- on this -- this is something that I haven't seen in the past few years come through. It's a different product type. What is the long-term outlook on something like this and is this something that's new to Meridian or new to the area? What are some examples or comps that we -- we can kind of understand where this is at, because it's not built in with other mixed use pieces around it and it feels, in my opinion, somewhat out of place and so giving some context around where -- where this is coming from and having some comparisons to -- to know what we are looking at in the future, I have some long-term questions, I guess, with what this looks like.

Shrief: Chairman, Commissioners, I -- this is the first time I have worked on this type of project in -- in Meridian. I think a lot of this has been done in -- in Utah in a similar type of area where we have mixed uses and adjoining residential uses. I believe there is some of this in Boise off of Hill Road where you are kind of in a commercial corridor and it's -- and it's a mixed use and I think there is probably a couple different ways to do this type of vertically integrated use and you may have a little bit of this coming in with your Old Town where you are in an area where you were in a much more commercial area with heavier traffic and you potentially have a storefront that's oriented towards more retail pedestrian traffic. I think this fits really nicely where you -- you are off of a major corridor, off of Ten Mile, off McMillan in an area where I think if we had a heavy -- a heavy traffic use, say we were to have like an assisted living facility where you have people and there is a lot of trips I think that would be less conducive to those neighboring residential areas. I think what's really different about this is if you look at our -- where we are really enveloped by residential uses and so I think with this -- kind of this hybrid with an upscale three bedroom home with a professional office, I think it fits really nicely in where we are between -- you know, kind -- kind of halfway between the adjoining medical clinic and, then, we have got -- on two sides of our project we have residences. We are basically in the middle of a subdivision.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Thank you. I like creative solutions and I see what you are saying about it being around like in the residential and trying to get that same look and that's why you worked with staff in order to make it look that way. I like that, too. I see it -- I'm curious about on the parking just a couple things. One is on the parking side, if somebody was to specifically in that northeast corner of the lot there, it looks like there is six extra parking spaces, four different units; correct? That's what it looks like there. So, it's -- you know, if somebody had an extra vehicle and they wanted to park it there it could just cause just a little congestion on that side, just something to think about, but that's been worked out with staff, too, with some adequate parking there, but just something to think about on that and, then, are there any amenities going into that landscape area at all?

Shrief: Chair, Commissioners, yes, there will be -- there is sort of a plaza gathering area. We will have a gazebo and -- and some open space in that area. So, it's meant really to be a community gathering spot. Each unit does have an attached patio, but it really isn't conducive to community the way that we thought, like a gathering area would be.

Wheeler: Yeah. I like the idea of it being almost like a -- you know, in the commercial world they also have what they call an incubator space for like industrial purposes and I see this kind of almost like an office side and with a lot of people doing a lot of remote work, consulting work, stuff like that, to be able to have some office attached like that that they just don't go to the refrigerator and all of a sudden see work there, they have to go through a door to get to it, maybe they, you know, can get a little bit of a break, too, from their spot. So, I like that.

Shrief: And I -- Chairman, Commissioners -- and I think really during COVID it changed so much like what work from home means and -- and I think we have realized how important it is to have that separation. I know -- my husband and I both worked from home during COVID and I had the kitchen table as -- as my workspace and I think if we had had actually, you know, as a separate office and a way to finish up your work day and go home, I think it's -- it's really really conducive to a lot of careers where you are -- you are working remotely, but, you know, possibly it's something where you are doing some coordination, you have a sales element, you have a consulting element where you have customers coming in and -- and that's the kind of thing you really wouldn't -- technically if you were doing a home occupation if you are an accountant you should not have those people coming to your home and this -- I think with this zoning designation and this land use it allows you to have, you know, an upscale townhome, a nice place for your family and -- and to have that professional office attached to your home, which you really can't do in a residential neighborhood, you technically cannot have people coming in to your -- to your home office the way you could with a live-work unit.

Seal: Okay. Any other questions?

Yearsley: Mr. Chairman?

Seal: Commissioner Yearsley, go ahead.

Yearsley: So, I have two questions. I'm assuming that the professional offices are mostly facing the street and -- and so they are going to have to park in the back and walk all the way around to the front. Is that my understanding or will the professional offices be on the back side? And the second question I have is what's to say that they just use this as an extra bonus room as an apartment?

Shrief: Chairman, Commissioners, again, all of these are facing towards the street, the commercial units, and we actually -- we -- we reoriented our plan to make -- to make sure of that. These would not be approved as -- as an apartment. This is -- this is not a dwelling unit, it would not be wired to have a stove. That would -- we -- we could actually through -- through CC&R's for the project could specifically prohibit that. It is not -- would not be permitted as a second dwelling unit.

Yearsley: Well, I'm just saying -- asking is if someone's going to rent this place they just make it a fourth bedroom or something, instead of a -- an office.

Shrief: Chairman, Commissioners, I don't -- I don't know if there would be a way to -- to enforce it to be a professional office. I think most likely at this price point that would -- that would be the disincentive. I think you would be renting one of these because this is one of the attractions is that you -- you have a professional office with dedicated parking. I think that would be the -- the disincentive would be probably the price point. But I don't think -- I don't think it would be prohibited for this to be a bonus room.

Seal: Okay. Any more questions? All right.

Shrief: We are here for questions. If you have any other concerns or questions, please, let us know.

Seal: All right. Thank you.

Shrief: Okay. Thank you.

Seal: All right. At this time I will take public testimony.

Weatherly: Mr. Chair, we have one person signed in, not indicating whether they wish to testify or not. That's Bogdan Martsenyuk. Sorry if I murdered that. Okay. Thank you.

Seal: Okay. Anybody else online would like to testify, please, hit the raise hand. If anybody in chambers would, please, raise your hand. Come on up.

Yorgason: Good evening, Commissioners. My name is Dave Yorgason. I'm part of the development team with the Verona Live/Work product and I just heard lots of questions and I just want to make myself available for any questions you had.

Seal: Can you give us your address as well?

Yorgason: My address is 14254 West Battenburg Drive, Boise, Idaho.

Seal: Thank you.

Yorgason: You are welcome. And thank you for the thorough questions. These are great questions. We have really thought this product through. We did a lot of market research as well. My son recently moved here to Meridian. He lives in and rents an apartment in Meridian. Recently graduated and is a tax accountant. This product is for people just like him. It's for him so he could work out of his homework. Oh, by the way, he is an entrepreneur. He also has a moving company and so he doesn't want all these little -- whatever, bookkeeping, whatever they do, he wants to have a separate computer. They are expecting their first child in May and he wants to have a separate space for the baby and all the crying and the noise that happens with that, which is exciting, it will be my first grandchild, pretty happy for him, but that's not where mix and, you know, work and -- and family life needs to have some separation. So, this would be an ideal situation for someone like him and many others. So, we just fully intend to be professional office for those types of users, like -- like my son or others we see moving there. With that in mind just stand for any questions you have.

Seal: Any other questions? I mean I will -- I will come back to it, but I mean, essentially, the -- I mean is there going to be some kind of covenant or something along those lines to -- for things like parking? I mean if you have somebody that moves in there and they have five cars, what's to prevent them from parking in, you know, the spaces that are provided there and as well as the business use. That to me -- in my mind there has got to be something that makes it some kind of code enforcement or something along those

lines that makes it to where these are going to be utilized the way that they are being presented tonight. So, how is that going to be --

Yorgason: Yeah. Mr. Chairman, Commissioners, great question. We actually looked at condominiumizing -- a condominium plat for this thing, but it just doesn't fit. We are just looking for your approval, really. Frankly, do you like this concept or not. There is a great need for it in the city. Frankly, a great need across the Treasure Valley for products just like this. But having said that, to your point about parking, there is almost twice as much parking as what's needed for this site. You have to remember there is two car garages for each one of these units also and as staff has pointed out, only one is required and, that's fine, we have two for each unit, plus we have guest parking, plus we have the parking for the commercial spaces. So, we think there is substantial parking for the site. So, hopefully, that addresses your concern there. The staff report even addresses that and I think our legend on the -- on the site plan also does a full count of the -- of the parking what's required versus what's being offered. Again, it's quite a bit more. You identified the uses. If you want us to put something in the -- in a supplemental CC&R's we can do that. We are not afraid of that. We are not here to propose one thing and bait and switch and give you something else. It is definitely intended to have office use out front. I don't even think we have a closet like you would be required to have for a fourth bedroom in this office space. That's not the case. It's an office. In fact, offices for desks and like you normally would have for an office. So, in order to convert that out they would have to go through a full change of the building in order to have that qualify for -- for that and, likewise, I don't think it's a full bath downstairs. I think it's just a partial bath with a sink and toilet, just as all you need for -- for your office use. So, it's not designed that way. It is a new floor plan. It's never been built. It's a brand new plan that we have designed specific to the site. So, we hope you like it. I think it's going to be a wonderful addition to the city and, hopefully, your approval tonight.

Seal: Thank you.

Yorgason: You are welcome. Thank you.

Seal: Anybody else want to come up and give public testimony? Anybody online?

Weatherly: Mr. Chair, I don't see anybody with their hand raised.

Seal: Okay. We have only heard from the applicant. Is there anything you would like to add? Okay. All right. At this time can I get a motion to close the public hearing for Item No. H-2021-0080?

Lorcher: So moved.

Wheeler: Second.

Seal: Okay. It's been moved and seconded to close the public hearing for H-2021-0080. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: ALL AYES.

Lorcher: Commissioner Seal?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I will start off. I think the challenge we might -- I will be having is because we have nothing to compare this with here in the City of Meridian. I did notice that over on Eagle Road kind of by that new big car wash and Wingers and Dick's Sporting Goods and Hobby Lobby, if you go down some of those side streets you will see some work living space. They have been there for about a year. They have not sold. I think one has sold and the rest are still vacant. So, when the developer says we need this here, we haven't had it before, it doesn't mean it won't sell, but it seems like our businesses and renters have, you know, been able to work with something else. But that doesn't mean we shouldn't try it. This has been a successful concept in other markets. This might be a good place to give it a go.

Dodson: Mr. Chair?

Seal: Go ahead, Joe.

Dodson: I just wanted to -- and no arguing -- I'm not arguing with you at all, but I have approved some -- I guess TI's some for the -- that's the Brickyard is the one you are talking about off of Eagle. So, businesses are going in there, but the biggest difference between that product and this is that there is no interior connection between the residential and the commercial like there is in this product. So, that's the same concept, so to speak. It's vertically integrated, but there is not the interior connection. They are actual separate commercial suites.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: I like the -- the exteriors on it, the way that it's going to blend in well as somebody drives around the street there, takes a look at the residential homes they are going to realize that these are a little bit different use, but it's going to blend in well. I like that concept of it being that live/work area a lot, just because of the way that the work from home -- there is a lot of consultants that work just in this area here, too. My -- my concerns are based around the parking aspect of it. I can see the garages turning into storage and the parking happening outside and, then, we are going to lose some of those parking spaces for the distance walking from the -- you know, the block that's on the far west, parking there and, then, coming all the way over. If there is -- but I don't see this also as a heavy traffic use area for -- for these sites. Those -- that's a -- that's about the main concern that I have with it. I like the aspect of it having like a gazebo or something in there, because I can see some -- some think tank talks or meeting with a client or customer out in that area, too, during nice days that we get here, but I personally like this

kind of creative solution to using this land that doesn't have to deal with strictly retail or shop or something of that nature. I like that kind of creative solution and I'm kind of curious how -- and excited to see how it's going to turn out.

Dodson: Mr. Chair?

Seal: Joe.

Dodson: Thank you. Again, since I have heard parking come up, I did want to just clarify. Milano Drive, which is the east-west road along the south boundary, that's a collector, so there should not be any on-street parking there. So, they can't utilize any of that. However, Cortona Way is a local street, which is the east boundary, that, my understanding, does not prohibit on-street parking, so they could -- I guess that would be where I would anticipate a customer coming to do their taxes or whatever, since that's what they are going for, would park along the frontage there and not utilize the parking on the interior. They could, obviously, as well, but I just wanted to put that out there, that that should be available. I don't believe that that's marked as no parking on Cortona Way.

Seal: Okay. Thank you.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, do you want to go?

Cassinelli: If I may on that. I'm just pulling it up on -- on Google Maps, Joe, and --

Seal: We can just barely hear you, Bill, so you might want to get a little closer to your mic.

Cassinelli: Okay. Is this any better?

Seal: A little better. A little closer if you can.

Cassinelli: Any better now?

Seal: Yep. That's good.

Cassinelli: Okay. Joe, if I may, I'm pulling -- I pulled up Google Maps here and I'm seeing no parking signed on Cortona and also it's a -- it's a separated sidewalk with a grass strip there, so it doesn't really lend itself to somebody -- even if they could -- even if they were able to -- to re-sign that and allow parking along there, you got -- there is no pathways there, unless those were to go in. So, I have got a concern on that.

Dodson: Understood. Sometimes I'm wrong.

Cassinelli: It's just what I'm seeing pulling up Google. I'm not over there right now, so I think that would be -- to my fellow Commissioners I think that would be critical. And, then, I guess while I'm talking I will just -- I will put my comments out there. There is a lot of things I like about this project. I think this is perfect for Old Town for some in-fill and even in this area maybe further towards the hard corner up against the Jacksons, I just -- where it's at and the -- the walk up to the -- to the front of the buildings, I -- I just don't know if it's in the right spot in this -- in this area, but there is a lot of things I really like about the product and I think there is a -- I think there is a need for it and a demand for it, I just don't know if I'm convinced that where it's projected to be is the right spot.

Seal: Okay. And I will jump in. I like the concept. I like the idea. I think there is a need for it. I mean I know there is -- I'm -- the admin group that started here in Meridian, this is kind of how they started, only they, you know, reversed it and started out of their garage, because there wasn't a space like this. Successful business. And I mean I have a father-in-law who is a retired attorney, which just means he takes clients at home now, that would probably enjoy a space like this. Somebody on the retirement end of the spectrum I would imagine would more -- would more than likely own versus rent. I can't imagine them wanting to rent something to accomplish this. You know, ownership or something along those lines to have that space to be able to do business out of would be good. And there is a hundred things -- good things that this could fulfill here. The -- the issue that I have with it are the people that are going to take advantage of it. I just see it as a nice little tax haven where they can have their LLC and, you know, like Commissioner Yearsley said, just kind of use that front space as an extra play area or something, you know, something along those lines and the concern with parking is, you know, when you get somebody that uses those garages for storage -- let's say they -- they start a business, they are wildly successful, the next thing you know their garage is going to be storage or even the commercial space would become storage and, then, the cars are going to be parked outside and I mean so on and so forth. Kind of the same problems you are going to have in a subdivision if somebody is trying to run a business out of there. So, I really like the product. I do have issues that it's, essentially, attached to the rest of the house where you can just walk freely into it. The smaller units -- I think the amount of square foot -- square footage that's in there for the commercial space is just not adequate personally. I -- I think that's just going to lend itself to somebody being able to work remotely, but if they had a hundred percent remote business that would work for them. But, again, if you have a hundred percent remote business, then, you know, an office or a spare bedroom is going to do the same thing for you. So, anyway, I -- I'm a little on the fence with this one, so -- I can see the need for it, but I'm afraid it's going to -- the way that it's set up I think it would be easy to take advantage of it.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: Start off with some of the things that I liked about the project. In general I like vertically integrated projects. I will get to the particulars later, but I -- I like mixed use. I like doing those. I like unique approaches and dedicated parking. I agree that we have

a residential need and an office need and I think probably a mixed use need, but I don't like how this project is constituted in terms of the how the uses are laid out. The -- to me as a -- if I were to be using this space as a client I wouldn't know where to go when I parked and I think that if it -- it leads to confusion. It -- which leads to frustration. I think that long term the -- I would -- long term I would like to see more examples, I guess, of like how does this product actually look ten years down the road when needs have shifted. We -- we know how offices operate. We know how residential operates and in certain areas we know how mixed use operates over time. This to me is -- it brings a lot of unknowns. It doesn't fit with what is around it in terms of use. A lot of mixed use works, because there are other projects that it can tie into that it can be a part of and -- and so I have some -- some real concerns there. I think the -- as L-O it's close to a major arterial road on Ten Mile where you can build office and you don't have those customers going through a subdivision to get there, so the traffic concern in terms of what residents would have are -- are not as much as if this were in the -- if office was in the middle of a subdivision, for example. So, it's -- it's at the front end. It -- it's the best place for office. It makes sense for traditional office. There is already office complexes right next to it. I -- I hate to lose anything that can -- where we have the opportunity to build needed office space in the city. Five hundred square foot offices do not, in my opinion, help alleviate that office need and so I -- I just have a lot of concerns and objections on what we have here. I don't have any necessarily like modifications that I could make and so I -- I personally can't get behind this project.

Seal: Okay. Thank you.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Just a quick clarification on this here. I was taking a cruise on Google -- Google Maps and I -- and I -- I only saw the no parking signs posted on Milano, but not on Cortana. So, it looks like they could park in front on this, unless it was something I'm missing and that's -- and that's possible.

Seal: Yeah. I think Joe clarified that, that they can park there.

Wheeler: Yeah. That would be nice to get that clarified while that moved forward one way or another, but --

Dodson: We did our own Google Map search and that's what we thought, too, is that Cortona is available for parking, but Milano is not. We didn't see any no parking signs.

