

Meridian Planning and Zoning Meeting

September 17, 2026.

Meeting of the Meridian Planning and Zoning Commission of September 17, 2026, was called to order at 6:00 p.m. by Chairman Maria Lorcher.

Members Present: Commissioner Maria Lorcher, Commissioner Jared Smith, Commissioner Jessica Perreault, Commissioner Dom Gelsomino, and Commissioner Robert Shappee.

Members Absent: Commissioner Matthew Sandoval and Commissioner Matthew Stoll.

Others Present: Tina Lomeli, Emily Kane, Bill Parsons, Linda Ritter and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Dom Gelsomino	☒ Jessica Perrault
☐ Matthew Sandoval	☐ Matthew Stoll
☒ Robert Shappee	☒ Jared Smith
☒ Maria Lorcher - Chairman	

Lorcher: All right. Good evening. Welcome to Planning and Zoning Commission meeting for September 17th, 2026. At this time I would like to call the meeting to order. The commissioners who are present for this evening's meeting are here at City Hall. Just make sure. Yes. We are -- we also have staff from the city attorney's and the city clerk's office, as well as the city's 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 we cannot take questions until the public testimony portion of the meeting. If you have a process question during the meeting please e-mail cityclerk@meridiancity.org and they will respond as quickly as possible. If you simply want to watch the meeting we encourage you to watch this streaming on the city's YouTube channel. You can access it at meridiancity.org/live. With that let us begin with roll call. Madam Clerk.

ADOPTION OF AGENDA

Lorcher: The first item on the agenda is the adoption of the agenda. There are no changes to tonight's agenda, although Item No. 3, Bentwater has requested a continuance, so we will not be taking public testimony on this application this evening. Could I get a motion to adopt tonight's agenda?

Smith: So moved.

Gelsomino: Second.

Lorcher: It's been moved and second to adopt the agenda. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the September 3, 2026 Planning and Zoning Commission Meeting**
- 2. Findings of Facts, Conclusions of Law for Black Creek Legal Office by Brio Architecture, located at 195 S. Touchmark Way**

Lorcher: The next item on the agenda is the Consent Agenda, which is to approve the meeting -- the minutes of the Planning and Zoning meeting from September 3rd and findings of facts, conclusions of law for Black Creek Legal Office. Could I get a motion to accept the Consent Agenda as presented?

Smith: So moved.

Shappee: Second.

Lorcher: It's been moved and second to approve the Consent Agenda. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Lorcher: At this time I would briefly like to explain the public hearing process. We will open each item individually and begin with a staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and our Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff's comments and 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 only once during public testimony. The clerk will call the names individually of those who have signed up on our website in advance to testify. You may come to the microphones in chambers or you will be unmuted on Zoom. Please state your name and address for the record. You will have three minutes to address the commission. If you have previously sent pictures or a presentation for the meeting it will be displayed on screen and our clerk will help you 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 signed up in advance have spoken we invite any others in chambers or on Zoom to testify. If you wish to speak on a topic you may come forward in chambers or if on Zoom press the raise hand button in the Zoom app or if you are

listening on a telephone, please, 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 those extra devices so we don't 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 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 has finished responding to questions and concerns we will close the public hearing and the commissioners will have an opportunity to discuss and hopefully be able to make final decisions or recommendation to City Council as needed.

ACTION ITEMS

3. Public Hearing for Bentwater (H-2026-0013) by Bailey Engineering, located at 280 S. Black Cat Rd.

- A. Request: Preliminary Plat consisting of 110 lots (92 residential, 17 common and 1 private road) on 14.65 acres of land in the R-15 zoning district.
- B. Request: Development Agreement Modification to remove the school site designation as the West Ada School District is no longer interested in pursuing the site.

Lorcher: With that in mind we will start with Item No. 3, which is H-2026-0013, Bentwater at 280 South Black Cat Road has requested a continuance. Madam Clerk, do we have a date suggested for this continuance?

Lomeli: Thank you, Madam Chair. We have November 5th.

Lorcher: May I get a motion to continue Bentwater for November 5th?

Smith: So moved.

Gelsomino: Second.

Lorcher: It's been moved and second to continue Item No. H-2026-0013 to November 5th. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

4. Public Hearing for West Ada (H-2026-0041) by LVK Architects, located at 215 and 335 S. Locust Grove Rd.

- A. Request: Annexation of approximately 1.199 acres of land from RUT in Ada County to the C-C Zoning District.
- B. Request: Rezone of approximately 3.424 acres of land from the I-L zone to the C-C Zone.
- C. Request: Conditional Use Permit to operate a public education institution in the proposed C-C Zone.
- D. Request: Development Agreement Modification to replace the existing DA (Instrument #2022-001274) with a new one.
- E. Request: Alternative Compliance to reduce the required number of parking stalls from 185 to 145 and to deviate from the parking lot landscaping standards.

Lorcher: The next item on the agenda is H-2026-0041 is a request for annexation, rezone, a DA modification, alternative compliance and a conditional use permit from the West Ada School District and we will begin with the staff report.

Ritter: Good evening, Commissioners. Again, as stated we are here for annexation and zoning of approximately 1.199 acres of land. It's currently zoned RUT and they want it to be zoned C-C and also a rezone of approximately 3.42 acres of land from I-L to C-C for a total of 4.4 acres of land located at 215 and 335 Locust Grove Road and there is a sliver of property in between those two that is also part of this. There is a modification to the existing development agreement to create a new development agreement as the current DA was approved for the site's previous warehouse uses and does not permit operation of an educational institution. There is also a conditional use permit required for education institutions that take access from a collector or an arterial street where there is not a safe, separate pedestrian -- pedestrian and bike access between the neighborhood and school site. Again the proposed school -- it has access from an arterial, which is Locust Grove. The new CTE center will serve existing high schools located more than one mile away, except for Renaissance High School, which is located approximately half a mile to the south. No walking or bicycle school trips are anticipated between the CTE center and the home school -- the home high schools. The students will be discouraged from walking from Renaissance High School. They are also requesting an alternative compliance to reduce the parking from 185 parking stalls to 145 parking stalls and deviate from the parking lot landscape standards. They are also requesting a waiver to remove the cross-access to the southern portion of the property and a five-foot-wide landscape buffer at the cross-access is not required. The applicant will need to request a waiver to remove the required cross-access for the west side of the property as it was not included in their waiver request. Again this is the annexation portion. It is for the sliver of property between 335 and 215 South Locust Grove that is being proposed to be annexed in and zoned. This is the portion of the property that is being proposed for rezoning. It is currently zoned I-L. Education institutions cannot go in an industrial zone. So, again, there is an existing 74,080

square foot warehouse. This is the elevations that were previously approved with this for the existing warehouse that was approved in 2022. As this is -- this property 335 Locust Grove was annexed into the city in 2021 and it is part of the Solara Subdivision that was recorded in 2024. Earlier this year the city initiative comprehensive plan map amendment was done for this prop -- for these properties. Again it was previously listed as general industrial and mixed use community. Staff took this -- the changes -- it was a city-initiated change to turn this into civic in which schools are allowed in that area in order for the -- for this CTE center to move forward. These properties are currently owned by West Ada School District, so as we went and changed a lot of properties to civic that needed to be changed that were kind of overlooked in previous years. So, just bringing everything to current. This is the site plan. Again this is the parking from the properties that will be annexed in and this is the existing facility. The parking spaces here will be designated for staff and visitors. The existing entrance will be for bus only and this is for staff and visitors. So, it will be signed -- we are asking the applicant to sign it that way. Busses will come into the -- to the property, go around the building and, then, drop students off here and, then, come back out. The new entrance for the student parking, which provides cross-access to the north, students will come in this way into the parking lot and, then, walk across into the facility. So, this is the landscape plan that was provided and in the current DA and part of the requirements, because there is an existing home over here -- even though it is vacant there is an existing home here and it's required to have a 25 foot landscape buffer. They are asking for a waiver from that and they are currently showing 16 and a half feet of landscaping along here. Not sure how the property to the north will develop. We have had conversations on it where it showed commercial, but it could come in as commercial or it could come in as multi-family, but we did want a buffer in between the parking lot and whatever will be proposed there. But they are asking for a waiver to reduce that landscaping. They are -- these are the building elevations that were presented. They are going to make some slight modifications to the exterior of the building. They are going to change like the -- some of the exterior doors will add some exterior doors and windows and expand the mechanical system. Any changes made to the exterior of this building will have to go through design review for review and approval. The applicant is aware of that. And, again, as we were talking about the waivers that they were asking for, removal of the requirement for cross-access to the southern portion of the property, to reduce the landscape buffer to the north from 25 feet to six and a half and, again, they did not request a waiver for the cross-access to the western portion of the boundary and they need to address that with commission and council. So, the existing plat already has these access easements recorded. This is a 20-foot access easement going to the west and, then, we come down, it widens to 25 feet and, then, this is the access to the -- provides the cross-access to the south. So, they are already recorded. Staff does not have an issue with them not reciprocating the cross-access at this time, because it is being used for an educational facility. If the property ever sells and changes to something other than an educational institution those easements are there and the reciprocation for cross-access will have to be adhered to. But they did provide the one to the north and they will have to provide an easement for that. So, the alternative compliance that they are requesting was the removal of the southern boundary five-foot parking lot landscape and the parking reduction. If they were not doing the cross-

access we would require a five-foot landscape buffer along the southern boundary, but, instead, they would like to add a wall fence along that for privacy, again, with the understanding that if the property ever sells and becomes something other than an educational institution they will still have to -- the new owners will have to provide that cross-access to the south. So, we are -- we don't have objection to the fence being added, with the understanding that that would have to -- the cross-access would have to be provided if the property becomes anything other than an educational institution and as far as the reduction in the parking stalls, they are required to have 185 parking stalls based on the gross floor area that the school has, but based on the fact that they will be bussing from the schools in the area and that they are only occupying a certain square footage of the building, not the complete building, most of the bottom floor will be used for the students' labs and things and just a small portion of the upstairs is being used and based on the square footage that is being used it's approximately 137 parking spaces that would be required based on that square footage of use and so based on the fact that they are bussing students to the location and that they are not utilizing the whole building staff has no objection to their request for a waiver for alternative compliance for the reduction in parking. So, we did not get any written comments on this application and so staff is recommending approval of this application with the conditions outlined in our staff report and with that I will stand for any questions that you may have.

Lorcher: Would the applicant like to come forward?

Rinehart: Good evening, Chair and Members of the Commission. My name is David Rinehart. I am the chief operating officer for West Ada School District. Thank you for the opportunity tonight to hear about our proposed Career and Technical Education Center in Locust Grove. This is our third Career and Technical Education Center. All three of them, if -- if approved all three of them -- this being the third -- would be -- reside actually in Meridian. One at Meridian High School, one at Renaissance High School and this being our third. The simple -- simplest way to explain the need for the center is we have more students interested in career and technical education than we have space to serve them. This will allow us to expand certain programs that have been very successful and add new programs and ultimately start to also provide more relief at some of our more crowded high schools, again, many of which are in Meridian, Mountain View, Owyhee and Rocky Mountain among some of them. When this center is built out there is no way to know exactly how many students will be here, but they will arrive in shifts. So, it speaks to some of what Ms. Ritter said about the parking waiver. None of the students are here all day, so there will be a shift in the morning and a shift in the afternoon and that shift could be anywhere from 100 to 150 students, many of them will ride the bus and most of our students that come from other schools when they go to CTE centers they pile in the car together, they go to lunch and, then, they go to class and so it's often shared rides, which we also appreciate. This is a flexible career center addressed to -- to take care of the workforce in this community and the programs that we will be beginning with are an expanded welding lab. We do have a waiting list for welding and so this will take a welding lab out of Owyhee, providing more educational space in Owyhee, taking 20 welding booths from Owyhee and providing 60