Lorcher: Commissioner Seal?

Seal: Commissioner Lorcher, go ahead.

Lorcher: It seems like we are a little bit split as far as whether we are going to approve or deny. Do we want to maybe suggest a continuance with -- with more history of other -- what did you call them? Comprehensive -- comparables, so that we can -- because this is a new product and because we have never seen it before and what it would look like in five years or ten years and how that would integrate and, then, possibly indicating some CC&Rs that the garages are only used for cars, not for storage, and so to answer some of the concerns as far as taking advantage of the space.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: I wouldn't be in favor of a continuance. The comparables would be nice for me, but it -- it doesn't change the fact that it doesn't have the supporting uses around it to -- to really necessitate the -- this type of design and so I -- I don't -- I would like to have that in general for this new product type, but, regardless, for me I would still have a very difficult time approving this with -- without the surrounding infrastructure in terms of compatible uses that are -- that would be in place to really make this work, so --

Seal: And I am -- honestly, I think the -- the live/work part of it I mean I like that. I -- I like that it's a smaller footprint, although I think too small in the -- in this -- in those middle smaller units. It is a little confusing as far as where you would park and where you would come in. That said I -- I would feel a lot better about, you know, people utilizing the space, honestly, if it didn't have a door that just opened up into your residence. That's kind of where I'm at on it personally, you know, and I know there are people out there -- I mean I was a consultant for several years, had my own business. I inhabited a -- you know, a bedroom and, you know, it was -- I always had to meet at a coffee shop and things like that. So, having a space like this would have been nice for sure. You know, I quit doing that and if I was going to stay in there, then, it would have just become a play room. So, I don't know, you know, how we get to the point of, you know, that space really being utilized as a business, other than basically kind of cordoning it off from the rest of the house where you enter and exit just like anybody else does. That's kind of where I'm -- I'm at with it. But that would require, you know, redesigning it, so --

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go ahead.

Yearsley: I -- I think I share a lot of your concerns. Ultimately as I see this, it's -- it's a glorified apartment with an office -- a home office that you can work from home is -- is the feel that I get for this. It's not -- you know, if -- if it were me and I was having my own business I think it would be ownership. I wouldn't want to rent this, I would rather have -- own the apartment and that's I think where -- where my rub is is the -- the ownership part of this, so I -- I don't know. I -- I kind of sit on the fence. Ultimately I see it just as a glorified apartment for the most part and not really an office use.

Seal: Okay. Thank you. Anybody else? So, the great thing about being chair is somebody else has to come up with a motion here, so -- and I -- you know, I -- I'm honestly -- you know, I'm still on the fence about it. I'm more leaning towards like, you know, probably either a denial or a continuation in order to let them take another crack at this, because I think it does have legs. I mean if this were Old Town, something along those lines, had great frontage to it, then, it would be a different story, but -- I mean there are going to be a lot of people driving by it. That is a major residential area. There is going to be a lot of other things that go in there, so I think the opportunity to have folks driving by is there. I do agree with Commissioner Yearsley on the own versus rent. I think this -- if this had ownership tied to it, then, that would be different as well. I mean if you own it, you know, you cordon that off to where your -- your business -- you come in and out of that door, the same door that your customers are going to, then, that would help as well for me. But we have neither of those right now.

Dodson: Mr. Chair?

Seal: Yes, Joe. You sound a lot like Commissioner Cassinelli, so I'm almost ready to tell him it's okay to speak every time.

Dodson: Commissioner McCarvel always got we -- you and I confused, so -- at least when you were out. The -- usually when we get to this point -- I don't want to belabor this more than what we need to. Lord knows I want my time back, too. But the -- we get to this point we usually open up the public hearing again and hear from the applicant about which way they would prefer. Obviously, not a denial. But it sounds like, just so I know and for everybody on the record, that more commercial space, potential condo plat, and clarification on parking would be things that could get you guys somewhere better. I don't know. Not for everybody. I understand. But is that worth a continuance? Is it -- or is that a condition -- those are the reasons for denial? I just want to make sure whatever motion is made that it's very clear.

Seal: Understood. Commissioners, would you like to open it up to talk to the applicant? Commissioner Yearsley? Commissioner Cassinelli?

Cassinelli: Mr. Chair, this is Bill, not Joe.

Seal: Thank you.

Cassinelli: In -- in kind of piggybacking off Commissioner Yearsley's comments about the glorified apartments, when -- when we look back at the -- the -- the gist of this, this is a CUP. This is going into what is already zoned as light office. So, in theory, we are looking at changing light office to what really is 90 percent apartment and ten percent home based office, which really -- which really changes it. Again, I'm -- I'm a great fan of some of these live/work projects and I think in a -- in another -- in another place I would be willing to -- to -- to throw something out, but it would be -- and -- and before I do maybe if another Commissioner wants to take a stab at a continuous -- continuance, but I -- my -- my gut feel is a flat-out denial on this one, just because of where it's located, not the project in

itself, but where it's specifically located. But if somebody else wants to maybe jump in there and -- and look at a continuance --

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: I would like to make a motion to open back up public testimony.

Seal: For H-2021-0080?

Wheeler: Sorry. You know, I'm kind of green at this stuff.

Seal: That's okay. That's okay.

Wheeler: All right. I would like to make a motion to open up public testimony for Item No. H-2021-0080.

Seal: Do I have second?

Grove: Second.

Seal: It's been moved and seconded to reopen the public hearing for H-2021-0080. All in favor say aye. Any opposed?

MOTION CARRIED: ALL AYES.

Seal: Okay. Would the applicant like to come back up, so we can ask a few specific questions. I will just lead off with you. You have heard our concerns and we would like to -- because we are the approving body for this, I mean I -- I -- I think we would like to see this in a different light. Is there the opportunity to provide for ownership versus renting? Is there the opportunity to maybe reconfigure the way things are done in order to ensure that businesses are going to be operating in there, because the concern was raised that this is replacing what would, essentially, be office space, no residence. So, yes, it's a really neat product, but we have got to make sure that it fits in the area that it's in, so --

Shrief: Chairman, Commissioners, my client and I were listening very intently as you -- as you went through some of your concerns on the project and we would really appreciate it if we could come back in a couple of weeks. We want to look at the CC&Rs, look at how we can -- we can seal that up with those business uses being required and we would like to close -- close that. We want to look at -- we would potentially be interested in a condition requiring us to have a condo plat prior to occupancy where we could start construction. Meanwhile, we would concurrently have a condo plat that would run through -- that would come through hearings prior to occupancy of these units. We are more than amenable to having that condition of approval that we actually allow this -- this would be

owner occupied and that we go ahead and plat this. We also want to go in and -- and come up with exhibits and address how exactly parking is going to operate out here and we also want to look -- re-examine the amount of commercial space we are proposing. So, we would like to do a revamp. Thank you for giving us some direction, but we would like the opportunity to come back and take some of that direction to heart and give you what you think works in this area.

Seal: Okay. Thank you. Anybody want to --

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: Question. These are fairly substantial changes I'm assuming on different parts of this. How much time minimum would -- would you want before we start looking at our schedule, just so that we have some idea of how far out we need to push this? You know, is it two weeks, is it a month, what are we kind of looking at from a schedule standpoint?

Yorgason: Yeah. Mr. Chairman, Commissioner Grove, I actually don't see this as substantial.

Grove: Okay.

Yorgason: Most this is text and conditions of approval. For example, requiring a condo plat prior to certificate of occupancy is a condition of approval. But that's -- that's not anything different than that. Some of these like floor plan changes, taking the door out, and -- and making sure there is only single access to the front, so you don't have that alternate access, as Commissioner Seal had referred to. This has never been envisioned as glorified rentals. It's not what they are. Sorry that you thought they were. We actually would like to make them for sale units, but we don't want to keep spending money on a project if you just want to deny it. So, if there is a chance we will move forward then we will make a really nice product for you. But if you just don't want it here, just deny it tonight, please. Because I don't want to waste anymore money on this project. I will take my money and put in some other city where they do appreciate our business. Now, I'm not going to be a little more upset than that, I'm just a little surprised at some of the comments tonight. This is going to be a beautiful product and the neighbors all liked it, by the way. You don't see a lot of opponents here. All the neighbors liked it. And -- and so with that in mind we -- we would appreciate continuance. I do think two weeks would be adequate, if there is enough room on your agenda for that, and we can help work with staff to what those revised conditions might look like to address the concerns tonight. We can make a slight adjustment to the floor plan in that amount of time as well.

Seal: Thank you.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Dave, I would -- I would also just suggest also taking a look at the -- the storage area in the parking side where the -- there would be a restriction for the occupants to not park outside, things like that, because that was also a concern, because we have seen this happen in the past where there have been nice apartments with the -- with the attached garages and they just become attached storage and, then, the parking stuff starts becoming a concern and that's just -- that's just the normal temperature up here seeing these kind of things, so just --

Yorgason: Yeah. Mr. Chairman, Commissioner Wheeler, I understand that. I see a lot of apartment complexes where they have covered parking, non-covered parking, open parking and the covered parking turns into a garage. I know that. And so we debated that, if we should even have this as a garage or not. If we should -- that's not really required. But it's an amenity. It's actually a -- a nicer addition to the community, to the area. So, we will look at that. Thank you.

Dodson: Mr. Chair?

Seal: Joe, go ahead.

Dodson: I appreciate the applicant's vigor for two weeks, but I can't get new plans and review things in two weeks with other projects and -- and the work that I have. I just can't. And it wouldn't even, technically, meet code, which requires 15 days prior to the hearing, which would be yesterday. So, I -- if we did the first hearing in March it's fine or any of them in March,

Seal: Okay.

Dodson: I'm okay with that. I'm pretty sure we are very busy in the upcoming meetings, so I know how that -- that works.

Seal: So, first week in March looks available?

Weatherly: Mr. Chair, both meetings are still open for noticing, which means that the Planning Department may have more projects coming through. But currently there are two scheduled for March 3rd, so this would be number three. There are three scheduled for March 17th. So, this would be number four.

Dodson: And I have projects on both, so I will be here anyways.

Seal: Okay. So, it looks like March 3rd would be our target date for that for whoever was going to make the motion. So, is that the sum of our questions?

Dodson: Yeah. Mr. Chair, I would just clarify again. Be very clear in the continuance about what you want to receive from the applicant. It did sound like you guys do want to

see revised floor plans. So, I just want to make that clear so there is no miscommunication.

Seal: Okay. Thank you. All right.

Yorgason: Thank you.

Seal: Thank you very much. Appreciate that. Okay. At this time can I get a motion to close a public hearing for H-2021-0080.

Yearsley: Mr. Chair --

Cassinelli: So moved.

Yearsley: -- if -- if we continue this don't we need to leave the public hearing open?

Seal: You are absolutely correct. So, I am also new at this. Thank you. Okay. If that's the direction we are going, who would like to take a stab at the motion?

Wheeler: I will -- I will make a motion here, if that's good with you guys.

Seal: Commissioner Wheeler, go ahead.

Wheeler: I would like to -- let's see here. I move that we continue file number H-2021-0080 to the hearing date of March 3rd for the following reasons: For the applicant to work with ownership -- what do we call that? What would you say that --

Seal: Owner occupied.

Wheeler: Owner occupied solutions, parking solutions and -- was there something else? Was that mainly it?

Seal: Commercial space utilization. Redesign.

Wheeler: And commercial space utilization --

Grove: With revised floor plans.

Wheeler: With the revised floor plans.

Seal: Can I get a second?

Lorcher: Second.

Yearsley: Second.

Seal: It's been moved and seconded to continue Item No. H-2021-0080 to the date of March 3rd, 2022, with modifications. All in favor say aye. Any opposed?

Grove: Nay.

Seal: Got that? Do we need to --

Weatherly: For the record, Commissioner Grove, was that a nay from you? Thank you.

Seal: All right. The continuance passes. All right. Thank you very much for that.

MOTION CARRIED: SIX AYES. ONE NAY.

6. Public Hearing Continued from January 6, 2022 for Apex West Subdivision (H-2021-0087) by Brighton Development, Inc., Located on the North Side of E. Lake Hazel Rd., Approximately 1/4 Mile West of S. Locust Grove Rd.

- A. Request: Preliminary Plat consisting of 208 building lots (207 single-family and 1 multi-family) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts.

Seal: All right. At this point we will move on to public hearing for Apex West Subdivision, H-2021-0087, continued from January 6th, 2022, and we will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for a preliminary plat. This site consists of 96.08 acres of land. It's zoned R-2, R-8 and R-15 and it's located on the north side of East Lake Hazel Road, approximately a quarter mile west of South Locust Grove Road. This property was annexed with the previous Shafer View Terrace and Apex Developments and is included in their respective development agreements. The Comprehensive Plan future land use map designations for this property -- there is three of them -- are low density residential, medium density residential, and medium high density residential. You can see that here on this map here on your left. The green is low density, the yellow is medium and this is medium high. The proposed preliminary plat is shown on the left. It consists of 208 building lots, 207 single family lots, and one lot for future development of townhomes or multi-family apartments and 34 common lots on 96.08 acres of land in the R-2, R-8 and R-15 zoning districts for Apex West Subdivision. The subdivision is proposed to develop in four phases as shown on the phasing plan on the right there. The proposed plat includes a portion of the parcel to the east depicted on the plat as Lot 1, Block 5, and the surrounding area and that is this area right here that we are talking about. The entire parcel around that must be included in the boundary of the proposed plat or a property boundary adjustment application must be approved to either include that area in the adjacent parcel or to create a separate developable parcel. A portion of the lot cannot be included as it would create an illegal split. Therefore, staff recommends prior to the City Council approval of the subject application a property boundary adjustment application

shall be approved. Three future development areas are depicted on the plat. Lots 32 and 43, Block 6, that's the two triangle ones here at the north end and Lot 1, Block 1, rectangular parcel here at the south end, that are to be resubmitted and/or developed under separate applications in the future. Access is proposed at the northwest corner of the development from Quartz Creek Street, a collector street, from South Meridian Road, from South Sublimity Avenue and South Apex Avenue, both collector streets, via East Lake Hazel Road. Stub streets are proposed to adjacent properties for future extension and interconnectivity. Qualified open space consisting of linear open space, open grassy areas at least 5,000 square feet in area, eight foot wide pathways -- excuse me -- parkways and street buffers along collectors and arterial streets are proposed in excess of UDC standards. Site amenities consisting of a swimming pool with changing facilities and a restroom, two segments of the city's multi-use pathway system, totaling approximately half a mile and a playground, are proposed in excess of UDC standards. The three future development areas will be required to comply with the open space and site amenity standards upon development. The McBirney Lateral crosses this site within a 41 foot wide easement and the Watkins Drain runs along the west side of the site within a 38 foot wide easement, as depicted on the plat. These waterways are proposed to be piped -- excuse me. The Watkins Drain, the applicant is actually requesting to leave open. They submitted that request recently. So, that will require Council approval of a waiver to that section of code to allow it to remain open. And the McBirney is proposed to be piped. Conceptual building elevations in a variety of materials and colors were submitted for future single-family residential detached homes in this development as shown. Homes on lots along collector streets are required to incorporate certain design standards as noted in the staff report, since they will be highly visible. Written testimony has been received from Julie Edwards, a neighbor. She is concerned with the provision of the three common driveways within the development and associated traffic congestion as discussed at the Commission hearing for Apex East. Concern pertaining to parking in relation to the alley access units and the adequacy of such for guests on the adjacent public streets, especially with the common driveways proposed and parking issues associated with those typically. Suggests some of the building lots be eliminated in favor of provision of a guest parking lot in addition to the on-street parking and elimination of the common driveways in favor of larger lots in those areas. School capacity concerns from the proposed development and others in the area. Written testimony was also received from the applicant Josh Beach of Brighton Corporation. They are in agreement with the staff report, except for condition number seven, which requires all waterways on the site to be piped in accord with UDC standards. The applicant, as I mentioned, is requesting Council approval of a waiver to 11-3A-6B to leave the Watkins Drain open as an amenity feature. Staff will stand for any questions.

Seal: Okay. At this time would the applicant like to come forward?