at this particular center. We are also particular -- there will be a power sports lab, which is a program we do not have and we have -- we will also have a construction trades lab that will provide opportunities also in electrical and HVAC. Most of all we are excited about developing the area's -- really the first semiconductor manufacturing lab in collaboration with Micron and we know that this will become an increasingly important part of our region economy. This -- as Ms. Ritter said we will be circulating busses clockwise around the site. We do that so that the door -- when they get to the northern portion the door is facing the school and they don't have to cross traffic. They just simply walk into the building. We will have anywhere between three and five busses arriving three times a day. ACHD has recommended -- required us to make sure that this is a right-in, right-out site only. As somebody who has tried to turn left into that site and tried to turn left out of that site I'm glad that we are not going to have juniors in high school trying the same or busses trying the same. So, we will plan accordingly. That will be a -- that will be a right-in, right-out. One of the reasons -- Ms. Ritter also referred to the variance we are asking for in the southern portion of a reduced landscape buffer and showed the -- the pictures of that -- that wall. That's -- that's simply a mathematical need, because between the building and some of the ventilation systems for welding that are on the outside of that building and, then, space for a bus, we don't have the -- we don't have the required space really to -- to safely move that bus through and so a reduction, along with the fact that we currently own those concrete walls and have a place -- and have a -- an easy way to use them and they -- they seem to fit that site very well. We will be maintaining the approximately 20 parking spots at the front of the building as Ms. Ritter referred to and those would be for staff and for visitors. We have worked closely with Ada County Highway District and we have worked for a long time with Mr. Parsons and Ms. Ritter and the entire staff to plan for the site and to make it safe and to make it good for students. We thank them for their hard work. We concur with recommendations. There is a recommendation in the report for a -- for a galvanized fence to become a coated fence or a vinyl fence. We will work through that with our contractor and architect and we concur that that -- that is something that we will certainly do. As we will accommodate all the recommendations. I believe that is the essence of what I want to cover this evening. I will also invite Toby Norskog from LKV forward to talk through any of the other site or building specifics. Thank you

Lorcher: Do you have a different site or is it this site that -- that Toby will talk about? I'm sorry, what was that last sentence that --

Rinehart: Madam Chair, I -- I will simply invite Toby Norskog up to -- to talk from the architect's point of view.

Lorcher: Oh. Okay. Thanks.

Rinehart: Thanks.

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

Norskog: Yeah. Toby Norskog, LKV Architects, 21 -- 2400 Riverwalk Drive, Boise, Idaho.

Lorcher: Thanks.

Norskog: So, we are the architect that's helping facilitate West Ada and the design. I would like to -- Linda, do you mind if you go to the site plan real quick? I just kind of want to orient -- orient you guys to the site. I guess I don't have a pointer, but -- so, as David said, you know, Locust Grove is off to the east. Busses will come in off the -- the southern curb cut. They will loop around the building. That will also be the fire access lane and -- and it's designed that way. We kept it that way. The building -- the existing building that's on the site has basically used up the entire site -- the allowable area that it could possibly use. So, we were kind of -- so, we had to step back and be like, well, how can we use that, it's -- it's -- it's taken up the footprint; right? So, that was the -- the fire egress path for the -- the previous owner. So, we kept that and we decided to make that the bus circulation path as well. We worked with ACHD and we went back and forth on a -- on a few designs and -- and we all agreed that separating the student parking lot from the bus was preferred. It's the safest way to go. So, that's why the bus loops around the building, pulls up to the northern side, which will become the new student entrance. So, the administrative area is -- is off that student entrance, that main one. It's also along the eastern side of Locust Grove. Those are going to be the administrative areas. The labs pretty much circle -- or do a U shape around the building. They will be primarily on -- sorry -- primarily on the western side. That's where construction will be at. That's where power sports will be. On the southern you have welding. All of these CTE programs come with large pieces of equipment; right? And it's a pre-engineered metal building and we cannot put anything on top of the roof. So, everything has got to go on the ground. We are going to screen all the mechanical equipment, but that is -- that is why we came into some issues with the site constraints as far as requesting a waiver on the southern side. We need 20 feet for the -- for fire and the mechanical units. They kind of started growing on that side. We had like 12 -- 12 extra feet that we could absorb and the mechanical units are there. They have to be there for the -- the use of the space. The northern side, the landscape reduction, that's just us trying to cram as many parking spots in there as we can. We are hoping that -- that you guys are good with that by us providing the cross-access to the northern side, which is per city code, but -- yeah. And, then, like David said, right-in, right-out for the site just to create -- so we don't create a mess on Locust Grove. ACHD is requiring candlesticks in the -- in the center drive aisle of Locust Grove as well. So, that will force students, staff, visitors to head south and it will help prevent the students from cutting through the neighbors to the east and getting to McDonald's during lunch hour. So, we feel -- we agree with -- with Linda -- Linda's recommendation -- Linda and Bill's recommendation and we stand for any questions.

Lorcher: Okay. Thank you very much. Madam Clerk, do we have anybody signed up to testify?

Lomeli: Madam Chair, no one has signed up.

Lorcher: And nobody is on Zoom? Anybody else in chambers that has anything to say? Dave, did you have any final comments before we close the public hearing? Okay.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: I just have one question. It seems like this is a yes, but I just want to confirm. The staff report mentions not having requested a waiver to remove the cross-access to the west. Is that -- that something that is amenable to be done before council? What's the intention with that?

Norskog: Commissioner, yes, currently there is a cross-access to the west. It's currently barricaded with concrete. We did not ask for a waiver on that, so we will do that before City Council.

Lorcher: Okay. Thank you very much. Commissioner Perreault.

Perreault: So, I just wanted to get one more clarification on that western access. The students won't be coming from Atkins Way and kind of weaving back through to get into the parking lot?

Norskog: Commissioner, no. Currently it's barricaded off and the -- the neighbors to the west -- they have a bunch of trucks out there, trailers out there, there is really no way to get through. They -- they are the ones that barricaded it and it's not intended to use the western access for the school district.

Perreault: And one more additional question. So, it sounds like there is going to be about 250 students -- and this may be a question for our COO, but there might be 250 students to start and, then, there is room for future expansion. Do we know what the maximum number of students will be at full expansion and how that might affect the parking ratio?