Wardle: Mr. Chair, Commission Members, Mike Wardle, Brighton Corporation at 2929 West Navigator in Meridian. 83642. Sonya's given you the -- the real depth of the information, but I want to just add a little bit of flesh to it to illustrate some of the issues that she talked about and, again, the only real issue that you will see in a few moments relates to just a drain that is not really much of a waterway, but it's part of an amenity area

that we would propose to receive Council approval for. I'm not getting the -- do we have control, Sonya? Okay. As Sonya noted, it's part of the area that was annexed back -- actually by the city action some seven years ago and, then, two years ago we had a larger area before you that rezoned some of the parcels and received preliminary plat approval for the areas at the intersection of Lake Hazel as it's just noted there is A and W, which is Apex Northwest and, then, Apex Southeast opposite that and, then, recent approval of Apex East on the east side of Discovery Park. So, we are talking about, then, just the parcel Apex West. All of this was done, of course, in -- in accordance with the Comprehensive Plan and the underlying zoning as noted here, with the estate lots, the eight estate lots to the northwest corner, being retained as R-2, with R-8 and, then, a parcel in the future in R-15. Some of the details relative to the site. Shafer View, of course, to the west was one of those farm subdivisions where the open space was retained and there has been approval subsequently for the remainder of their properties for a subdivision. So, what we have east of Shafer, of course, is the -- just some of the features. The green diagonal is the Williams Pipeline corridor that will be at -- in the future added as a pathway corridor and fully landscaped, connecting as it actually will to the east and southeast to Discovery Park and, then, where ever it goes to the northwest in the future with adjacent development. The Watkins Drain as noted, there are two segments. We have actually -- we will pipe the area that's along the roadways near the southwest corner of this parcel and you can see where it actually goes through the property currently. All of that will be piped, but, then, when you get to the area where it leaves the roadway section, that portion, as you will see in just a moment, actually becomes part of a common lot, an open space area, and there is actually a -- let me go back for a second. You can -- you can see in the middle of the drawing there is an arrow that says city sewer access multi-use pathway. That -- the sewer is actually in that alignment. It was installed several years ago to serve the Apex Northwest and the southeast subdivisions that are under construction. So, that sewer access will actually be paved as the pathway. Gives the city the access to maintain their sewer system, provides access for pedestrians along a connection that will meet up with a ten foot pathway on the west side of Sublimity Avenue, which is the road coming in from Lake Hazel. Again, you can kind of see this area a little bit more where the green stands out. as Sonya noted, it's just over 96 acres, R-2, R-8 and some R-15, 207 single family lots actually depicted in the project as it's proposed. Forty-six of those are either alley, 36 of them, and, then, ten are rear loaded that I will talk about in just a moment, with three common lots serving nine lots -- as a common drive serving nine lots. We are well aware that there is a lot of concern about those, but they are allowed under city code. We utilize them and have successfully -- successfully utilized them in many of our projects and we minimize to the extent that we can, but occasionally there are some corners that we -- we do that. The Watkins amenity pathway corridor and sewer access is depicted in this open space exhibit. The qualified open space as noted exceeds the city's requirement at just nearly 17 percent of the site, with the amenities being proposed as the community pool. You can see a little tag over on the east side where it depicts that site a little bit more and, then, of course, the playground associated with that. The pathway along Mc Birney and, then, the Watkins as well. Again, just dialing in a little bit more that shows a little bit more of the character of the pathway through the McBirney piped corridor. The Williams Pipeline up to the north it shows the future alignment and I would note that the Williams

Pipeline folks are in the process now of starting to upgrade facilities, knowing that development is coming and so they are working over near the intersection and particularly through the -- the park area and the Gem -- Gem Prep School site that's under construction. So, during the course of our development there will be upgrades to the Williams Pipeline and, then, eventually that will be an open space sodded corridor. They won't allow really in the -- in terms of trees or anything, but it will be just a nice 70 foot wide greenway connecting all of the facilities from Discovery Park and, then, that would also provide an access -- it would connect, then, to the -- the McBirney pathway, which, then, connects over to the Watkins pathway. The information that Sonya noted from Ms. Edwards that lives to the north of the Apex project, she had concerns about the alley product and I'm going to jump in a moment and show you what that alley product actually looks like and she had expressed concern about parking and so forth. But the alley loaded lots, they are highlighted in the purple, are 120 foot deep lots and they all have a minimum 20 foot parking pad at the rear. The lots over facing Apex Avenue on the east side of that highlighted in red are 130 feet deep. Those lots -- or those dwellings will actually face the product on the east side of that collector roadway at 130 foot deep. They will also have a minimum rear loaded parking pad and just so that you will see what that is, I'm going to just jump way ahead for a moment. This is a real life example of what we have done in Paramount and in alley loaded product that we have -- in Paramount the lots are 114 feet deep. In comparison in Apex West the alley lots are 120. The rear loaded are 130. The street frontage -- because there are no driveways you have on-street parking available along the frontage of those alley-loaded lots. A 20 foot wide alley is flanked on each side by minimum 20 foot parking pads and if you have two or three -- and you can see a three car garage to the left, but you can see that -- in fact, the next one you have got the big pickup on the right. So, those lots are actually six feet shallower than the smallest lot that we have in our alley loaded product in Apex and I would note that when we did this Paramount project it mirrors what we did -- what we pioneered in the city -- Brighton did at Harris Ranch when we did all of the alley loaded products there that required a minimum 20 foot parking pad, so that you did not have, you know, the opportunity for, as you expressed earlier, the concern of people utilizing their garages for storage and no place to park. That's not the case here. So, I'm going to go back for just a moment and just look at the Watkins Drain. I did some review through the Google Earth street view and couldn't see any water in any of it, so this is exactly -- these shots were taken yesterday. Shafer View Subdivision on the left. Apex on the right. And that corridor -- and you can see the existing city sewer access road that will become the multi-use pathway. That area, then, down to and through the drain will be part of a common lot that will be landscaped and we hope that there is some water that might trickle through there occasionally, certainly during the summer irrigation season there will be some, but it's not a -- really a significantly defined channel throughout most of it. So, again, we will be asking the -- the City Council for a waiver to allow that drain behind those R-2 estate lots to be maintained as an open waterway amenity with that multi-use pathway in the city sewer access. With that we actually concur with staff's recommendation for approval of Apex West with all of the city and agency comments, subject to that one item that we will take to the Council. I would be happy to answer your questions.

Seal: Okay. Thank you. Are there any questions for the applicant or staff?

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: A question to -- my question for you on -- actually, on phasing of the roadway that is to be built as a fire lane through phase one, two, and three, but would, then, be converted to a road into the subdivision in phase four. Is there any possibility of moving the construction of that to an earlier phase or is there a purpose for it being constructed as a roadway in phase four, instead of earlier?

Wardle: Mr. Chairman, Commissioner Grove, I'm going to have to ask my boss, because I'm not really acquainted with that aspect. And, Sonya, I would -- could you bring back up the phasing plan.

J.Wardle: Commissioners, for the record Jon Wardle. 2929 West Navigator. Just to clarify, I may technically be his boss on paper, but that doesn't mean anything, so -- to Commissioner Grove's question, the -- the phasing plan here showing the road in red, Commissioner Grove, we -- we are working on a couple different things that -- part of the reason we -- we can't do it at the very beginning is we do have that Watkins that we do need to tile in the off season, so we -- we aren't conflicting with that, but we also are entering into a CDA with ACHD to continue Lake Hazel as a five lane road through this corridor. So, there is going to be a variety of improvements that need to happen there. The emergency access is beneficial at the very beginning. However, we do have direct access out to Locust Grove and we have two different ways to get to Locust Grove and we have two different ways to get to Lake Hazel in the interim as well. So, it's not -- it's not a complete dead end, we do want to have it there as quickly as possible, but it will be problematic for us to do it at the very first phase of this project.

Grove: Okay. Thank you.

J.Wardle: Thank you.

Seal: Okay. Do we have any other questions? Okay.

Cassinelli: Mr. Chair, this is Bill. Sorry. I was trying to unmute.

Seal: Oh. Go ahead, Commissioner Cassinelli.

Cassinelli: The amenity that you are wanting to make use of the -- of the Watkins Lateral is -- would that be -- is that an additional amenity or is that your third amenity?

J.Wardle: Mr. Chair, to make sure I understood Commissioner Cassinelli's question, he was asking if the Watkins pathway and open space is an additional amenity or if it's tied in with our overall amenity package. It's -- it's part of our entire package with all the pathway systems, you know, that mobility piece of it and pathways. Just to note, these are not the -- the city has a pathway plan and we have worked with Kim Warren about

what that would be and, ultimately, the -- the city designated pathway would be the one that would go through the Williams Pipeline. These are new additional pathways outside of those.

Cassinelli: But the comment there -- and not wanting to pipe that is to keep it as a -- as an amenity feature to leave it open. So, I guess my question is if -- if that were -- if that were piped would that reduce your amenities? Is that -- that drain, keeping it open and making it an amenity, is that one of your -- is that one of the amenities to meet the minimums?

J.Wardle: Mr. Chair, Commissioner Cassinelli, the open space still counts. It's just a question of whether we are tiling it or if we are leaving it open. So, there is really no difference in terms of the amenity. It's still with the open space corridor. We just believe that this part of it, along the Watkins that we are asking to leave it open, has actually an opportunity to be something different than just a tiled piped waterway. So, our preference is to leave it open. If the City Council decides that they prefer that it be tiled, the amenity calculation doesn't change, it's still the same count open space and all of that.

Cassinelli: Okay. Thank you.

Wardle: Thank you.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: I have one last question. With the amenities for Apex, is this -- is Apex looked at as an overall project or is Apex West, Apex Northwest, Apex East, like are all of the directions separate or are they tied together in any way in terms of residents in one -- in West are they able to use amenities in another portion of the development?

Wardle: Mr. Chair and Commissioner Grove, important clarification. We appreciate that. No, it's all part of one. Unfortunately, when you do a preliminary plat you have to distinguish it for file purposes and for the county's purposes. So, no, it's all part and parcel and these folks will, in fact, utilize -- it doesn't really show up here, but we have that very strong community core that's taking place at the northwest corner of Lake Hazel and Locust Grove and that will all, again, tie together as part of that complete community. All same covenants, same restrictions, same association fees and requirements. Thank you.

Lorcher: Commissioner Seal?

Seal: Commissioner Lorcher, go ahead..

Lorcher: Mr. Wardle, based on the written testimony from Julie Edwards, she mentioned that the common driveways with development associated for traffic connections as -- as

was here in the hearings for Apex East, were those common driveways approved for Apex East; do you recall?

Wardle: Mr. Chair and Commissioner Lorcher, yes, they were approved. We made one modification when we went to the Council. That northwest corner that had been sited where there were quite a few and it was on a secondary emergency access and so we actually took one or two lots out of that corner, but the others that were part of that project were reviewed and approved by the Council. So, again, we are bringing you something that's allowed by your code. We don't try to overuse it, but there are places that we do and in this case of the 207 -- or 208 lots, there are nine lots that will be on common drives.

Lorcher: Thank you.

Seal: Okay. Anybody else?

Wardle: Thank you very much.

Seal: Thank you very much. Appreciate it. Okay. At this time we will take public testimony. Madam Clerk, has anyone signed up? No one has signed up?

Weatherly: No.

Seal: Okay. Anybody online that would like to hit the raise hand button or anybody in chambers if you would like to come up. No takers? No one online? Okay. Unless the applicant has something more to add or we have additional questions -- okay. Can I get a motion to close the public hearing for Item No. H-2021-0087.

Lorcher: So moved.

Wheeler: Second.

Seal: Okay. It's been moved and seconded to close the public hearing for H -- file number H-2021-0087. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: ALL AYES.

Seal: Who would like to jump in there?

Lorcher: Commissioner Seal, I will start.

Seal: Commissioner Lorcher, go ahead.

Lorcher: I'm -- I'm in agreement with Mr. -- is it Beach's comments from Brighton Corporation to pursue a waiver for open space for -- to have the Watkins open. I -- I don't know if I'm unique in this respect, but closing every open waterway in Meridian takes away what the nature of Meridian is like. So, if we keep piping everything in -- one of the

things that founded our city was our irrigation and piping it all in takes that away. So, the more we can leave it open, then, we invite nature into our backyards and our home. So, I'm definitely in support of this. I'm not a fan of the common driveways for the congestion and services, but it was approved in Apex East and according to Mr. Wardle they are fulfilling the city codes.

Seal: Okay. Thank you. Anyone else want to jump in? Commissioner Wheeler, go ahead.

Wheeler: I have a question. Thank you, Mr. Chair. I have a question for staff. Is there any requirements for -- like fencing or anything along that open waterway?

Allen: Chairman, Commissioners, I have asked the applicant to provide some additional information prior to the Council meeting on how public service -- public safety is planned to be preserved with that being open. So, I -- I don't know if they know that now, but I -- I did ask that of the applicant. A little short notice, so they probably haven't had a whole lot of time to ponder that yet maybe.

Wheeler: Okay. Okay. Yeah. I'm -- I'm in agreement here that I like to see that kind of an open waterway and I like kind of the views that will be there at least temporary over to the -- to the east from that section, too, so -- thank you.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: I think this ties in well with the other portions of -- of the Apex project. Seeing some of the zoomed out pieces where it -- how it connects with the other plan pieces or under development pieces help -- especially with the -- the open space area on the east side, seeing how that connected with like the -- the Williams Pipeline corridor and I thought everything looks good. It's really easy when applicant agrees with the staff report. I think I would be fine with moving this forward. We don't -- I don't think we need to make a change to the -- the staff requirements on this. We can make an encouragement, but it's not our place to do the waiver. So, I think it would just be an encouragement if we want to go in that direction, but I don't know that we need to condition anything. I could be wrong. Does that sound right? Somebody? Okay.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Quick question for staff. Sonya, is -- do the lot sizes on the alley loads and the -- I think they are rear loaded product to the east and west of that alley load portion down there, do those all meet the -- I'm assuming they all meet the R-8 lot size requirements?

Allen: Chairman, Commissioner Cassinelli, yes, they do.

Cassinelli: Okay. In my comments I'm not a fan whatsoever of -- of the common driveways. I would love to see them eliminated. I mean I get it. The developer is doing it to maximize their density, all within code and guidelines on the project. I'm just not a fan of it and I'm really shocked that there was not more public input, even though I -- you know, there is not a lot -- a lot of homes down there yet I don't think, so probably not a lot of -- a ton of neighbors, but I'm shocked with a project this size that there is not more -- that there wasn't more input. But all that said, I would be -- I would be okay with -- with moving it forward as is.

Seal: Okay. Commissioner Yearsley, do you have anything?

Yearsley: I actually -- my biggest concern is I -- I think the project is fine and everything. I just -- I mean I just don't like that we just cram as many homes as we can into a subdivision. I understand that, you know, we are trying to keep a price point down and everything, but, man, there we just got small lots and medium-sized homes and I just don't like the look and feel. That being said, it's -- it's my personal preference -- and I'm not going to stand in the way of the project.

Seal: Okay. Yeah. That -- I mean can't say it enough. Common driveways -- I -- I drive through one of your products that has a corner and -- and, you know, three houses on it and when it's trash day it's like Mario Kart. It's -- it's horrible. I mean it's a really -- it's a bad experience in a really upper end -- upper end subdivision, you know, that has space to accommodate better than this does. So, where these are squeezed together more tightly I can't imagine what that's going to be like. That said it meets code. I wish we would do away with them, make them, you know, alternative compliance only or something along those lines, because I have seen another one of your products where you did the circular driveways that were common. Beautiful. Absolutely amazing way to -- you know, out-of-the-box thinking with that. So, that said I will get down off my soapbox and ask somebody for a motion.

Grove: I got it.

Seal: Commissioner Grove, go ahead.

Grove: Mr. Chair, after considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2021-0087 as presented in a staff report for the hearing date of February 3rd, 2022, with no modifications, but embrace of the applicant's request to have a waiver for the open waterway for the Watkins Drain.

Seal: Okay. It's been moved and seconded to approve Item No. H-2021-0087 -- oh, do I need -- yeah. Who would like to second that? Sorry.

Wheeler: Second.

Seal: Thank you, Commissioner Wheeler. Now, it has been moved and seconded to approve Item No. H-2021-0087 as presented in the staff report for the hearing date of February 3rd, 2022. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: ALL AYES.

7. Public Hearing Continued from January 20, 2022 for Quartet South Subdivision (H-2021-0088) by Brighton Development, Inc., Located on Parcels S043432586 and S0434325410, at the Northeast Corner of W. Ustick Rd. and N. Black Cat Rd.

- A. Request: Annexation of 67.61 acres of land with the R-8 (48.83 acres) and R-15 (18.78 acres) zoning districts.
- B. Request: Preliminary Plat consisting of 229 single-family residential lots, 2 multi-family lots with 140 townhouse units, and 42 common lots.

Seal: All right. So, we will move on to Quartet South Subdivision, H-2021-0088, which was continued from January 20th, 2022, and we will begin with the staff report.

Cassinelli: Mr. Chair, can I jump in?