Norskog: Commissioner -- Commissioner, I will start that off and hand it over to David, but the max growth -- the max student population for the school when it's fully built out is 250 in the morning -- you can correct me if I'm wrong -- and 250 in the -- in the afternoon and so the -- the way the building is set up is that there is so much -- there is so much storage area; right? And there is so much joint uses of labs, classrooms that -- that as -- as they go through the day the students that are in the labs are the same students that are going to be in the classrooms. So, calculating the entire square footage of the building by 400 to get your parking count seemed excessive for this use. So, we were hoping that it could be more of the -- the occupied space and how the building is actually used to -- to quantify those parking stall counts. So, it would be the lab spaces, the classroom spaces and, then, the future growth areas is all calculated -- I can't remember which page on the staff report and it came out to approximately 50

some thousand square feet; right? And if we divide that by four that gets us down to more of a 137 number. But David can talk more about the students, but --

Rinehart: Madam Chair, Commissioner, Toby is right on the numbers and those -- the way the classes run they run in block -- what are called block schedules. So, a student shows up in the morning, takes a couple of classes in say welding. He -- he or she may be in the lab for part of it, in the classroom for part of it and, then, they will get in their car, they will go home, there will be a short break and, then, the next group. But full build out -- and we are leaving space for two additional labs that we -- we are not proposing any TI on in this -- this portion. It's hard to say for sure, but I think 250 would be the absolute max per shift.

Lorcher: Right. Just out of curiosity, if you got all your approvals would you start again -- would you start in the fall?

Rinehart: Madam Chair, we -- we would like to and part of -- part of that is we have to -- we have to either start in the fall or we, frankly, have to wait another year, because a midyear in CTE -- this is pulling things out of other buildings. For example, at Meridian High when we pull out small engines and turn it into power sports, that space is going to become space for a JROTC program and in order to do that to schedule students at mid-year, you can't quite do a CTE. So, our fantastic construction management firm of ESI represented here and our architects and landscape architects have had to throttle down with your city to see if we can get this open in August.

Lorcher: Got you. Any other questions? All right. Thank you, gentlemen. Could I get a motion to close the public hearing?

Gelsomino: So moved.

Smith: Second.

Lorcher: It's been moved and seconded to close the public hearing on application 2026-0041 for West Ada School District. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: Ironically, I substituted for CTE today at Meridian High School. I -- I hadn't even prepared my meeting for tonight -- or meeting for tonight, so I didn't know there was a correlation. It is quite an endeavor to have the students move out of -- none of the -- very few kids that were in my class today actually went to Meridian High. They all came from somewhere else and the -- the bus circulation is a real thing. It was controlled chaos I believe and they all begged me -- they are like can you let us go a few minutes early? The parking lot is such a nightmare to get out of here and we have to get to our next place and being the substitute I was like carry on safely. So, I know CTE is -- has one of the highest graduation rates in the city -- for West Ada School

District and it -- the -- having the trades out there is obviously very important for not only our future for our young people, but for our community, not only here in Meridian, but Idaho. I applaud you for collaborating with Micron and -- and the other vendors that you have to be able to have these programs. It's very impressive. I was very disappointed to see that the levy didn't pass to have the building built by Owyhee, but this seems like a very nice alternative. The Jaybil thing happened many years ago with the central office and, you know, you are taking kind of the same playbook for this and to reuse the space makes total sense to me. So, being able to cross the I's and -- or dot the I's and cross the T's makes sense to me. Commissioners, do you have any other things to say about this application?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: I was equally excited to see this come onto the agenda. I think that the CTE is a huge asset to our community. Really thrilled that Meridian gets to be the one to host these opportunities for our students and my son was a Meridian High graduate who took every career technical class he could -- he could take. I think he was at Renaissance more than he was at Meridian High. So, we appreciate all you are doing.

Lorcher: And if it's right-in, right-out and they have to go down Central to get to their next spot, they go past the Idaho State Patrol. So, I think they will all be well behaved as far as their driving is concerned. With that after considering all staff, applicant and public testimony, I move to recommend approval for File No. H-2026-0041 presented in the staff report for the hearing date of September 17th with no modifications.

Smith: Second.

Lorcher: It's been moved and second to approve West Ada School District CTE Center on Locust Grove. All those in favor say aye. Any opposed? Motion carries. Gentlemen, thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

5. Public Hearing for Regency at River Valley Phase 3 (H-2026-0010) by Bach Homes, located at 3270 E. River Valley St.

- A. Request: Modified Development Agreement to the existing development agreement (SGI Inst.#113005608 & Bach Storage Inst. #2020-062947) to remove the subject property from the existing agreements and enter into a new agreement with a change to the conceptual development plan and use from an indoor self-service storage facility and retail store (Option A) or drive-through restaurant (Option B) to two (2) multi-family buildings with 88 dwelling units.

- B. Request: Conditional Use Permit for an 88-unit, multi-family development on 2.57 acres of land in the C-C and C-G zoning districts.

Lorcher: The next item on the agenda is H-2026-0010, Regency at River Valley Phase Three, requests a modified development agreement and a conditional use permit and I believe this is a continuation from July 2nd. So, we will begin with the staff report.

Parsons: Thank you, Madam Chair, Members of the Commission. Last item on the agenda tonight is this continued item that you did, in fact, hear on July 2nd. If you recall during that hearing staff brought forward the staff report. We were recommending denial of the application. The commission had some words during that hearing and asked the applicant if they wanted to move forward to city council with a recommendation for -- of denial or go back to the drawing board and bring back a plan that -- based on the discussion that you had during that hearing and so they took you up on the offer for that continuance and the reason why we are here this evening is because of the fact that they have made changes to their site plan. I think this body is very aware that this project has quite a -- quite a bit of history on it and this is the third run at trying to get multi-family developed on the site. Each -- each time they have been in front of you there has been less and less density and there is no -- that's -- that's the same with tonight's presentation. So, they -- they started out with I believe 134 units, went down to 128 units and now tonight the CUP in front of you is for 88 units and we will get into that a little bit more, but at least wanted to give you that context. If you recall during the July 2nd hearing, too, we talked about the fact that this property does have two development agreements that govern it. You can see on the zoning map here there is two different zoning designations. There is a C-C zone and a C-G zone. The C-C zone is -- has its own DA that is governed and in that DA there is a requirement that they construct self-service storage facility on the site and, then, on the C-G portion of the site it was required to have a drive-through building on it. Currently there is a Mattress Firm store that is built on one of the parcels. The applicant did acquire this property in order to get your support -- or in the city support of a residential project on this. So, they went above and beyond to buy additional properties to try to alleviate some of those concerns. Back in '21 ultimately it didn't work in their favor, but they continue to work with not only us, but you to try to bring forward a good project that does tie in with the existing first and second phases. You can see on the future land use map that this is mixed use regional, which does anticipate residential densities between six and 40 dwelling units to the acre. I think this commission is very well aware of how much residential and commercial uses and employment exist in this area. So, there is no -- this particular property is -- is well suited for a single use. We are now requiring multiple land uses on this four acre parcel. Or, excuse me, two acre -- two and a half acre parcel I should say. And right now the property does sit vacant. I'm hoping for an approval this evening. So, here is some -- some existing photos looking into the site and that's -- if you recall from the last hearing the main access currently to this property is a right-in, right-out only access from East River Valley and if you recall to the north of the site is an existing retail jewelry store. That gentleman went through a development agreement modification with the city council and in his development

agreement he does not have to reciprocate cross-access to this property if it develops with a residential use and tonight we are talking about a residential use. So, you will see on the revised site plan that there is no cross-access with Copper Canary to the north, consistent with his DA. Here is, again, some of what's in the DA as I mentioned. So, the exhibit on the left-hand side shows what was tied to the C-C zone property and, then, the two other exhibits are what's approved on the C-G portion of the site currently in the DA. And, again, the DA mod is so that they can terminate the two -- those two agreements and enter into a new agreement consistent with the plans that we are talking about this evening and the use that we are talking about this evening. As I mentioned, here is -- here is the one that they have had, 2021, 134, one building. 2022 lessen the units and they are five stories. The building that we are talking about this evening is a single building and it's four stories tall. So, lost units, lost -- lost building height. Here is -- here is what the applicant is proposing before you this evening. You can see here -- if you remember their previous plan did show two buildings on the site, one in this general location and one along the north boundary. The commission felt that it was too close to Eagle Roadway and you felt that some of the connectivity with the adjacent phase one and two and the open space was disjointed from the previous phases. So, that's when you guys had recommended continue this item for the applicant to go back and modify their plan and that's what they have done here. So, go through some changes here. You can see, again, the right-in, right-out only access that comes in. The applicant has also modified some of the garages and covered parking that was in this location that was approved with the first phase. It does tie in with their internal drive aisles that they have built with the phase one and phase two as well. So, residents at this north end of the building can come up, go out and, then, exit through cross-access agreements that are currently in place with the northern residential and commercial properties to the north. They can go out to Records on the west or they can go here and, then, have full movements outside onto East River Valley if they want to go, again, to the east and not necessarily to Eagle Road. Also mentioned to you that the applicant is working with ACHD on a pedestrian crossing as well to make it -- make it safer for those residents to get to the commercial on the south side of that of East River Valley Road or River Valley Street I should say. This is, again, more of the details showing you how -- the site circulation on the site. You can -- how it can, again, better connection -- connectivity with the phases one and two. The other change to note is when -- if you recall there were some concerns with some of the open space being disjointed. The applicant has gone ahead and reoriented some of their open space to the southern side of the building. What that has allowed them to do is actually provide a pedestrian connection across the westernmost drive aisle into the pathway system that gets the residents to the main amenity of the sub -- of the first phase of the developments, which is the clubhouse and the pool recreational facility. So, they have heard what you said, they have gone back and kind of drawn that. Also mention -- you can see here that it's -- they have lost the building, but this building itself is approximately 200 plus feet away from Eagle Road now. It is still four stories tall as we mentioned. I know you guys had some concerns with that transition between the single-story commercial in front of it and that four-story height disparity. But the applicant has provided some exhibits for you to look at as well this evening to see that -- that scale and the differences between the two -- the two buildings. Again, the exhibit on the left-

hand side was the previous site plan. You can see there is the -- the two buildings as I mentioned. All the parking and most of the open space was, again, oriented towards Eagle Road. You can see on the new site plan they are still providing the 35 foot wide street buffer as required by UDC. There is some linear open space adjacent to the parking behind the wall -- that berm and wall combination that they are proposing and, then, the bulk of the open space is located, again, internal to the site and provides better linkage or connectivity with the -- the first phase's main amenities and this is an open space exhibit as well. You probably noted on the -- you probably saw it on the agenda as well. Originally the applicant thought they would have to submit an alternative compliance application for a -- a parking waiver or parking reduction. After working with the applicant and running their numbers, their calcs, we have determined that this site, in addition with the two other phases, the applicant does meet the parking requirements of the UDC. So, that alternative compliance request is no longer necessary and does not need to be acted on this evening. Here is some perspectives of their elevations. You can see, again, four stories. You see the single-story retail store in front of it from the Eagle Road side and the applicant has also provided you a perspective of what the berm will look like when it's installed and, then, what it could potentially be when it's at -- at the time of maturity or at -- at the time of ten years I think is what the exhibit shows. I know during the last meeting we talked about the Idaho Power lines that are located -- that run along Eagle Road corridor in front of the site. Anytime we have overhead power lines the UDC does restrict the types of trees that can be planted under those overhead power lines. So, the applicant will be held to no more than class one trees. So, a class one deciduous tree is typically your lower -- lower trees and broader trees, so they don't impede the overhead power lines. Again if there is adequate clearance from those power lines there may be a chance to maybe put the trees farther into the buffer and it may not -- and they may not interfere with the overhead power lines. Don't know for sure at this point, but at least you should be aware of it as we move through the public hearing process. And, again, here is that -- that perspective or that -- that graphic showing you how far the building is set back from Eagle Road. Again, it's -- it's plus 200 feet from Eagle Road, so quite a quite a bit back from that -- that roadway per your direction. I think staff also noted in the staff report. If -- you know, this is -- staff is still recommending denial for the reasons stated in the staff report. If the Planning and Zoning Commission is inclined to recommend approval this evening we would ask that you continue it and allow staff time to prepare some conditions of approval and, then, bring that back to you for -- for your -- your review. I had a chance to look at the public record. There is no public testimony on this particular item. Applicant is here this evening to -- to present the project to you as well. Again we are recommending denial. No conditions of approval and I will stand for any questions you may have.