Tiefenbach: Greetings, Mr. Chair, Members of the Commission. Alan Tiefenbach, associate planner here with City of Meridian. Okay. This is a proposal for an annexation and rezoning and preliminary plat. The property is not quite 68 acres, zoned RUT, located at the northeast corner of North Black Cat, West Ustick Road intersection. In July of 2020 Quartet Northeast, obviously, to the north and Quartet Southeast were approved north of this property. This subdivision is a continuance of those subdivisions. Future land use map recommends medium density residential, three to eight dwelling units per acre. The applicant proposes to annex a total of -- again, just not quite 68 acres of land. Forty-nine acres on the northern portion of the property are proposed to be rezoned to R-8 to allow 229 single-family homes. The southern 18.7 acres is proposed for R-15. That would be to allow 140 single family attached or multi-family units, although the housing type has not been determined at this time by the applicant. Jamestown Ranch, the court -- I made a little map here. So, Jamestown Ranch, the Quartet Sub -- the Quartet -- sorry -- Quartet Northeast, Quartet Southeast, they are all north. The Klamath Basin, Staten Park and Geddes Subdivisions are to the south and the Birchstone Creek Subdivision is to the west. To the east is unincorporated property that's in the county. This I will be calling the Naomi parcel as I talk about that later. This is -- this is designated for a mixed-use non-residential. Further east here is the wastewater treatment facility. There is some self-storage. It's important to note that here -- this piece of property is currently under review with the Planning Commission -- or, sorry, with ACHD for a new maintenance facility. There are -- let's see. There is presently four accesses to this property off of North Black Cat and those accesses are going to be closed and, then, there will be new accesses. One will occur from West Aspenstone, which is down here, and the other will occur from

-- from Machado, which is up here -- which is around in the middle. Some of these accesses to the north have already been improved -- already been approved as part of the Quartet Southeast and Northeast. The internal streets will be built to ACHD standards. The applicant submitted a traffic study for this application. ACHD responded that the level of service at the North Black Cat and West McMillan intersection -- so, it will be up to the north here, that's level of service F, and that sections of North Black Cat Road and West Ustick Road also exceeded the ACHD acceptable level of service. Ustick Road is listed to be widened to five lanes between 2026 and 2030. North Black Cat Road is listed to be widened to five lanes between 2031 and 2035. The North Black Cat-West Ustick intersection was signalized with turn lanes in 2021. Eventually that's going to be widened as well between 2026 and 2030. Per ACHD, the applicant is going to be required to construct a dedicated eastbound turn lane on Ustick Road, which is down here. They will also be required to construct a dedicated northbound right turn and a southbound left turn at Aspen -- Aspenstone Drive, which is what you see here. The applicant's going to be required to construct ten foot wide pathways along North Black Cat. Originally in the staff report it talked about sidewalks. Since that time ACHD required ten foot wide multi-modal pathways. There is two common driveways proposed with this subdivision. On the right is the open space exhibit. A minimum of 15 percent qualified open space is required, 15.4 percent is shown. This includes two larger parks of roughly 114,000 and 55,000 square feet and some smaller open space areas as well. Based on the 48.83 acre area proposed on our new code ten amenity points are required. Because this project is more than 40 acres amenities are required from all of the separate categories. There is four different categories listed in the code and, then, there is a note of what qualifies for amenity points. The applicant proposes a community pool and changing rooms, children's play structure and clubhouse. Although the square footage is not indicated, staff scaled the clubhouse and it looks like it's greater than 5,000 square feet, which would qualify it for more than six amenity points and this would qualify in the quality of life category. A swimming pool and changing rooms are also shown, which would qualify -- qualify for six amenity points and a children's play structure and all this would end up being about 13 points. This is over the ten points that are required. But, again, as I mentioned, because this is larger than 40 acres they are actually required to provide amenities from all four categories and I don't under -- unless the applicant clarifies with us, I do not believe that amenities have been provided from all those categories. Easy enough for them to fix, but, again, they would have to meet all the categories. The subject property is adjacent to the Naomi Farms property. That's the one I talked about was to the east and that's designated for a mixed-use, non-residential. The purpose of this designation is to designate areas where new residential dwellings would not be permitted. What I have shown you here is the future land use map. Residential uses are confirmed to be -- or have been determined to not be compatible in these areas. Again, as I mentioned earlier, the wastewater treatment plant is about 1,200 feet to the east, which is what you see in green here. There is a future ACHD facility that will be built about a thousand feet here and both of these would -- or very potentially have highly intensive industrial usage, which could include noise, light, odor. The ACHD facility itself -- could also have some pretty significant traffic impacts. At present the Naomi Farms property could be annexed into the city and it would be designated for industrial. So, they could do industrial uses. Right now I think there is sort of an informal RV storage type facility

that's happening. It's covered RVs. Staff has recommended to the applicant that a better transition should be provided between the subject property and the destination -- and the Naomi parcel to the east. The applicant has responded that there may be a future request for a future land use amendment for additional residential uses to the east and that a buffer or transition via a road or something else could be provided as part of this request. The applicant also states that the mixed-use non-residential designation is intended to provide the transition to -- is intended for that reason, to provide the transition, which is why this project, as shown, shows houses backing directly to the Naomi Farms parcel. Staff has known that due to the increasing loss of industrial land and the impacts that I mentioned with the wastewater treatment plant and the ACHD facility, we thought that there actually should be a better transition. I might add that the applicant also has noted that there could be a future request for a future land use map change in that area to allow more residential there. Because of the -- the reasons that we listed, staff at this point -- we weren't sure if we would support that map amendment, but whether or not the Planning Commission or the City Council is inclined to support redesignating that area, it's important to notice that -- that unless the applicant gets that property or unless the current owner of the Naomi Farms are part of this application, we can't ascertain whether an appropriate transition is based upon somebody else and what they might do that aren't associated with this application. So, we certainly -- you know, the applicant contends that the app -- the adjacent property -- that that transition will be provided whenever that develops. Our position is, well, it's not developing, it's not part of this application and you are developing, so you should provide a better transition for the houses, rather than backing them directly onto the -- directly to the parcel. Certainly that's for the Planning Commission and the City Council to decide what is appropriate. So, staff does have concerns with higher density residentials, particularly maybe multi-family that would be right along Ustick. As I mentioned, Council and the Commission should decide if there is an adequate transition. The applicant has submitted elevations. These single family homes are depicted as one or two story structures with attached garages and a variety of architectural elements. They do seem to meet all of the requirements. However, we would note that, again, as we mentioned, there could be a potential multi-family that goes into the -- to the parcel to the south. Now, design review is required for that and also if that was -- if that was proposed it would have to come to you as a conditional use. Still staff would want to make sure that there was more -- that there was consistency throughout this development. So, one of our -- one of our recommendations in the staff report is that the architecture of any multi-family units would be generally consistent with the single-family elevations that you are seeing here. So, again, in summary, staff does believe that it meets most of the minimum requirements of the UDC and the future land use map. There is a few -- one in particular -- I think I noted in the staff report -- along the eastern boundary there is a very long block here. There -- there is some -- there are some restrictions on how long you can have a block without a break. I believe it's 750 square feet and, then, there is some additional allowances that the Council can allow, but this is a very long block. There is all -- they meet the density recommendations. They are right at the 15 percent required open space. They are meeting their 4,000 square foot minimums. Again, with a little tweaking that they would have to provide some additional amenities -- or some amenities that come out of the different categories, which is easy enough for them to do, but certainly as we mentioned we do have concerns with

the existing issues with traffic, how long it's going to take for future improvements and whether or not there is a good enough transition from this development to the industrial uses to the east. With that if the Planning Commission is inclined to support this proposal, staff has listed conditions of approval in the staff report and with that I would take any questions or comments.

Seal: All right. Thank you. At this time would the applicant like to come forward.

J.Wardle: Alan, can I share my screen?

Tiefenbach: Yeah. Sure. Let me -- let me shut mine off. Let's see if I can do this. I think I have to just turn mine off. You should be able to.

J.Wardle: You have to unshare your --

Tiefenbach: Oh. You're right. My bad. There you go. Give it a try now.

J.Wardle: Thank you. Commissioners, good evening. My name is Jon Wardle. My address is 2929 West Navigator, Meridian, Idaho. 83642. Just share my screen with you tonight. Appreciate staff taking an opportunity to go through and describe some of the details here on the project and I want to get into some of them as well, so that we get a full picture of what -- what we are looking at tonight in the application that's before you. As Alan mentioned, we previously had approved last year or two years ago now a Quartet Northeast, which was north of the Five Mile, Quartet Southeast, which was south of the Five Mile and we are asking for annexation, rezone, and preliminary plat approval for Quartet South, which would be south of what's now Machado. If it's confusing to you, it's to us as well. That name's changed several times based on other approvals, but this is Machado up here. This is Black Cat Road here and, then, this is Ustick down to the south. We are requesting annexation, like I said, of nearly 68 acres and asking also for that to be broken up into two different zones, R-8 on 48.83 acres, and R-15 on 18.78 acres. In addition, just the details here for the project, we are asking for 229 single family detached and alley loaded homes in the R-8 section and up to 140 single-family attached or multi-family homes on the R-15 parcel highlighted in yellow. The overall density for the project, when you combine both of those together, we are about 5.46 units per acre. The split between the R-8 is 4.69 units per acre and R-15 is 7.45. But the blended density is 5.45 units per acre. We have also tried -- and this is important to note. We have also tried to bring together a -- a variety of residential home options with a standard front load is all -- as well as the alley loaded surrounding a central park. One of the things that we -- as we have developed now three age-restricted communities, we have put in the core of those very large amenities where it creates a social connection. We feel really strongly about that now as in all ages as well and so that's what's represented here is that there is a large community center. Alan is correct, it will be over 5,000 square feet where there will be an opportunity for a number of different programs in there to provide year around socialization. Clearly, you know, people do like swimming pools as well and that will be available here as we have been doing up in the northern part of the project as well. So, I just wanted to let you know that that central park area is designed to be a social hub for

this community. So, even though these lots in some regard are smaller, we are offsetting that with a very large community center that will mimic what we are doing in our Cadence communities, but this will be for all ages. This, again, highlights the amenities that are here with the clubhouse, community pool, a large playground structure. The -- the overall combined open space here is 15.4 percent or ten -- ten acres of the entire site and I want to split these apart. The R-8 area which, is the area to the north, which is denoted here, has 18.3 open space. When we bring back the R-15 we are going to be adding more open space to that. We haven't defined what that is currently, but we do need to comply with those open space requirements for that R-15 designation. There will be a little bit of a nuance, whether it's attached -- single family attached for sale or multi-family, but that open space calculation for the R-15 will increase, as well as will the amenities for that area. Pretty hard to zoom in on this, but Alan noted that because we are over 40 acres that we need to get additional amenities from each of the categories and we are proposing that those will be included as well. We have a number of non-required pathways and sidewalks throughout the project. We will also, given the essential amenity area here, we will be adding some features for the bicyclists, repair stations, that type of thing and so we will be able to comply with all of the categories and all of the amenities for the project. We did provide, prior to the hearing this -- a few weeks ago we did provide an update to the overall preliminary plat. There were -- we eliminated some areas that were of concern to staff and made sure that we were complying with all the dimensional standards for the project and that's what's reflected in the preliminary plat that was provided to you by staff and also here in this exhibit. There are four items -- I -- I wish I could say that, like the previous hearing where we were in complete agreement with staff conditions, we aren't, but I would like to walk through those with you today. The four items are arterial frontage improvements for Black Cat and Ustick. A future residential in the R-15. A question about the alleys. And, then, the future land use map designations. We have talked about that transition or buffer with the MUNR designation. So, the first one is the arterial frontages. As -- as is typical when we develop an adjacent phase of those we make those improvements. Staff has requested that we actually make the roadway improvements right from the very beginning. I am the first to tell you that we -- we also are -- we want to get roadway improvements done. This is problematic in this project at this point at the very beginning. There is a couple reasons. I mean it does add some additional costs up front, but more specifically we have a number of -- and you can see them diagonally -- some drains that come through the property. There is a large amount of piping that needs to happen across the frontage and we also have the Quenzer family home, which is still here, and their accesses and those type of things. Their home is very close to it. The home will go away, but the timing of that is not at this point in time. That's why we have phased this project the way we have, with the red area first and, then, green coming down, making the connection to Ustick and, then, we would move over. Our hope is that we can get in there earlier, but it's not feasible for us to do all of those roadway improvements at the very beginning of this project and so we are asking that condition 1-B be deleted as a requirement. It's not required by ACHD, but it is noted here and staff has made that request and we are asking respectfully that that condition be deleted. I will note that we -- when we originally proposed the -- the roadway improvements we did show those as a five foot sidewalk. Their -- ACHD is in the process of transitioning their requirements for the pathway accesses on arterial roadways. We are doing this right now in south Meridian

where those are ten foot. We, in talking with staff -- with ACHD staff -- and it was noted that, you know, we not be allowed to do five foot and we agree. We are going to do the ten foot regional pathways on both -- on our side of the road. In fact, we are doing that to the north with our existing projects as well, so we have a consistent ten foot along there. At some point ACHD is going to be updating their policy manual for that, they are just not there yet, but this will allow us to do that in the very beginning. The future R-15 residential -- like I said, we aren't quite sure what direction we are going to go, whether these will be for sale or whether they will be a multi-family under complete rentals, but a CUP is going to be required. We do need to come back to you to bring this back, so you can review both elevations, compatibility as Alan mentioned, with residential styles, which we will do and also the additional open space requirements. The one nuance here that we are asking for -- staff had noted -- noted that a DA modification be required prior to submitting the CU. We are just simply asking that that be modified so they can run concurrent. There is a little bit of a timing sequence there, but we want the DA mod and the CUP to run concurrent, knowing that you will review the CUP and City Council will review the DA mod. But it's just kind of a chicken and egg on that. There was a comment made about alleys not complying. You know, we have been over this a few times with different projects with alley projects here in the city. What -- what the concern is is when that alley makes a turn and it -- you can't view from one end as -- there would be like a blind corner, but where these alleys you can view from a public street to the end and, then, you can view the other way as well, we do believe we actually comply with city code. The city actually has approved these for us in at least four projects. You know, we -- we also agree that you don't want to have these L-shaped where, you know, you can't see all the way through, but the fact that these intersect and you have an opportunity to look from the other roads as well -- it's an item we have worked with the police on safety and given that they have been approved before we are not quite sure why at this point those are not viewed as acceptable. So, we are asking that condition 2-B be deleted as a requirement. We believe they actually comply. And, then, the last issue is the -- the future land use map and the -- a little typo there, but it should say mixed use MUNR, the proximity to the Wastewater Recovery Resource Facility transitions, that type of thing. You know, this mixed-use NR designation has a very long history. We are talking 20 years now that goes all the way back to the 2002 Comprehensive Plan and, believe it or not, I actually had worked on a couple projects in this area in 2002 as we were working through this prior to the city doing their first odor ordinance -- or odor study and so I -- I do have history with this. The -- the -- the thing that is important to note in the city's Comprehensive Plan is they do talk specifically about the mixed-use non-residential and encouraging transitions, but the city is pretty specific about how that transition does occur. When you look at the mixed use non-residential, there is two things that they note in -- in your Comprehensive Plan. One is no new residential. Existing residential can stay. It has a historic use. It can stay. But no new residential can be approved in the mixed use non-residential. That's very clear. That's been -- the city's been consistent on that. What hasn't really happened around this area in terms of developing up against it is how the transition occurs. We -- the staff has asked us to create that transition, but, in fact, the -- the mixed use non-residential provides for that transition to occur in that designation. When you look at this little rendering right here -- and I just put them side by side. The area on the outside shows residential butting right up against the mixed use non-

residential zone and the way that the city had described this -- and this goes back to 2011. So, this is the -- this is a graphic that has been consistent in all the comp plans from 2011 -- is that there are transitional uses on the mixed-use non-residential and, then, the more intensive uses are moved away from it. So, this says -- you know, this is showing existing industrial or it could be new industrial, flex, light industrial, transitioning to office or uses that would be of a size and scale, as well as landscape buffers on there butting up to residential. The mixed use non-residential is the transition between the intensive use of the wastewater treatment facility and the residential around. The comp plan clearly shows how that transition should occur and when an MUNR application does come forward the city has the guide. It's in your Comprehensive Plan on how that should occur. Our issue is staff has asked that we provide, for example, another road north to south. That's -- we don't believe that that is needed. We believe that the transition really can occur back to back as shown here where you could have offices and you could have a landscape buffer. If the city abides by the Comprehensive Plan and your own guide there will not be heavy industrial up against residential. The intention is that the transitional uses as stated here and shown here would be -- would provide the transition. I also want to show up here that industrial -- very small, but industrial up here in the corner is one of many zones that could be appropriate within the mixed use non-residential zone. So, it's not -- I don't want to, you know, preclude the option for somebody to do industrial, but this area has been there for 20 years and it has not taken root. Maybe it will at some point, but the city has the tools in their tool belt on how to deal with the transition. So, in summary, we request the following conditions be deleted or modified: 1-B, which relates to the frontages, us improving the roadways with our very first phase. 2-A, which is the -- I think 2-A relates to a requirement for a road adjacent to our property and the mixed use non-residential and 2-B would be the -- the alleys. And to modify condition 1-C, which clearly -- which just states that instead of having prior to submitting, that the concept plan development agreement could run concurrent with the CUP. We concur with the staff recommendations for approval, including the city and agency comments, including our modifications and we request that the Planning and Zoning Commission support and transmit this to the City Council for their review and approval. Thank you.

Seal: Thank you. Are there any questions for the applicant or staff?

Lorcher: Commissioner Seal, I do have a question.

Seal: Go ahead, Commissioner Lorcher.

Lorcher: So, if everything went your way where the land was annexed into the city -- that's what we are voting on tonight; right? Whether we are annexing in and the preliminary plat. And, then, you go to City Council and you get that approved. What is the time frame for Quartet South Subdivision phases to incorporate -- to actually have a product for sale? What's your time frame?

J.Wardle: Commissioner -- Chairman Seal, Commissioner Lorcher, our time frame for this is -- I don't believe that we would have any development that we would be able to do in this first area, which is shown as red, until, you know, a year from now. We have, you

know, a few things that we need to work through in terms of design. So, my best case scenario would be that we would have lots that would be available to be built on probably May or June of 2023 at this point in time.

Lorcher: Okay. Thank you.

Seal: I have one question on the -- phase one, what's the secondary access that you would have -- that will be provided for that?

J.Wardle: Chairman Seal, a great question. So, we have worked with Mr. Bongiorno on this. It's kind of hard to see, but up here in the right corner there is a stub street that will go into the Naomi Farms property. In the short term we actually will improve this over to that access point to get the access out and Joe has reviewed that and he's approved that. So, that would be the short-term emergency access with phase one. And, then, once we get phase two done it's natural going down to -- to Ustick.