Lorcher: Would the applicant like to come forward? Hi.

Adams: Matthew Adams. You want address as well; right?

Lorcher: Address, please.

Adams: Matthew Adams. 11650 South State Street, Draper, Utah

Lorcher: Thank you.

Adams: Thank you. Actually, the same presentation that I was pulling up is one he just went through. I just wanted to go through some of the points. I -- a previous person was here July 2nd. You might have remembered Cedar. I actually went through the YouTube video last night and just went -- made sure I understood all the points that were made and everything the -- the chair -- or the commission had gone through. I think we have done -- tried to do everything we can possible to put this off the road as far back as possible. We are definitely trying to hold the 88 units. This is one of those things that you have got to have so many doors to make a project work and definitely also accommodating a unit mix that the existing phase would like to see. There is more one-bedroom units in this. They are short on one bedrooms. So, we are just also responding to a market need with the design. Something that hasn't been mentioned, but we -- we did still meet all the parking requirements. But we ended up doing a traffic study on our existing parking and had a third party review that and we were close to 125 units. I think you saw the e-mail on that, stalls that were vacant in the nighttime hours, so we are comfortable, you know, we meet the parking requirements, but -- and we are there on exact numbers. But there is plenty of stalls there at this point between all three phases, so -- in -- in the past I think they had some parking issues. I was talking to the manager earlier today and she said, well, after we started towing the property to the north that didn't have adequate parking we found that our residents -- we had plenty of parking. So, there is a lot of vacant stalls at Regency at River Valley. So, with this design one thing the architect wanted me to point out was the -- the amenity space to the south. There is a water feature. There is some landscape. But intentionally wanted a raised sidewalk going back into the existing phase to get to the pool area. In addition to that, they chose to put the elevator on the south end of that building, so that when you come off that elevator you kind of hit this courtyard space right into the fountain area and, then, it's direct access back towards the main clubhouse and pool area. I think we have tried to solve the -- the problem of connectivity with amenities as much as possible. The existing phase one and two already had a dog park, so we did remove that and chose to put these amenities more in a useful area, so -- and in it -- I mean one thing you mentioned was with the open space -- I was looking at this thinking how we could -- in open space three, the light blue area, that we could continue to put trees back further into there. There is still some options with the power lines and I think we can look at that as we -- we go through additional design and trying to get the landscape really fine tuned. The main power lines -- there is a main transmission line that comes all the way through here with The Village and it's very high, but there is a lower line right here in front of this, so -- I don't have anything really else to go over, but I'm here for any additional questions or anything you have for me.

Lorcher: I have a couple questions and, then, Commissioner Smith. Your illustration shows that -- at least from the rendering that you anticipate the trees to be four stories tall. So, I -- you know, I don't know what -- in ten years' time. I mean I understand that you want to put big trees to create a buffer, but I don't know what kind of trees can grow

that -- that tall. It was on the conceptual -- concept building elevations. So, that second picture there you are kind of showing these huge trees in front of there that are going to be blocking everything. So, you know, I'm not a tree expert, but I would be very surprised that any tree would be four stories tall. But that's just me. The other thing I wanted to ask -- Bill, if you can go back to the revised overall site plan for phase one and two. So, this building that you are recommend -- or suggesting kind of abuts up to phase two, what -- is that a four-story building as well? So, I'm looking at the ones that are going north-south, these two at that -- on the other side. Right now they are looking at a dirt lot, of course, but are they four stories? Three stories? What are their -- what are their heights right now?

Adams: Those are four stories

Lorcher: They are four stories. So, are there going to be balconies and windows on the back of this building that would look into the two buildings that run parallel to the one that is suggested?

Adams: There would be. On both -- on both sets of buildings. There is balconies on the existing buildings and on the new building.

Lorcher: Okay. And as I'm looking at phase one and phase two, I really don't see that as a conflict anywhere else. Am I missing it? I -- you know, I just wonder that people who are going to be in the new building that you are proposing are now going to create shadows, create possible privacy issues for the two buildings that are in phase two that already exist, even though -- and they are the same height. I recognize that there is space between them, but, you know, I -- I mean it looks to me like their view is going to be somebody else's living room. Is that -- am I seeing that or --

Adams: Yes. I believe that's correct.

Lorcher: And, finally, the DA that you have right now is retail drive-through and you have been -- your group has been pushing residential. Why do you think residential would work well here, as opposed to retail or drive-through?

Adams: In the past we have had this property up for sale and not much attention. At one point we were exploring the idea of storage. Based on lack of demand and oversaturation in this market it wasn't feasible. Went back to the drawing board and this is what makes a lot more economic sense based on the demand and we have other assets in the area and they just continue to do very well and plenty of demand. This particular property has done very well in the location. You know, there is times in the past we wish we would have bought all the area to the north that -- the apartment complex to the north, because it -- we had that opportunity at one point. Just a popular area and there is -- there is plenty of demand and we see that through occupancy numbers.

Lorcher: Yeah. I mean your adjacency to The Village is fantastic, so, you know, that -- that people can live, work and play and not have to go very far. Commissioner Smith, did you have a comment or a question?

Smith: Yeah, Madam Chair. I mean I guess first I would like to -- it sounded like you had some thoughts regarding the trees and the landscaping. I was kind of curious about that, too. Could you -- could you speak to that?

Adams: Yes. I -- I think going back to that other view from the street, I think something to keep in mind there, that is a perspective angle from some -- the building is definitely 200 feet behind that, so I think that could be skewed a little bit that it's implying the trees are higher than they are. I would maybe compare them to the height of the Mattress Firm next to it, saying they are not 40 feet. I think just the setback and that angle, because this isn't a 3D rendering software that it's taking that into account.