Seal: Okay.

J.Wardle: We also, just to note, we have -- with Quartet Southeast No. 1, which is on the north side of Machado, we are building this roadway. This roadway will be finished this spring. We are also building the bridge across the Five Mile Creek, which connects with Quartet Northeast No. 1, which will also go out to Black Cat. So, we are starting to fill in multiple directions where people can move through the site in case of an emergency.

Seal: Okay. Thank you.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: All right. Let's see if I can get started here. Can you go back a slide, please. Thank you. So, this is a little bit different than what we had. Can you explain the mid line section on east and west it looks like -- in particular on the east side where, by my count, there were 41 homes in a straight line more or less and I just have some general concerns with how long of an uninterrupted street that -- or uninterrupted row of houses. I see this as a little bit different, but can you kind of explain how and why and all of the particulars for that section.

J.Wardle: Commissioner -- or Chairman Seal, Commissioner Grove, it's a great question. We -- we are aware of the city's requirement for, you know, these long blocks. When you look at just the right side or the east side of the road there is very few breaks, but if you look on the west side of the road we do have one, two, three roads that are coming into it and at each one of those intersections we are actually going to be constructing chokers, so they will be -- the curbs will come out, so that they create a -- you know, a natural slowing, so it's not just a straight through. We also wanted to create a little bit of curvilinear to that road, so it wasn't a direct shot through that. So, with the traffic calming

as we have talked with ACHD in these locations, we believe that we actually are able to break up that long section. Even though we have a large block on one side, we have three roads coming into it on the other side.

Grove: I -- I see it from both the traffic's perspective, but also just from a visual. That's a really really long stretch visually, even if -- if it is, you know, calming traffic, I have some -- some hesitation with how that will visually look. You know, if you are at one end of the cul-de-sac and looking down the other it looks a little different than what you would typically see in a subdivision in Meridian and, then, with that on the slide previous it's different than the slide current in terms of how that mid section has an alley or something. Which -- which way are we looking and what are we supposed -- which one of those is current I guess?

J.Wardle: Commissioner Seal -- yeah. Let me just go to this one right here. Commissioner Grove, the application we originally submitted showed what we would call these U-shaped alleys. I mean in working with staff that is not a solution that is -- that we can do. I mean it's not -- it's not appropriate for -- for this. We -- we talked to -- even though we have done it in some other places, those are private roads. We had some more allowance. With the public roads we just felt like, you know, we needed to make that modification. So, there was a revised preliminary plat and it was in Allen's application, which is this one, it actually removes those U-shaped lots, it makes them wider and so, you know, there are the same number of homes. We did actually add a common lot with a pathway that would go out to the pathway system out onto Black Cat. One of the -- one of the advantages -- and this goes to your question just a moment ago about the long road. When we were going to do the alley we could be -- we could pull those homes out closer to the street and so that would also visually kind of block that road up. But with a front load they get pushed back some. So, that's kind of a trade-off there. But that's -- this is the correct one. Those U-shaped alleys are not -- are not proposed, but this plan right here is. The -- the open space exhibit that was provided -- and Alan provided it your packet -- is correct for this. These -- the pretty color rendering we didn't -- weren't able in time to get that one updated for this meeting.

Grove: Thank you.

J.Wardle: Thank you.

Seal: Okay. Any other question? Oh, Commissioner Grove, go ahead.

Grove: I have more questions. I was just waiting to see if anybody else -- can you, please, kind of address for me probably the -- outside of the 41 homes in a row, the -- the biggest piece for me is probably ACHD's timeline for the arterial roads and what that looks like. I mean the soonest it looked like was something like four years out and, then, the -- the worst case is 13 years out from today when they would have some of those roadways upgraded to -- yeah. The full build out. With this many homes in addition to the other ones that are coming on and already having some major issues out there in terms of the service level, how -- how can you address this or how -- it's going to be a concern for you

in selling the product or renting any of the product. So, how are you looking at that problem?

J.Wardle: Chairman Seal, Commissioner Grove, as I mentioned we are strong advocates to getting roadway improvements done and when I say strong advocates, we currently are undertaking four different CDAs in south Meridian around the Pinnacle project. One of those was at the request of the city for the city park. The other three are projects that in working with the highway district we have been able to move those projects forward and beyond -- way ahead of their schedule to do those things. We haven't been able to get to that level of conversation with them. As I mentioned, our -- our short-term issue is we have a wide variety of storm -- or not storm drainage, but surface water constraints that we need to deal with before we can get really serious about the roadways out here. It is a positive thing that the majority of the right-of-way has already been dedicated on the west side of Ustick, at least south of Machado. We control or will be able to develop the piece north of that and Ustick also is in a similar position. I am not committing today that we will be able to accelerate those dramatically, but we do want to make those things happen sooner than later. The nice thing when we do a cooperative development agreement there is two time frames. ACHD has in their programs certain times when they can allocate dollars, but they can also move those dollars forward if they can come into a development agreement like we have done in south Meridian. So, we will pursue that with them, but as you noted if we allow them to make the improvements, you know, those full build-outs will -- will take some time. I do think that there will be some acceleration or at least some interest in moving Ustick forward given some of those connections that are going to happen farther to the west, but clearly Black Cat is in need of some improvements as well.

Seal: Okay. Anybody else have any questions that would like to float to staff or the applicant? All right. Seeing there is none, at this time thank you. Appreciate it.

J.Wardle: Thank you.

Seal: We will take some public testimony. Maybe.

Weatherly: Mr. Chair, no one has signed up online in advance.

Seal: Okay. Anybody in chambers like to testify? Anybody online raising their hand? No? Okay. Unless there is additional -- any additional questions or anything -- all right. I will take a -- would the applicant like to say anything in closing? I will give you the opportunity, so -- you know.

J.Wardle: Commissioner Seal, Commissioners, again, we -- Jon Wardle for the record. Again, appreciate the opportunity to -- to give this project to you, so you can evaluate it. We are very interested in doing -- doing projects which will last and part of that is also addressing the -- the infrastructure and we are committed to -- to making that happen. Our -- my only closing comment was -- tonight is we just request that you evaluate the modifications that we put before you on those roadway improvements, on timing of those.

Also that the transition for the mixed use non-residential is safe. It's -- it exists. The city has the mechanism for that and just give us an opportunity to work through some of those transportation issues without it being a -- a requirement. Again, we -- we appreciate the city working with us and reviewing this. Also with Alan. I will tell you that Alan spent a lot of time on this application. I think we started our conversations -- you know, we are the 3rd of February today and I think we started e-mailing back and forth in mid December on questions. While I don't necessarily agree with some of the conditions that are there, I do want to applaud him for taking the time to get into the details on this project. He spent a lot of time on it and was also looking for our input and feedback on questions that he had. So, I think we were able to resolve some of those and make the project better. There is still a couple items that we are asking for your consideration on. So, thank you.

Seal: Thank you.

Grove: Mr. Chair?

Seal: Oh.

Grove: I'm sorry. Can I ask two questions?

Seal: Absolutely. Go ahead, Commissioner Grove.

Grove: Two questions. First one is probably easy, just in terms of the -- all the Quartets, are they the same in terms of how the Apex were connected? Are they all one? Okay.

J.Wardle: Yes. Commissioner Seal, Commissioner Grove, yes. Again, it's this -- this naming deal on the plats. But this is all designed to be a single community, the community of Quartet, and we will be developing across Black Cat in the future as well. So, that will all be one full community and everybody will share in the amenities.

Grove: Okay. Thank you. Second is probably harder. With this, if we get to a point in our deliberation, just so that we kind of have a heads up, are you in favor of continuance or denial if we get to that point? I just have some major questions that -- I don't know if everyone else will feel the same way, but just so we know what direction we are going with some of our deliberations. Kind of giving you a heads up of where I'm at I guess.

J.Wardle: Mr. Chair, Commissioner Grove, it's a great question. Obviously, we -- we would like to proceed in the process, but if the Commission has questions they want to pose to us that we can answer or -- I mean we are open to that as well. But I mean, obviously, we -- we would prefer not to come out of this Commission with a denial. We feel like the -- the project isn't just a -- going to be just a subdivision. This will be an asset for northwest Meridian and we feel like that there is an opportunity to -- to do something great here. So, our -- our ultimate goal is not to leave this Commission meeting with a denial, so if there were questions we would like to have those answered. If we could do that tonight, great. So --

Grove: Last question. I promise.

Seal: Go -- go right ahead. You -- you just asked a good one there, so --

Grove: With the parcel in the farthest southeast corner of the project, what is that -- and I guess what is -- what are we looking at there, because it has not been addressed very clearly?

J.Wardle: Mr. Chair, Commissioner Grove, I'm glad you asked that. So, when we designed Quartet South there was an existing road to the south that we needed to align with. That was where -- oh, just lost the name of the subdivision. But to the south that exists. So, we needed to align with that. It just happens to be -- you know, normally, those points -- you like to get them at the quarter mile. So, 1,320 is the -- is the magic number. But also, you know, ownership doesn't always fall that way. So, my guess is when they developed that piece they got it, you know, where they could. So, we are aligning with it. Honestly it doesn't have any use. So, it's going to end up as open space. But we did include it with the R-15 designation. There is a potential, with that stated, that if there is a use to the east -- and we made reference to that and I want to be clear that we -- we have no ownership, we don't have any options or anything on the Naomi property, but when that property develops to the east and if it's an office or something that's compatible, there may be an opportunity for us to work with them and say, hey, here is some extra land that, you know, if you need some room for parking or move a building over there, but we can't develop it as it is. So, I'm glad you asked the question, because it is just kind of hanging out over there for us. We would end up just developing it as common area.

Grove: Thank you.

Seal: Any other questions? All right. Thank you very much.

J.Wardle: Thank you.

Seal: Okay. At this time can I get a motion to close the public hearing for Item No. H-2021-0088?

Lorcher: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to close the public hearing for Item No. H-2021-0088. All in favor? Any opposed? Okay. Motion carries.

MOTION CARRIED: ALL AYES.

Seal: Who wants to jump in first?

Cassinelli: Mr. Chair?

Seal: Oh, was that online?

Cassinelli: Yeah. It was Bill.

Seal: Okay.

Cassinelli: No one else was jumping in yet. Okay. So -- and, Commissioner Grove, thank you, you hit a lot of fantastic questions there. First of all, right out of the gate here, the traffic count on Ustick -- now, this is according to -- according to the -- the comments of the draft staff report we got from ACHD. This is west of Ten Mile. I don't see anything for -- well, I guess Ten Mile. I'm thinking Black Cat. Never mind. So, that works. That study was done -- that traffic count was done -- was four years ago. Since then they have built a rather large high school to the -- to the west there and -- and based on those numbers, these counts are exceeding the levels of service from -- from counts from four years ago. Those are still all two-lane country roads out there and they have -- you know, they indicated that -- that they want to have occupancy in about a year from now, maybe a few months after that, but it's already exceeding levels of service -- service on -- in the -- in the peak hours. There is other things with this project -- right now we all know -- we are all very familiar with Brighton and the work they do, but what this is going to do to the roadways, until these -- all these roadways get improved, is -- is not going to be a benefit to this part of town. It's going to make it miserable. It already is in the peak hours and this is only going to -- going to increase that. I have concerns with the overall density. Commissioner Grove brought up that -- he hadn't even paid attention to that row of homes on the east at minimum that has to be broken up. Maybe even in a couple of spots with some common lots, a couple of pocket parks or something and, then, just the -- I mean the goal is -- is to get as many as we can in -- in the -- what's allowable in terms of density and it's -- you know, I'm -- I'm just going to -- I will -- I will -- I will say it. This -- you know, the projects that we are going through and what we are doing here, especially before the roadways can handle it, is not making Meridian more livable. It's -- it's just -- it's -- it's not as pleasant. We got to -- I think we need to look to that. I'm not saying that this is a dead-in-the-water project, but I don't think this can go in until it's the -- this is the cart before the horse. We got to get these roads improved. They don't meet standards now and there is certainly not by the time some of these homes start getting occupied. So, I -- I a hundred cannot get behind it until -- until these roads can handle what this is going to bring.

Seal: Okay. Anybody else want to jump in?

Wheeler: Yeah.

Seal: Commissioner Wheeler, go ahead.

Wheeler: Thank you. Thank you, Chairman. For me I'm -- I'm similar to where Commissioner Cassinelli is at. I'm concerned about the development on the -- the road here. I know that that was also a concern of ours with the ACHD site that's a couple parcels over to the east on that. We were a little concerned about the development on

that, with that being a two-lane road access and things of that nature. I'm -- I would really like good transitional pieces and I -- I don't know if that -- that -- that row of -- of homes on the eastern side -- just doesn't seem like a good transitional piece to a non -- was it a mixed-use non-residential zoning and why there seems to be a little bit -- it's a little opaque in what can be used in that area to have it just the same kind of a density and same kind of homes that are also in the interior side, I'm not sure if that's a -- the kind of transitional piece that would be the -- would fit that area well and I just wonder if there is just another plan that might work there better than R-15, R-8 densities, given that it's next to a major -- to a major arterial and also next to the mixed used non-residential area. It's hard for me to support this as it is right now.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: All right. I have probably made some of my feelings somewhat known through my questions, but I like large chunks of this. I think the open space, especially that central amenity, it's a great feature, it's a great way to do some of this design, tying this in with the -- the subdivision sections that have come through for -- from the north. Great. I think it's -- it gives -- I'm okay with the density. I'm okay with the product type. I think it's a great look, great feel. It adds housing diversity to this overall project. I think the alley load as demonstrated in the Apex project, you know, similar to here, looks great. I like the look. I have been in those neighborhoods. I think they look great. Adding -- upgrading the sidewalk on the arterial to -- to be a ten foot pathway, even though that's not yet required, kudos. I think -- you know, not to harp on it, the arterial road is a major concern, not something that you can immediately fix, but it's a major concern with this project, in particular because it's not the first project in this area. It's coming in on the heels of a whole bunch of other projects and so it -- it's getting weighted maybe a little harsher, because it's already at a low service level and adding to that low service level, you know, it's kind of -- it makes -- it makes it a lot harder for me. I think overall the -- the site -- it needs a redesign, mainly because of the 41 homes on that east side. The -- there is a couple of common drives. The one on the -- on the far west I'm not as concerned about. The one that's shown in the southeast corner, that one's much different than all of the other -- of the -- of this, what, five common drives that you have shown tonight that one's the worst just in terms of layout and accessibility and what it would do to the general flow of that section of the neighborhood. I -- I think that for me I would be in favor of suggesting or requesting a continuance to -- to see how we can have them re-do the -- the general site layout, so that it's more conducive to both traffic calming measures and general aesthetics within the neighborhood itself, with special regards to the -- the east side. But I think if you identify -- I'm guessing at this point, but I'm guessing if you identify that, it's probably going to have a ripple effect across other parts of the development, so I'm -- I don't have a quick fix on this one, you know, take out a lot and fix and it's better, I don't know that that's necessarily the case here. So, I'm open to a continuance, but definitely want to hear from everybody else on some of their general thoughts.

Seal: Well, I will -- I will jump in. The exceedingly long road in there is, you know, definitely a concern. I mean I live pretty close to this and -- and we have Moon Lake,

which is a raceway a lot of times. It's a really fairly straight piece of road and they have a lot of problems with cars racing up and down there. So, to the point of involving police officers in their endeavors. So, anytime I see a stretch of road like this in a subdivision that's like that I have major concerns about it. The biggest concern that I have is that it is right next to the mixed use non-residential and that we have had a lot of discussions in the past about that mixed use non-residential and the fact that they do want to keep it there. You know, we may be 20 years into it, it may be another 20 years before it develops, but I would really like something to go in there that -- that fits that and I -- and I think having that huge row of houses, you know, backed right up against it is not going to make that real palatable for anybody that wants to go in there in order to try -- they are going to have to put in a lot of different, you know, normal usage I guess, instead of the mixed use. It's going to cut down their -- their use of it considerably in my mind. That's the biggest concern I have with this is just the fit and the feel for that. I would -- I don't want to hinder the development of that mixed use non-residential, really, in any way and I just -- I feel that the transition that this provides is not adequate at all. I think there are things that could be done in order to make it fit. I do agree that that mixed -- or, sorry, the shared driveway at the -- at the cul -- in the cul-de-sac is just horrible. That is atrocious. So, I mean I can't imagine living in there, the -- the accidents that would happen, the congestion just in that cul-de-sac alone is -- I can't imagine living in there, so -- but, you know, again, the mixed use non-residential is the biggest concern that I have in here. So, how we make that piece more palatable for somebody to move in there -- and I just don't think this is it.

Lorcher: Commissioner Seal?

Seal: Commissioner Lorcher, go ahead.

Lorcher: A couple of things. I a hundred see a Brighton product at this corner and having residential is probably the highest and best use. I will respectfully disagree on the transition on the mixed-use non-residential. The applicant is applying for this parcel, not the one next to it, and a lot of times we complain -- or people complain saying, well, I lose my view or you don't have control of what happens on a parcel that you are not developing. They are developing this one, so I'm actually okay with their transition. They are fulfilling the needs of what the city is asking them to do and it would be the burden of the mixed-use non-residential to do the transition based on what I have heard on code today. But my highest concern about this is that the Black Cat and Ustick interchange -- the intersection is not to move to six to seven lanes between '26 -- 2026 and 2030. Ustick won't be five lanes from McDermott to Ten Mile from 2026 to 2030 and Black Cat not to five lanes from Cherry to McMillan from 2031 to 2035. Adding 800, 900 cars to a -- two country roads that can barely handle what's going on there right now would be irresponsible. So, I do think this is the right project for this area. Maybe in a different capacity, but I think we are too soon.

Seal: Okay. Thank you. Commissioner Yearsley, would you like to add anything?

Yearsley: I -- I come back to my previous comments on the previous application. I just -- I -- it seems like we are just trying to cram as many lots in as we can to meet a price

point that we can and so I -- I -- I just -- I just struggle with these type of projects for that reason.

Wheeler: Mr. Chairman?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Would -- could we open up the hearing, just like we did with the other one, just to kind of get a feedback a little bit? Would people be okay with that? Would be open for that?

Seal: To open the public --

Wheeler: Open the public testimony again just to get some --

Grove: Mr. Chair, maybe a tiny bit more just discussion on --

Seal: You bet.

Grove: -- what we are opening it for and -- in terms of what some of our expectations are going to be before we get there.

Seal: You bet.

Grove: Just going through the list of four points that the applicant brought forward in terms of the staff recommendations, I think maybe we touched on -- on what those four are and if -- if there is anything that we need to -- you know, as we move forward are okay with those changes, not okay with those changes, things like that. I personally would kind of like to see where we are at with some of those. To me I'm okay with all of them, with the exception of 2-A. I don't -- I wouldn't want to address that one until a redesign is -- is done. I -- they might inadvertently fix 2-A by doing a site redesign, so I don't want to necessarily move away from that one. I'm okay with the other ones, though, so -- my two cents.

Seal: Anybody else like to address those?

Wheeler: I mean everybody --

Seal: Commissioner Wheeler, go ahead.

Wheeler: Yeah. I'm -- I'm okay with that, too. That's the way I kind of came down on it, too, Commissioner Grove. I -- I guess where I'm leaning at a little bit more with just kind of hearing some of our feedback here on the Commission and some of the concerns that are there on the majority side is if we -- if there is a -- if there is like a continuance that's given, there seems to be like there is going to be a lot of rework done on the site particularly, and there is a lot of just concern over just basically this is a -- in a four-way

intersection with two country lane roads anyway and so is a continuance just going to just push out more that -- to get the same thing or -- or not? And that's -- that's -- I don't want to -- I don't want to waste their good time on putting together something that's just going to come back and we are going to say, well, the roadway is not -- and infrastructure is not here and, then, it's -- it's not good timing on that and that's I guess where I'm kind of between where I wanted to chat with them a little bit or actually talk a little bit more with the Commission here to see -- I mean even if we were to do a continuous and they were to do a lot of stuff, but the majority of us talking about the transitional pieces or doing some things with that northeast -- or southeast corner, would it -- would pretty much hoping to getting the project approved on that?

Seal: I mean one of the things that we do have here is that ACHD -- I mean one of their conditions of approval, essentially, that we had put in was the fact that they have to accelerate the improvement for Ustick Road, so I -- I mean that hasn't -- that hasn't went in front of City Council yet for approval, but at the same time it was a long interesting night when that came across, because we had a lot of conversations with them about Black Cat and about Ustick and the fact that it is -- I mean most places are about five years behind where we are at with development, just because, you know, nobody saw this coming. So, that's kind of where we are with it. So, I think there are some opportunities to -- for Brighton -- you know, for the applicant to, basically, kind of do what they have done out in Pinnacle. You know, I -- I think for us to ask it is a big ask for sure. I -- you know, when the Pinnacle application came in, honestly, I was kind of -- I had to step back when I read through it, because it did some things that I have never seen done before. Number one, there was a piece of land in there designated for a school. Number two, they just said, yeah, that's fine, ACHD, we don't mind what you say here, we are going to go ahead and build this out. So, that kind of knocked me back a little bit. So -- you know. And the opportunity may exist for them to do that here as well. The mixed use non-residential I'm still stuck on that one. You know, I mean we are not preserving a view or anything along those lines, we are just making it some -- you know, that piece of land, really, it just isn't palatable for anything along those lines. It will either stay non-developed or we will end up just putting more residential in there. So, which we do not want to have in there. So, we are already encroaching on the wastewater treatment facility in there and I guarantee that there is going to be -- there is going to -- you know, there will probably come a lawsuit out of all that, because it's going to stink, so we are there, you know. I mean the houses are going to go in and we will see what happens with it. So, you know, I guess what I'm saying is I -- I don't know. I don't know if there is enough room in here for this to be approved. I mean we have had, you know, several people weigh in that were a no based on the traffic and a no based on the mixed use nonresidential and the way that it's laid out right now, the really long road -- you know, there is just -- there is a lot of no's with this. So, can the applicant fix it? I don't know.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: With the -- with the roads I think -- I don't think we can -- as you put it -- or as you were saying, we can't condition them to do those fixes, but I think we could condition that they work with ACHD on -- on getting those talks jump started, essentially. We can condition that, but we can't condition that those agreements are -- that they come to fruition. So, I think we can condition that -- you know, something along those lines, but we can't -- we can't make them get an agreement that they have no control over. I personally think that we could -- you know, we can ask the applicant what they want to do, but my personal opinion would be to continue it to like March 17th at the earliest.

Lorcher: Commissioner Seal?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I work and live in that area of impact as well and I'm further west on Ustick, closer to McDermott, and I do know that ITD has every intention to start their construction project on Highway 16 starting the spring of 2022. Now, whether that's March or April or May, it's still up for debate, but it's going to happen and so congestion on that end going to the high school is going to be a huge impact of what's going to happen both at McMillan and Ustick between Black Cat and -- you know. And -- and McDermott and even Ten Mile. It's going to affect everything and so knowing that that's going to be a huge project to add that freeway in, it will be surface streets for now and, then, maybe ten, 15 years from now it will be an overpass, but all of those things tie in together in this three or four square mile radius that we need to take in account as well.

Seal: Okay.

Wheeler: Were you going to say something? Go ahead, Nick. Okay. Mr. -- Mr. Chairman?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Would the -- what do you think about going ahead and just opening up the public testimony again and let's go ahead and talk to the applicant again. Are you guys --

Seal: Go ahead and put a motion out there.

Wheeler: Okay. All right. I would like to go ahead and make a motion that we open up the public testimony for H-2021-0088.

Grove: Second.

Seal: It's been moved and seconded to reopen the public hearing for file number H-2021-0088. All in favor? Any opposed?

Cassinelli: Nay.

Seal: Okay. Motion passes.

MOTION CARRIED: SIX AYES. ONE NAY.

Seal: Here we are again.

J.Wardle: Okay. For the record Jon Wardle with Brighton. Commissioners, I do appreciate the -- the deliberate approach on this. Two -- two things from our perspective is are there some opportunities for us to do some design on this to address those questions on transition, addressing that southeast corner where we have that fairly ugly common drive. I think we can -- I think we can do that. But I think Commissioner Wheeler's question was more prescient of even if we do make changes what is the Commission's attitude towards the transportation piece, which seems to be a very important piece and I -- again, I don't want to diminish that. There -- there is a -- a unique difference between what we were able to do at Pinnacle and what we are able to do here. I don't know that we have ever owned four corners of an intersection before. We have one-fourth of the intersection here and there may be some right-of-way constraints, you know, working up and down the roadway here, so I -- I just put that out there. That was probably the one reason we were able to go in there and say, yes, we are going to do this, because we control it. We controlled everything. There was not a right-of-way issue and when you do a CDA the opportunity for condemnation is not on the table. So, that's the one difference. So, can we address and can we bring back to you a design which we think will be better? I think so. But will that design get us over the hurdle what you are saying tonight about transportation and if we can't get over the hurdle I would like to have that conversation tonight, because if we can't get over the hurdle, then, I think we are better off denying the project and allowing us to figure out how we deal with transportation issues than coming back with a design in six weeks and still being hung up on that transportation question.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Mr. Wardle, I -- I -- I would be in -- probably deny it because of the transportation factor. Now, the fact that ITD is going to be building Highway 16 puts more pressure on ACHD to speed up -- at least the McDermott to Ten Mile piece for Ustick. I don't know about the Black Cat portion of it. So, we may see some dates change because of that, especially with the development of The Fields Urban Renewal District that's going to be going out there, as well as -- you know. So, there is going to be more homes. McMillan between, what, Ten Mile and McDermott, is already filling in and they need different ways to be able to get around. I think this is the right project with the redesign based on the Commissioners, but until the ACHD piece, at least for me, it's too soon.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Mr. Wardle, yes, I -- I'm with you on that, too, and that's why I wanted to ask the Commissioners on that. Like I don't want you guys to go through time and energy and say, hey, here is some false hope, right, and be able to make sure that that's there. I kind of lean towards a very respectful denial because of the -- that -- I think it's just going to be a big rework on the side with -- the transitional side for me to make it feel comfortable and I think some of the other Commissioners and I think that that -- that traffic issue, without you guys having to approve large stretches of road to make that -- and, then, all of a sudden it becomes unfeasible and doesn't make sense in timelines. That would be hard. I'm also concerned, like with Chairman Seal about the -- the mixed use nonresidential piece that -- if there is a lot of residential that gets built up here we know that we are just adding -- we are going to be adding people that are going to protest whatever, sort of non -- nonresidential mixed use projects going to go in there or light office stuff, you know, a commercial type of use, possibly even light industrial use, we are going to be building, then, some people that are going to be difficult -- or not wanting that project to go there. So, I really like what you guys have done for this valley and your company itself, I just -- that's why it would be a very respectful denial for my side.

Seal: Commissioner Cassinelli or Commissioner Yearsley, would you like to weigh in on that? Or Commissioner Grove.

J.Wardle: Commissioner Seal, can I just make one comment?

Seal: Absolutely.

J.Wardle: Because Commissioner Yearsley had made this question -- posed this question about, you know, cramming lots in. We are looking at one little micro piece of land holding that we have, both in the Pinnacle project and in this project. Not -- the entire project isn't going to be like this. These are different types of living opportunities. So, I can guarantee you that our motivation when we put this plan in front of the city for review was not to try to put in every single home we possibly could. We were looking at the lifestyle, looking at the other phases we had developed to the north, which are larger lots, and when we move over to the other side of Black Cat Road they will be larger lots as well. It's just one different piece and I -- I know that Commissioner Yearsley appreciates that. I just want to be really clear that we weren't -- our motivation was not to get as many homes as possible, but we were looking at a lifestyle and also by adding the alley elements, removing those garages off the front of these homes where we can have a very livable community, so I just -- I think they understand -- everybody understands that, but this is just one small piece of a much larger project.

Yearsley: Mr. Chairman?

Seal: Commissioner Yearsley, go ahead.

Yearsley: And -- and, Mr. Wardle, I -- I -- I don't mean to pick on you for this project, it just seems like every subdivision that comes before us nowadays is -- you know, they are -- they are -- they are reducing the lot size, they are -- they are making it smaller -- I think

a lot to hit a price point that people can afford, which is not their fault or not even your fault, it's just a situation that I don't like and -- and so I apologize for taking my frustrations out on this project, you know. That being said, I -- traffic is bad everywhere. I -- I -- I personally don't think that the traffic issue will affect my decision. I -- I won't deny it based on traffic. I know -- it's kind of a Catch-22, you know. If -- if we don't approve this because of the traffic problems, do we deny all of the projects because we have got traffic problems in the -- in the -- in this -- in -- in the valley and -- and when do we stop. I know ACHD is working as best they can, the state's working to try to get more funding to the locals to help do improvements and growth is happening exponentially. So, we are kind of hit in a tough situation. So, I -- I wouldn't -- for me, personally, I wouldn't deny this project based on -- on traffic.

Seal: Okay. Thank you.

Grove: Mr. Chair?

Seal: Well, I -- I mean I think that touched on a good topic there, because I had the same -- you know, very similar thoughts, as, you know, if we deny this because of traffic do we deny everything in this area because of traffic. I mean you have already indicated you want to be south of Black Cat Road, you know, does that quell development in that area. You know, hopefully not. I mean there is a -- obviously a huge demand, but our infrastructure is lacking, you know, and if we stop it here because of traffic, are we going to stop it everywhere because of traffic. I can't say stop it or -- you know, do we recommend denial because of traffic concerns in other areas. This area -- and I mean maybe I am a little biased, because I do live close. I don't go to Black Cat and Ustick. I -- I drive around the block when I need to, because at certain points of the day it's impassable. It is -- it is really bad there. So, in order to get out of -- onto Ustick from my subdivision I sometimes have to wait for traffic to pass from the light that's at Black Cat and Ustick and, thankfully, there is a light there now, because it used to go from -- you know, clear to Ten Mile. It was bad to say the least. So, that I -- I just wanted to put my comment out there that that is a -- it's -- it's a bigger question. I mean at some point in time ACHD is either going to catch up or we are going to have to say enough is enough and I don't know if this is the point where we say that. That's the bigger question in my mind that's kind of being floated. So, I agree with what Commissioner Yearsley said that it is -- it is a bigger question and I don't know if that gets settled here tonight or not and I agree, I mean that -- you know, generally speaking you guys put together a very good product. You have done some things in the community that are amazing, you know, and I appreciate that. That said, at some point in time we either have to catch up or we just can't keep putting things in. Commissioner Grove, go ahead.

Grove: For me personally I -- the road piece would not stop me from saying yes to a redesigned project. I think it is a major concern and I would like, you know, some of the things that I said earlier to be moved forward in terms of making sure that whatever can be done is accelerated with the push of the applicant. But for me a site redesign would be enough for reconsideration and the roads would not prohibit me from saying yes if the site was correct.

Seal: Okay.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: I'm just going to kind of ask my fellow Commissioners to look at the traffic component. We are -- in a lot of -- a lot of proposals we look at people, you know, will bring up a traffic issue, but, you know, when that development still meets ACHD's levels -- levels of service we are within that and we approve those, despite the fact that we know that, yes, it's going to increase traffic in an area, but it still meets their levels of service. This already -- this -- this fails already without Quartet North and East I think are the other two, without any -- any build out there and -- you know. So, we are looking at -- at hundreds of homes and -- and -- and far more cars. And, then, the other issue is that that traffic study -- those numbers on Ustick are four years old, 2018 -- May of 2018. We are coming up almost on four years old. We don't have new numbers. We are just going to -- we are -- we are absolutely strangling these intersections and -- and I have got to say this is not -- this is not improving Meridian and I -- I think it's critical that we have got to look at this and we have got to -- I would like -- there are a lot of redesigns I would like on this project that Commissioner Grove is just talking about and I'm in agreement with him on those there. I just don't think that this area and particularly this intersection and that stretch of Black Cat is ready for this. I think that those roads need to get developed first and, then, this will fit in there. But right now to me it's a square peg in a round hole and so until we can get within the levels of service we are not there and it's going to make it far worse. Those are my -- so, I'm -- I'm a denial on that based on -- based on that. I do want to -- there are some other concerns I have, but that's my -- hands down my biggest one.

Seal: Okay.

Cassinelli: Thank you.

Seal: Thanks, Bill. Yeah. Is there any other questions for the applicant or -- have we belabored this -- all right. So, can I get a -- thank you again for the robust conversation. Can I get a motion to close the public hearing again for H-2021-0088?

Lorcher: So moved.

Grove: Mr. Chair?

Lorcher: Oh.

Grove: Should -- I guess before we close it, because we opened it in case we needed to continue, are we closing with the intent to deny or -- because if -- I don't want to close it, then, reopen it if we are going to continue. So, I feel like it's probably prudent if we have that conversation ahead of time, so we don't have to keep going back and forth.

Personally I'm on continue, but I -- it sounds like I might be in the minority on this one, so --

Cassinelli: Can we leave it open and vote? And make a motion and vote in an open session?

Seal: It's a great question, but I think we have to close the public hearing before we can vote.

Yearsley: I think if you vote as a -- make the motion to continue you can leave it open, but if you --

Seal: Correct.

Yearsley: -- make a motion to deny or approve --

Starman: Chairman and Commissioners, I would agree -- I would agree with that assessment. So, if you -- apologize for the echo, but I would make that assessment as well. So, if you go either direction.

Seal: Okay. Well, yeah, I mean if -- if we leave it open, then, we leave it open to continue, but I -- I mean I personally -- I think there is enough -- I just don't think it's going to fit here. That's where I'm at. I mean traffic concerns MDNR, there is just enough with it that I just don't think it's going to fit. I don't know that a redesign is -- a redesign definitely isn't going to address the traffic concerns. I mean, essentially, you have half of us right now saying no just based on that alone. So, me personally I would close -- if -- if it were me and I weren't chair I would close it and move to deny and let that be hashed out at City Council.

Wheeler: So, do we need to second the motion, since we just finished up some continuing discussion? Second? Okay. So, I will second the motion to close the hearing.

Seal: Okay. It's been moved and seconded to close the public hearing for H-2021-0088. All in favor? Any opposed? Okay. Motion carries.

MOTION CARRIED: ALL AYES.

Wheeler: I have another motion.

Seal: Go ahead, Commissioner Wheeler.