Smith: Okay. Thank you. And, then, my -- my other question -- I guess part disclaimer, part question. So, the -- I'm heartened to see that crosswalk being put in. In a prior transportation commission meeting in which I serve, yeah, we have had some complaints about feeling unsafe to cross in that area without -- without a crosswalk there, especially for kind of some of the more elderly residents who are kind of tend to just jaywalk across or, you know, across there without any kind of signaling or anything and so that was kind of -- came up in discussion of like, well, there is a development here -- I believe Caleb Hood reached out to discuss this. My question on this is could you go a little bit into this -- I believe ACHD said this was qualified for a HAWK crossing. Is that what is being placed there or is it just simple striping? And do you know anything about the kind of -- I guess could you speak more to how that partnership -- is this being financed by this -- by the development and the ACHD is constructing. What does that look like?

Adams: I do believe it would be something we would be paying for. I think we are still waiting for more detail on what they would like to see --

Smith: Okay.

Adams: -- taking their direction on and what -- what could be approved in that area.

Smith: So -- so, I guess it's my understanding based on that, that if they say it should be a HAWK then it would be a HAWK versus if they say it should be something else.

Lorcher: Jared, what's HAWK?

Smith: I don't know what it actually stands for, but a signalized -- yeah signalized crossing. Yeah.

Lorcher: Okay.

Smith: High visibility --

Lorcher: Right. So, kind of like --

Smith: Flashing lights.

Lorcher: Yeah.

Smith: Yeah.

Lorcher: So, kind of like a school crossing, but --

Smith: Yes.

Lorcher: I didn't know the name. I know --

Smith: Apologies. I guess, Bill, do you know -- in the past do you know how that -- how that works or do we have any way of having visibility of what type of crossing that would be versus like simple striping or something?

Parsons: Madam Chair, Members of the Commission, I'm with -- I'm like the applicant. I don't know all the details for you this evening either. But I know if we are going to put a mid-mile crosswalk in a major roadway I don't think it's going to be just striped. It's going to be -- it's going to have to be more than that. That's -- that's not going to get it done. If you remember if -- I do know down by The Village there is -- where Big Al's is and it goes over to Marshalls, they have that -- those flashing lights are on either side of the crosswalk so cars notice it. So, it may be something similar to that if I'm -- if I had to guess, but I don't have any more details than that. But this is a conditional use permit. So, again, if you guys think that's something to place on the applicant that they should continue to work with ACHD and put in the appropriate signal and -- or whatever that -- whatever it's deemed necessary by ACHD, certainly with something you could include if you want -- if you are inclined to recommend staff bring back conditions of approval.

Smith: Great. Thank you.

Lorcher: If it's a signalized crosswalk -- like there is one at Black Cat between Ustick and Cherry and there is no school there, it's just for people to safely go across the street. The cluster of cars that are going to be coming in and out of The Village off of Eagle going over to Records is going to be crazy, because, you know, it doesn't seem like it's that long, but, you know, it takes two or three minutes by the time all the flashing lights -- you know, it starts out blinking red and, then, it starts out solid red and everybody's got to stop and, then, you got to treat it like a stop sign. I mean, you know, I'm -- I'm saying that, yes, there should be some indication, so that people can travel safely, but having it signalized might be a challenge.

Smith: Yeah, Madam Chair, I think there was some discussion that ACHD was looking at that and just qualified for a HAWK for them, which I just looked up, it's High-intensity Activated Walking Beacon --

Lorcher: Okay.

Smith: -- or something like that. But, yeah, what it is specifically -- I just -- I guess Bill spoke to my concern. I wanted to make sure it was more than simple striping --

Lorcher: Right.

Smith: -- for that area. I think just south of the property -- south of what this connects to where the -- the co-op, et cetera, is, on the south side there is one of those crosswalks there and I think that circulation is not too much of an issue. But regarding -- I just wanted to make sure that that was -- you know, we were adequately covering the -- the need there and so I'm happy to see that. Yeah. But thank you.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: So, I was on City Council for the 2021 hearing and the 2022 hearing and so I -- I know this project well and all the modifications that have been made and one of my concerns originally was the use of amenities and I know that we have a lot fewer units in this than we had before. I'm guessing there would be 125 to 150 people and at that time we had requested a -- sort of assessment of the use of the amenities -- the current use of the amenities by the present residents and some sort of, you know, calculation of, okay, X number of people use the pool on a regular basis and I don't know if any of that has been done internally or updated. If I was a resident there and I found out there was 150 more people coming to use my amenities I wouldn't be very happy. So, I don't know what -- can you share about what your interactions have been with the current residents and --

Adams: I don't -- a poll hasn't been taken or anything internally. Recently in Nampa we have another facility that we added 110 units to and that actually put the number -- I mean for -- 375 units total for a similar size pool area, almost the exact same clubhouse, pool area layout. I spoke with the manager today and said the demand definitely has gone up, but we are -- you know, we added additional fitness equipment and she said we are not overflowed. We are flowing, we just weren't -- sorry. Nothing was overflowing before and now we are just seeing regular use, because it was definitely -- in the apartment world a lot of times these amenities are almost used as a sales strategy. If I can use all these things and, then, they are not regularly used and so the usage is actually fairly low, other -- the pool does get pretty busy, you know, on a July summer day, but a couple, you know, peak Saturdays and things like that. But the fitness center and all the other amenities don't have a lot of use. We are always trying to find new items to put in just to increase usage, so it's not a waste of space. But the

demand -- you know, people get in, they check the box and go through a lot of the things -- oh, I would like to use all these things. They use them the first month and, then, start to drift into their own thing, whether it's going to their own gym or whatever. Just a handful of residents that are -- actually use those -- those amenities regularly, so --

Lorcher: All right. Thank you very much.

Adams: Thank you.

Lorcher: Madam Clerk -- I'm going to say there is nobody in chambers. Is there anybody else on Zoom that wishes to testify?

Lomeli: Madam Chair, no one signed up online or in person. There is someone attending online, but they don't have their hand raised.

Lorcher: Okay. Did you have any other final comments before we close the public hearing? All right. May I get a motion to close the public hearing, please?

Smith: So moved.

Gelsomino: Seconded.