Wheeler: After considering all staff, applicant, and public testimony, I move to deny file number H-2021-0088 as presented during the hearing on February 3rd, 2022, for the following reasons: The -- the site plan layout and traffic concerns.

Seal: And we are recommending denial.

Wheeler: Yeah. I think I said denial.

Seal: Right. But we recommend denial on this.

Wheeler: Oh. And recommend denial on this, too.

Seal: So, a second?

Cassinelli: Second.

Seal: It's been moved and seconded to recommend denial of file number H-2021-0088 for the reasons presented. All in favor say aye. Any opposed?

Grove: Nay.

Yearsley: Aye.

Seal: Want to take that one for the record? We will -- we will do a roll call on that.

Roll Call: Wheeler, aye; Cassinelli, aye; Yearsley, nay; Lorcher, aye; Grove, nay; Seal, aye.

Seal: Which means that the motion passes for recommending denial.

MOTION CARRIED: FIVE AYES. TWO NAYS.

Seal: That was a tough one. Okay. At this time would everybody like a little bio break?

Cassinelli: I think this is the last one. It should be pretty quick.

Seal: Okay. So, we will -- we will take a five minute bio break. Thank you.

(Recess: 9:16 p.m. to 9:23 p.m.)

**8. Public Hearing for Moberly Rezone (H-2021-0089) by Carl Argon,
Located on Parcel R0406010125, South of W. Broadway Ave. Between
NW 2nd St. and NW 1st St.**

- A. Request: Rezone 0.159 acres of land from I-L to O-T to allow a duplex.

Seal: Okay. At this time I would like to open the public hearing for Item No. H-2021 -- wait -- H-2021-0089 and we will begin with the staff report.

Tiefenbach: Thank you, Mr. Chair, Members of the Commission. Alan Tiefenbach, again, associate planner. Okay. This is a proposal to rezone from I-L, which is industrial, to OT.

The property is .16 acres of land, zoned I-L, located south of Broadway between Northwest 2nd and 1st. Don't have any history. Been there for a very long time and the plot is pretty old in that area. The subject property is a vacant lot. I'm going to show you pictures, because I think it's a little easier on this one. So -- so, the property is a subject lot consisting of .61 acres -- .16 acres zoned I-L, along northwest first, which is what you can see here -- is predominantly single family, multi-family, and duplexes. Nearly all of this is at least 50 years of age. Many of these are dating back to the early 1900s actually. West of the property is a mixture of industrial uses, a food bank, a religious facility. North of this property is single family attached. One of the properties about a hundred feet to the north is already zoned OT. There are railroad tracks. That's what you can see on the bottom right picture -- 200 feet south of the property. There is an alley that borders this property at the back along the east. All right. So, the applicant proposes to construct a duplex on the subject property once this rezone is concluded. Although the plan does specifically mention multi-family being over retail, in this case because it's almost all residential in this area staff does think it's appropriate to just have a duplex. The subject property, as I said, abuts an alley and that's what you see on the right. It's alley -- the proposal is for this to be alley loaded. That fence that you see there, that would be the entrance into the property. Having it alley loaded would be consistent with the new urbanist principles that they talk about in the Old Town, taking garages, moving them off of the street, bringing the parking in through the back, trying to bring the buildings up to the street. At present, although you can't -- well, maybe you can if you look really really closely, there is a dumpster there that's blocking this alley. So, you can't get down there presently, but what you can do is come down 2nd and, then, go down the one-way street on Railroad and come up. I had some questions about how well you would be able to get in there and I did what I call the Tundra test, which is my gigantic truck, and I was actually able to maneuver it in there. So, you -- if you can get a Tundra in there you can get a very large ship in there. So -- so, yes, it is accessible. Staff does support this application and we do recommend approval. One adjustment we think that should happen, though -- again, this is Old Town, so the intent is eventually that this should develop as in Old Town. Even in the residential neighborhoods it should be a walkable community where people are communing with each other and the -- what we didn't like about this duplex design is the way this inset is where you have this -- the -- the two doors inside. It doesn't really -- it doesn't really bring that idea to life. So, what we are recommending is that as a condition of approval that there needs to be some kind of covered porch for both of these. It could be combined. It could be for individual. But, again, the idea of Old Town is -- especially one of the major principles is having porches and having front stoops where people can stand and talk and associate. So, we think that there should be a porch or some kind of outdoor sitting area. Other than that we support this and think that it is compliant with the comp plan and with that I would answer any questions.

Seal: All right. Thank you. Would the applicant like to come forward? Is the applicant online?

Weatherly: Mr. Chair, I do believe he is online. One moment. Mr. Moberly, one moment. Mr. Moberly, you should be able to unmute yourself and/or turn on your camera if you would like.

Moberly: Let me get you moved over here to my camera.

Seal: We can just barely hear you.

Moberly: Okay. One second. I will switch my audio. Is that better?

Seal: Yes, it is. We got a little echo now though.

Moberly: Let me change audio. I will hop off my phone. I apologize. Okay. Can you hear me on my computer okay?

Seal: Yep. Still got a little echo there.

Moberly: That is bizarre, because I'm on mute. One second. Okay. Let's try a headset directly into the laptop. Is that better?

Seal: We can hear you, but we still have a little echo going on, but we will -- maybe we will try and wade through this. Are the speakers feeding into your phone? Are you still there? Okay.

Moberly: Can you hear me okay?

Seal: Yeah. Yes, but we still have a little echo here, so -- I'm not sure what's going on, but there is a -- there is a second source --

Moberly: Well, I guess we will do our best to make this make sense. I'm not near my phone, so I'm not sure what is happening, but --

Seal: It's not doing it now, so -- but you are going to have to speak up, so -- okay. Thank you.

Moberly: Now I'm having a little trouble hearing you guys. It's only been three hours; right? Let's do another two hours. Does that sound better to you guys?

Seal: Yes, it does.

Moberly: Okay. I can hear you now, too. Okay. So, no, I don't have a lot to weigh in on. Alan and I have chatted. I'm great with the front porch. The one thing I would point out is that our plans include a side loaded front porch -- or not a front porch. Sorry. Like a little -- kind of a kick out barbecue area. Exactly right. So, we can talk about doing more on the patio there if that's the desire. I don't know if it's my turn to talk or your guys' turn to talk. Sorry.

Seal: Go ahead.

Moberly: Really just our thought is that the best use of this land is residential. It's consistent with the goal of growing Old Town as a residential area and we think that the lot supports two units pretty well, so my goal is to build a duplex, maybe think about a lot split with townhomes, but I think that's kind of putting the cart before the horse a little bit.

Seal: Okay. And I forgot to have you state your name and your address when this started here with the --

Moberly: My apologies. David Moberly. Address is 4408 West Saddle Ridge Drive, Nampa, Idaho. 83687.

Seal: Okay. Thank you. Was there anything else you wanted to add?

Moberly: Not really. We think that it seems like it's really the best use of the land, but wanted to field any concerns you guys have mainly.

Seal: Okay. With that are there any -- any questions that we have for the applicant or staff?

Lorcher: Commissioner Seal?

Seal: Commissioner Lorcher, go ahead.

Lorcher: When -- when you took your Tundra down the street were there any other two-story buildings or was everything single story? Do you remember? I mean most of these houses are, like you said, 50 to 100 years old and I don't know how many two stories there would be back in those days.

Tiefenbach: Yes, ma'am. I -- I don't -- I will tell you I don't remember. However, it's important to know that in the Old Town zone district you have to build at least two stories. You can't build a one-story building. It's -- the dimensional requirements in OT require at least two stories.

Lorcher: But all of these are single story.

Tiefenbach: That -- that I know of. I wasn't looking.

Lorcher: Okay.

Tiefenbach: I wasn't looking. I could probably try to go on Google Maps right now and --

Lorcher: And I'm on there, too, and I -- I can only see it from --

Tiefenbach: I wasn't looking for that. I'm sorry.

Lorcher: So, I mean for consistency and -- and fitting everything in, would it be out of place to have this huge two story brand new building among so many older homes on the same street? Did you look at that as far as kind of like how it all blends together or is it going to be kind of the brand new guy sticking out among all the old guys?

Tiefenbach: Certainly. I think -- sorry. Mr. Chair, Members of the Commission. Sure. You are going to see this and this is going to be a new looking building. I mean this -- you know, it's staff's understanding that this is probably going to eventually start to transition over. Most of these houses are a hundred years old.

Lorcher: All right. And, then, my final question is is that -- well, I mean if you see it transitioning -- so, when I was reading the application or the -- the support materials, the City of Meridian is requiring this parcel only to put in sidewalks.

Tiefenbach: That is correct. As -- as these properties develop every one of them will be required to put in the sidewalk. We -- we think they are going -- maybe not all of them, but they are going to develop.

Lorcher: Okay. Well, it's going to look a little strange for a little while, then, if only one has sidewalks and the other ten or 12 --

Tiefenbach: It's a -- that's a very good statement and we have had that discussion about why we don't have like a little fund that we can have them pay into to build the sidewalks. Later there was some discussion and now the actual project -- oh, it was a project on -- the Locust Grove project where there was no sidewalk at all in the whole neighborhood. There was a lot of discussion -- they are smiling, because they remember this one. Eventually the decision from the Council was to allow an asphalt pathway versus a sidewalk. But, yeah, this -- this discussion does come up about what happens when you have nobody that has a sidewalk, you have got the first person that has to develop and now they have got a sidewalk in front of their property. If we don't require them to have a sidewalk and, then, this starts to turn around, then, we are going to sort of wish that we did. But it's -- it's a Catch-22, yeah.

Lorcher: Okay.

Tiefenbach: It's a very good point.

Lorcher: And then -- so, when I hear the word Old Town I think, you know, historic buildings. I -- and 50 years to 100 years old kind of qualifies for that. Are -- is the City of Meridian going to let these all just go away for duplexes and brand new stuff or are we going to try to preserve what Meridian was 50 and 100 years ago?

Tiefenbach: That's a tough question. I don't think we have a preservation ordinance. Bill, can -- is there -- I mean we don't have a preservation ordinance that I know of. So, I have the feeling that they are going to go away.

Parsons: Yeah. Mr. Chair, Members of the Commission, yeah, to answer your question, we will preserve where we can. There are certain properties in downtown that -- that are on the historic registry, but we don't have a lot of them and it's part of that historical walk that we have mapped out on the sidewalks, if you have ever taken it. It's actually a pretty nice walk. But, again, the city is not going to force anyone to do anything on their property if they have an existing residence they want to keep that or they may have the ability to modify that in the future. What Old Town is is -- to your point, Old Town doesn't mean keeping an old history, it means it's a mixed use zone. It's -- it's meant -- if you look at the Comprehensive Plan it's intensifying the land use. Of course the intent is -- at least the hope for the Planning staff is that someone will consolidate a bunch of properties and come in with a whole entire redevelopment plan for a block, so you do get consistent design, you get complete streets, you get sidewalks, you get all of those things that -- that we are talking about now. But on this particular case it's Old Town. The Comprehensive Plan is Old Town, so that's the appropriate zoning that's allowed and to make sure that we do get a certain intensification on the property is the purpose of why we want the two story. We want to make sure that we just don't allow the single story, because you are not maximizing the land use. But, to be honest with you, we are a little bit vulnerable in Old Town. We don't have a lot of design standards for how the units look and so going back to your point, yes, this is appropriate. Yes, there could be a potential of losing some of those old -- those old homes. We were in front of Council asking about their desire to implement different design standards for Old Town and they -- that wasn't high on their priority list at this point. So, it's something that's on our radar, but not at the moment. So, that's why Alan's bringing it up to you tonight is this will require design review before they get a building permit and Alan wants -- as he was mentioning in his presentation to you, he wants to preserve some of that heritage by recording the front porch and the stoops and add some of that Old Town character back into the unit, because right now, you know, if I'm looking at the design it is a little sterile in my opinion. I think -- I think the applicant can do better. But, again, we will just have to wait and see what it -- what it looks like at design review.

Tiefenbach: One thing I might add is -- so, this property is already zoned I-L now. So, you know, that's -- that's one question is is this more appropriate for industrial uses. Most of the houses -- most of what's there is houses. To kind of add on to what Bill was talking about, this is recommended for Old Town. If you build in Old Town you have to build a two-story building. You -- you could not -- the -- the actual code does not allow a one-story building. You have to build a two-story building. So -- so, unless we keep this industrial that's what's going to happen there when new buildings get built.

Lorcher: I guess my only other comment would be, you know, one of the reasons I joined this Commission is because I -- you know, I love Meridian and what it represents and -- and our history that's here and I mean no offense to the -- to the applicant, because you are doing -- you are taking advantage of a vacant lot, which is much better to have a home or a building there than nothing, but if we take away our history we lose our identity and if we lose our identity, then, we are just anywhere USA. We are no longer Meridian, Idaho, which is why I always encourage us to keep our open space for our canals and our laterals and a neighborhood like this, which is -- you know, has seen many a year -- I

live in -- I work in a hundred year old farm house and everybody tells me its economic value is gone and I a hundred percent disagree. You know, I -- that house has stood for a hundred years and there is no reason why it can't stand for another. So, I would love to see the applicant take the suggestions from city planners to be able to make it more curb appeal with the porches, but also to blend into the neighborhood as is, as opposed to just putting duplexes up and down the street.

Seal: Okay. Thank you. Anybody else want to jump in?

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: I have just got one quick question. Is this a zero lot line for the -- for staff here? Is this a zero lot line for the prop -- for the parcel?

Tiefenbach: If -- are we talking about through the middle?

Wheeler: Yes.

Tiefenbach: Yeah. This will be a zero lot line.

Wheeler: Okay. That's it.

Tiefenbach: In fact, I don't believe they have setbacks in the Old Town zone district. Yeah. That's what I thought. Again, the intent of that is -- there is a zero line, but there is no setbacks with the intent of bringing buildings to the street. I -- I -- I think that Commissioner Lorcher had some really good points, because I'm a preservationist and I actually really appreciate what you had to say. When I'm looking at these sorts of developments I -- I'm pretty strong about making sure that they are tying into the gabled roofs and the clapboard siding and the dormers and all that, so it doesn't look like your typical flat top slot homes that you shove into a historic neighborhood, so I'm very sensitive to that. You know, one -- one thing that you could do is require that the architecture of this be consistent with architecture of the surrounding buildings, which would be -- you know, if you just with a statement like that would give us enough teeth to make sure that we had pitched roofs, clapboard sidings, dormers that, kind of thing to make it look like that and during the design review we could do that. That's certainly an option.

Seal: Okay. Commissioner Cassinelli, Commissioner Yearsley, do you have anything to add?

Yearsley: I have no comment.

Seal: All right. Somebody like to take a -- oh, wait. Never mind. Okay. Does the applicant have -- would like come back up and address anything that's been said?

Weatherly: Mr. Chair --

Grove: Public testimony.

Seal: Oh. Yeah. Sorry.

Weatherly: It's getting late. Mr. Chair, we do have people -- two people signed in to testify tonight. The first of which is Michelle Weland.

Seal: Good evening, ma'am. Please -- please state your name and address for the record. Speak right into the microphone there.

Weland: Rebecca Weland. 625 Northwest 1st Street. I have a 110 year old home. So does my daughter on that neighborhood and we have fought hard to bring it out of the -- it was a bad neighborhood at one time. We have put money. We have put developing. We love our neighbors. My biggest fight now -- what are y'all going to do with the people that rely on the food bank that has to ride down that alley and get their food if these people are trying to -- they -- so, they have to come in from the alley, what are they going to do -- what are we going to do to our elderly that are sitting at the food bank trying to get their food and they can't get out of their cars and go in. You know, that's my main concern. And we just want to keep our neighborhood like it is. I homesteaded my house, so -- and so did my daughter, because our houses are over a hundred years old, so -- but that's just -- my husband's better at talking. I'm just -- I just don't want to see the little old ladies that can't get their food at the food bank and Don Clark owns the food bank and I talked to him today. The -- the parking lot between the food bank and Rides Unlimited is his -- is his property. So, he don't want people driving through his property to get in to their apartment complex.

Seal: Okay.

Weland: That's all I have to say. I'm too emotional. Thank you.

Seal: Thank you.

Weatherly: Mr. Chair, Don Weland.

D.Weland: I would like to note also there is one other person. His name is Bogdan. He was signed in on the other one earlier this morning -- or this afternoon.

Seal: Okay. Go ahead and state your name and address for the record.

D.Weland: Don Weland. 625 Northwest 1st Street here in Meridian. We are two blocks or two units over from this proposed house. I can answer your question a minute earlier, sir. Anything over here on 1st Street and 2nd Street there are no two story houses whatsoever. Everything is all one story. One of our other concerns was on the picture that you showed on the alley, the fence that you showed where there is the parking lot,

that one right there that you see on the right, that short fence where it ends right there does not go to the property. This is the property next to it. The fence that actually connects is a little bit past that white little building where that telephone pole is. I have a different one from Google Earth that shows it a little bit better. Also a concern of that is coming in the alley. Like you just mentioned, you got your truck in -- where this actually comes in is right across from Bogdan's shop and, then, right in the middle of that area is a big power pole, which makes it very difficult to get in and out. So, that was our concerns about that. Excuse me. Again, the biggest thing was keeping it all the same. You mentioned for living areas. This is a light industrial. Our concern of changing it and making it to where it can be a two-story -- I also work from home, so I have my own business from home. It's a business and work. My daughter lives next to us. They run a couple of their own companies behind that. That's a business there. Bogdan, who owns the shop on the back corner, is a business and the food bank is a business. So, as far as actual residential, there is only a couple houses here that are pure residential. I would agree with my wife that we would like to see it kind of staying the same the way it is. In my own personal opinion I think seeing a two story in this area is going to stand out like a sore thumb and it just doesn't fit right. So, that was our main concerns about that. I would like to thank everybody for your time and God bless.