Lorcher: It's been moved and second to close the public hearing at Regency at River Valley for Phase Three. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: This is a tough spot, because I understand the adjacency to the existing residential, which makes sense, but because of the proximity to Eagle Road and the existence of Mattress Firm already being there, it doesn't make sense and Copper Canary on the other side. So, you know, what do you put there and -- and how do you sell that product to whether you are trying to franchise out or put apartments in? I know if I lived in phase two or phase one and those two buildings and having another apartment building being my view, I would be less than thrilled. The sharing of amenities, you know, with -- with 88 apartments, as Commissioner Perreault said, you know, 120 to 150 people can probably be managed. The proximity to The Village to work, live and play is fantastic. Again, it's a tough spot, because it's in-fill and I -- I don't know what I said last meeting and I was probably here for the 2022. I don't remember the '21 per se, but I'm still not a fan. I -- I don't know what to put there and I know you are trying to -- to work it and sell it and -- and right now more residential there with the number of units that are there right on Eagle Road -- it's tough. I -- I would rather see like, I don't know, cottages than a four story, you know, that would -- would make more sense to be like its own little alcove. I don't know the answer. I'm not an architect or design, but you have done amazing improvements to what you have had and you have answered questions that the commission has put forth to you, but I still think it's kind of

a square peg in a -- in a round hole, but that's just me. I would like to get other thoughts from the commission.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: Yeah. I think -- I understand this is -- this is difficult and to quote the great Andy Seal, in-fill is always hard. In-fill is always difficult. I think that was probably the most common phrase I heard in our first few years on this commission. I think for what the land allows or kind of what, you know, the situation -- the cards you are dealt, I think I actually really do like this project. Like I mentioned, I really like seeing that the crosswalk is being taken care of. ACHD said that that's -- had mentioned that was a very necessary and the qualifiers it was on their list, but funding was just going to take some time. So, I'm happy to see that that would be addressed. I do know that -- I think the Copper Canary -- the gentleman from Copper Canary at the last hearing came in support of the other projects. So, it's also heartened to see that some of the neighbors are, you know, supportive of this. As for the privacy concerns I understand that. I think there is a -- there is a part of that having lived in apartments and condos and now we own half, I think part of that is it's living in high density. It's always -- you know, it's always nice to be able to offset that, so you are never looking into, you know, interfacing other residents, but it happens and I think there is enough space to where you are not, you know, face to face and kind of a tenement window to window type vibe. I think there is adequate space between this. Regarding the kind of sound and the issues on, you know, quality of life for residents, that's the one thing I -- I do -- I understand there is probably some -- some items in code that staff is doing the analysis by, but I -- I don't quite see eye to eye with that. I lived in Sacramento. I lived on P Street. I just looked at the map. About 300 feet away from -- from nine lanes of freeway on the Five. The only time I ever had any sound issues was when Caltrans was doing work at 3:00 a.m. I never had any traffic issues or anything like that. So, it can be done. I know it's not -- you know, it's -- it can be a little bit difficult and the materials you use -- you might have a higher cost of building to -- to ensure that there is sound abatement, but it's doable and I think really if there is -- if we are going to put higher density housing on areas that are not going to disrupt other transportation corridors, I wonder where else is -- what other corridors it is best to put on; right? I think have more high density on Eagle, you know, keeps it off of, you know, the collectors that feed into Eagle; right? So I think this is -- I think the developer is working with a weird property. I think they have been a good partner in trying to kind of make this work and, you know, there are -- there are things that I don't love about it and that not everything's perfect and I don't think any development is perfect, but I think I'm supportive of this and so for me, you know, I would like maybe a little bit more clarity around some of the issues, like the -- the crosswalk or the landscaping intention with the -- that open space three. I think you mentioned maybe workshopping and so -- but beyond that, you know, with those things, plus conditions of approval, I would be okay to continue this pending conditions of approval for recommending approval to City Council.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: I agree with Commissioner Smith. He said -- shared my thoughts very well, Commissioner Smith. There is a few things about this I don't, you know love, but I really appreciate the applicant's continued perseverance, but also the willingness to reduce the number of units. I know that's tough financially to do that. I think that shows their -- their real belief that this is the best use. I have always thought that storage was not an ideal use for this location. Just like Commissioner Smith said having that -- having that high traffic and -- and just -- I don't know, it's just high visibility there. So, I didn't think that storage was -- was a fantastic use. It was originally when -- when the original application was approved. So, compared to the other, you know, proposals that have been made, I -- I think this is the -- the best one. I -- I'm very thankful that there has been two pedestrian access specifically designed to get across that driveway that was not there in the first two, you know, renderings. There was a lot of concern about movement back and forth. One of the things that I brought up at each hearing is in that roundabout at the -- this middle entrance here, I have been in this community quite a bit and it always seems to be congested there when people are stopping to get their mail at the end of the day and I would love to see better traffic management there, better signage there, just maybe some striping that lets people kind of park for a minute and, then, drive around, just -- that seems to get really congested at different times of the day. I think that would be beneficial in general. But I -- I'm happy to say that I -- I think that this is the best option they have presented so far.

Lorcher: Okay. Thank you.

Gelsomino: Madam Chair?

Lorcher: Comments? Commissioner Gelsomino.

Gelsomino: I will -- I will echo my fellow commissioner's statements, of course, as, you know, someone who, you know, works on my own projects for my own line of work, as well day to day fine tuning, tweaking, taking constructive criticism and multiple denials and getting, you know, past those and pushing forward, perseverance shows that, as Commissioner Perreault mentioned, that there is that perseverance and so, you know, I -- I appreciate as -- although I'm new on the commission, having read on the history of this project in particular, I appreciate the continued perseverance and -- compared to the -- the July meeting definitely am seeing additional improvement.

Lorcher: Okay. Thank you.

Shappee: Madam Chair?

Lorcher: Commissioner Shappee.

Shappee: Yeah. I -- I think being the newest member on -- on Planning and Zoning I went back and -- and looked at the -- the previous applications just to get a flavor for this and I -- I would definitely echo the comments from the other commissioners about the -- you know, I appreciate the movement that you guys have done on the project. My concern is also the -- the traffic. I like the walkway there. The water feature amenity. I'm not sure is -- I'm sold on that