Seal: Thank you, sir. Madam Clerk?

Weatherly: Mr. Chair, I do stand corrected. Bogdan did sign in on another project. Come on up if you would like to talk.

Seal: Good evening, sir. Just state your name and address for the record, please.

Martsenyuk: My name is Bogdan Martsenyuk and address is 150 West Railroad Street and also 606 West 2nd Street. I am right behind the food bank. I own I believe three city lots it's considered and I have a body shop right behind the other side of the alley where you can see in the picture where he took and all my bays come out literally -- yeah, that's all my bays come out into the alley. When I built the shop I didn't have much experience and I regretted that they actually let me sit -- set -- you know, set it right on the alleyway, because it's horrible to get into -- in and out of the bay. I just wish that they -- you know, I didn't know any better. I hired a builder. I bought the property back in 2003. I knew it was light industrial and that's the reason I bought it, because I wanted to, you know, run a business out of there as the use and so I just -- I'm concerned that once, you know, they start more access already, like she said, the food bank right now runs their traffic all the way through the alley, they -- on the side they come out and hand the food out, so the traffic runs through -- non-stop through the alley on Mondays -- Monday, Wednesday and Thursdays and, then, I utilize the alley a lot, too, and, then, since I had the shop to get the cars in and out, unloading them. I just -- I'm concerned that the residents who are going to live there, they are going to be very unhappy and they are going to complain non-stop to code enforcement and they are going to have -- really, the biggest concern is they want to put the garage in the back and -- which is going to cause a lot of tension between the food bank, between me and them, because the alley is utilized a lot. It's not like one of those alleys that doesn't get used. Unfortunately, I would love to move the

shop ten feet where I wouldn't have to use the alley all the time, but it is what it is. The city has like a ten -- I guess an easement to my property because of that and they didn't catch it and I didn't realize that it would be an issue. So, I'm against to have them access through the alley and also I like the fact that we know about the property that was light industrial and I'm against changing, you know, to Old Town, just because a lot of people who live there they -- they bought it as a light industrial. The whole section of the Broadway there is a lot of businesses, there is the school, you know, and I think that's -- there is -- that's a big reason that people like it, because of the industrial zoning. You can have different options versus, you know, just a residential.

Seal: Thank you. Appreciate it. Madam Clerk, do we have anybody else on?

Weatherly: Mr. Chair, that's all I show and online the only one raising their hand is Mr. Moberly.

Seal: Okay. Sir, do you want to testify? You are the only one in here. All right. Pretty easy to pick out over there, so -- okay. At this point would the applicant like to come back forward.

Weatherly: Mr. Moberly, you should be able to unmute yourself.

Moberly: Thank you. Mr. Chairman and council -- or excuse me. Commissioners. I want to apologize in advance for earlier impropriety and also it's echoing really bad in my ears, which is really distracting, so I apologize for disjointed sentences in advance. So, I just want to say that I hear the concerns of the WELANDS and Mr. -- I'm sorry if I'm going to say your name wrong, Bajnok. But what I would say is that we have two choices for this land going forward. It's going to remain a bare lot or it's going to be a home and we think that the building that we are going to build is going to add a lot of value to the neighborhood and it's really going to be an attractive building. Our goal with the rear entry garage is that there will be a 30 foot driveway, so the access to the garage won't be extremely tight and also there should be zero cars ever hanging into the alley. What we want to do is create a front-facing home that's beautiful, adds value to the neighborhood, without impeding the flow on 1st Street itself. So, while a tenant or an owner could park there with a two-car garage and a 15-foot wide driveway in the back, the idea is that there shouldn't be streets -- or cars on the street and we were in agreement that the two-story thing is potentially out of line with the neighborhood. Unfortunately, code doesn't allow us to build a one story. So, this was kind of our approach to what can we do with this lot to add value to the neighborhood and add value to Old Town Meridian as a whole, where we are transitioning from older homes to some newer homes and, by the way, I have two lots in Old Town and so I'm super aware of the concerns with changing the feel of the neighborhood, but our goal would be that the home does fit in. So, we are super open to adding front porch, design standards. We are not trying to throw up a cheap building, we want to put up a nice building that does fit in the neighborhood and at the end of the construction project all the neighbors would say, wow, this did add value to our neighborhood. So, I don't know how to address the concerns with the food bank or the auto mechanic shop, other than to say that with -- with the scale of quality of construction

in this home we don't anticipate lots of in and out traffic. This is going to be geared towards professionals, potentially young marrieds that are both workers, who would probably utilize the alley primarily at, you know, 9:00 a.m, 5:00 p.m. timelines around work. So, that's kind of our thought. I want to say absolutely respectfully to the neighbors and the community, I hear your concerns and my goal is really is to partner with you and that at the end of this you would say, wow, we are happy that this happened, not frustrated that it happened.

Seal: Okay. Thank you very much. Appreciate that. Okay. At this time can I get a motion to close the public hearing on Item No. H-2021-0089?

Lorcher: So moved.

Wheeler: Second.

Seal: Okay. It's been moved and seconded to close the public hearing for H-2021-0089. All in favor? Any opposed? Motion passes.

MOTION CARRIED: ALL AYES.

Seal: Okay. Who wants to jump in first?

Lorcher: I have a question for staff if I could, Commissioner Seal.

Seal: Commissioner Lorcher, go ahead.

Lorcher: So, the two story rule -- I'm sorry to keep harping on this. I'm still kind of the new guy here. Who decided that? The city? The commissioners? The Commissions or --

Tiefenbach: I didn't hear the last part of your question.

Lorcher: Who decided that Old Town has to be two story?

Tiefenbach: It's -- it's code. The Old Town zone district has a requirement for two stories.

Lorcher: And the --

Tiefenbach: Like setbacks or building heights, I mean --

Lorcher: Right. So, does -- the City Council decides that or the city planner? I -- I mean I'm just trying to --

Tiefenbach: It's a regulation. If you -- it's just like if you build a house in R-1 -- if you build a house in an R-4 you have to meet a certain amount of setbacks and you can't be at

more than 35 feet in height. In this particular case if you build in OT you have to have at least two stories.

Lorcher: Okay.

Seal: Sir, we closed the public hearing, so you won't have a chance to come back up. Thank you.

Starman: Mr. Chairman, just to answer the question more directly, the ordinance -- or the code was approved by the City Council.

Lorcher: And how long has this code been in place? Forever?

Starman: I think Old Town -- maybe 20 years or so. Bill would probably be the best person to answer that.

Parsons: It's been two story ever since I have been here, so -- I have been here 15 years, so -- and, then, if you recall a few -- a few months ago -- or six months ago we came back with the ordinance to increase the height to a maximum a hundred feet in Old Town in certain areas, but we left the two story in place, so --

Lorcher: Okay.

Parsons: -- yeah, that's -- that's been in play for a long time.

Lorcher: All right. Thank you.

Seal: Whose screen are we looking at right now? Alan, can you bring this up on Google Earth? I just want to get a better idea of where the food bank is, where the business is, all of that.

Tiefenbach: Let me try, because I'm not used to navigating.

Seal: Okay. Well, go up -- I was going to say something we would all have to have access to.

Tiefenbach: Do you want street view?

Seal: No. Just an aerial would be good. That we can kind of --

Tiefenbach: Oops.

Seal: -- take a look at what's there and --

Tiefenbach: I guess I'm taking you there anyway. Let's see. There is East 3rd. There is Broadway. There is the food bank there.

Seal: You need to share your screen.

Tiefenbach: Okay. Let's see. The property is right here, if you can see my pointer.

Seal: Okay. So, the -- oh, I see. So, the Meridian Food Bank -- okay.

Wheeler: And also across the street is also their parking, I believe, too. If I remember right from the Meridian Food Bank.

Grove: Alan, could you zoom in just a tiny bit more, please.

Seal: There we go.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: I have some -- just kind of some insights from this bird's eye view here and I just want to share them. It's not one way or the other on anything like that. We can see that there is cars that are parked in that alleyway, so I don't know if there is something that can be done that if this was to be built that there would be a restriction on vehicles being left there or parked there, if that's something that can be done, staff?

Tiefenbach: Alan Tiefenbach. Associate planner. I would probably start with saying there shouldn't be a dumpster in the middle of the alleyway.

Wheeler: Exactly. I don't know if there is something that we can -- we can do that -- at least on the parking side. The other thing is that if you zoom in just a little bit more you will notice that there is a power pole that's -- kind of lines up from that edge and so I'm trying to see how somebody would come through that paved area parking lot, they would have to go to the left because of the parking spaces that are around, do a hairpin turn right and, then, do another left into a parking area. At least that's the way that I'm seeing -- the way that that property would access for -- to the garage. I'm -- I'm wondering if the applicant would be willing to flip that house 180 degrees, so the parking would come in off of Northwest 1st Street and -- and be able to access it with a little bit larger drive and wouldn't have to use the -- the alley for the ingress-egress.

Grove: Mr. Chair?

Seal: Commissioner Grove.

Grove: I -- I just want to point out one thing, though. By flipping that 180 degrees you completely lose all of the aesthetics of the front porch and all the -- yeah, the -- the aesthetic aspects of -- of what we are wanting to get out of Old Town properties. So, it would diminish the overall value of the area for that reason I think. Just two cents.

Seal: Yeah. I mean just looking at this, my concern is, you know, it really is the access to this piece right here. I mean we have the -- you know, the Rides Unlimited shop that's here and I mean there is, you know, cars and trailers, all kinds of stuff in here. So, you know, it's hard to be good neighbors when you have a truck and a trailer blocking your driveway, so, you know, that said that probably shouldn't be there anyway, as well as the dumpster, so -- I don't know. I -- I mean -- sorry. Earlier there was a -- one of the pictures that Alan had up there showed a dumpster in the -- in the alley.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: So, Commissioner Grove, yes, it would lose some of those aesthetics to swing that around and I just don't know which one is -- it would give them up on the immediate front; right? And -- and so I don't know which ones -- and what's the better trade here for that. I do like to have, you know, tax producing property in the City of Meridian that's going to bring in some stuff and some revenue for an entrepreneur on it. I like that idea. And -- and I think that maybe with some light redesign or something that maybe that frontage can be moved over over to the top of the garage and maybe that would bring in something that aesthetically might be a little bit more, you know, visible, but I'm -- I just have issues with -- you know, obviously, his two vehicles -- his two -- his duplex there isn't going to cause the congestion on this alleyway. We already see vehicles parked there and as shown earlier by staff at a dumpster that would be in the alleyway. So, that -- that -- they are not going to congest this thing up anymore for the food bank to get their food to their senior citizens and those that have need. It's -- it's the -- it's the access in and out of there that's -- I'm just thinking it might be better coming in off the Northwest 1st Street. But how that all works and feels it's up to the Commission on that.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: My two cents on just that aspect I think is people who rent, buy, whatever that location are going to know that going in, so they are going to decide if they -- if that's something that they can live with or not. I think as something -- as this goes in we have to be thinking about not just today, but what does this start to look like as other parcels in the general area start to redevelop and what type of look, feel, desire do we have for those residential components of the Old Town and what is it that we want to see five years, ten years down the road, so that we don't have -- let's say, you know, a house across the street or something decides to redevelop or two of them, we would like them to have a consistency to it and so looking forward I think we have to make some of those decisions now. It -- it is harder when it's just a single piece. I know that -- I mean I have sat through hundreds of meetings over the last seven years for Old Town specific projects, in business meetings and chamber meetings and community meetings, all kinds of things. It's not easy and -- but I think as we look at downtown and some of the projects that are coming online in the next 18 months, the Old Town general area is going to have a much

greater investment in -- in changing and so we are going to -- if we don't think forward on some of that, it -- it's going to bite us pretty bad later on.

Seal: Go ahead.

Tiefenbach: Yeah. Mr. Commissioner -- Mr. Chair, Members of the Commission. I just wanted to mention, I guess -- and I think you kind of already talked about this. I understand that there is -- there is a dumpster and there is cars parking there, but that alley is public right of way. That's not a parking lot. That's public right-of-way. They shouldn't really be parking in that to begin with.

Seal: Okay. Commissioner Cassinelli or Yearsley, would you like to weigh in?

Yearsley: You know, I think for me the big question is is should this be downtown or industrial, because you are -- you are kind of right on that verge -- you know, you have got a lot of commercial uses or industrial uses right around that same area and even farther down the street and -- and so, you know, we are, you know, redeveloping the downtown and as, you know, the growth pressures continue, you know, I guess the big question for me is what do we want it to be and -- and it's kind of hard to decide at this point, you know, without having to -- you know, you start looking at all the different businesses all the way down Broadway, you know, to that. So, I don't know. I -- I think for the most part I think the project looks good and -- and everything and stuff like that and -- and I -- I understand the code and that and so I'm -- I'm okay with the building and with the conditions, so --

Seal: Okay. Thank you. Anybody else want to weigh in?

Cassinelli: Mr. Chair?

Seal: Oh.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: I will just kind of echo Commissioner Yearsley's comments there and, you know, when I play around with -- with Google Earth there I'm -- I'm seeing a two-story home a half a block up on 1st and Broadway, so it's not as if there is none there. I -- I do want it redesigned to get the front porch and Alan made comments earlier about how to -- how to word that and how it should fit with the architectural designs, but, you know, primarily that's what I would like to see and I -- I think it will -- it's -- I do -- it would be tough having a two-story right there with zero lot lines, but that's what the Old Town requirements are and I think if -- if -- you know, as we get some changes there I would maybe like to see a little bit of setbacks on the side. But maybe -- I think that would be my only comment.

Seal: Thank you.

Cassinelli: Yeah. There is a two story right there. And you have also got -- you have also got height on the food bank. I don't know what the -- even though it's a single story, but you do have some height on that.

Seal: Okay. Well, at some point somebody's got to make a motion here.

Cassinelli: Could I ask Alan to repeat his comments on the architectural -- how to word that?

Tiefenbach: Alan Tiefenbach. Associate planner. I'm kind of thinking out loud and looking at Bill, but there could be some language that says that architecture design and materials will be generally consistent with the surrounding residences. That would give me enough -- that just gives me enough to say you can't do a flat roof slot house -- although the duplexes are roughly sort of there, they are -- if you see what they are doing -- let's see. I don't know where I am here. Let's see. If you look at what they are doing it -- they did show clapboard. They did show -- so, they do have -- they do have clapboard. They have got the fish scale here. But, yeah, I mean if they -- they -- if they kicked out a porch here and they put some -- put a covered element in there, they work towards some -- some -- some dormers, maybe put some stone on the bottom or brick, they could make it -- so, you know, it's just some simple language. I'm looking at Kurt to make sure he doesn't wince -- some simple language that says that architectural materials shall be generally consistent with the architecture of the surrounding residents -- would probably give me enough to twist the thumb screws, so --

Starman: Mr. Chairman, I am wincing just a little bit, so I have a question for the planners, which is I think the only item before the Commission this evening is to make a recommendation to the City Council relative to a zoning change. So, I don't know that we really want to go into the issues you are referring to. But I would invite your thoughts on that. But, really, we have a very discreet item before the Commission, which is a recommendation to the City Council on a rezoning request.

Tiefenbach: Alan Tiefenbach. Yes, we do already have a condition on the -- that's going to happen -- the design review, though, in regard to the covered porch. So, I don't know if this could be added or not. Where there is -- I know we typically -- it's tough to add a condition -- and Bill could comment about that. We are adding a condition to a straight rezone, because there is no DA, but we would have to do a design review and we would be looking at this condition at the time of the design review.

Seal: Go ahead if it will let you, Kurt.

Starman: Okay. I think we are back in business. My apologies. So, maybe an in-between solution could be to -- in response to the question and to Alan's response, it could be when you forward your recommendation to the City Council it could be with -- that could be part of your recommendation is that the additional design review and

certainly we do have design review under city code today, so that's -- that can be accomplished. But, really, I think the item before the Commission this evening is a recommendation to the Council relative to a rezoning request. If you want to make part -- if the maker of the motion wants to add a recommendation as to design I think that's appropriate, but -- well, it's not just -- you know, not a decision that's really before the Commission this evening.

Seal: Okay. Thank you. All right. Does that give you enough to make a motion?

Grove: Mr. Chair?

Seal: Commissioner Grove.

Grove: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2021-0089 as presented in the staff report for the hearing date of February 3rd, 2022, with the following recommendation: To include in the design review that the architectural design and materials generally are -- used are generally consistent with the general neighborhood aesthetics nearby.

Wheeler: Second.

Seal: Okay. It's been moved and seconded to recommend approval of Item 2021-0089 as presented in the staff report, with the modifications noted. All of those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: ALL AYES.

Seal: Okay. I need one more motion, please.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler.

Wheeler: Like to make a motion we adjourn.

Seal: Is there a second?

Grove: Second.

Seal: There has been motion and a second to adjourn. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 10:14 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK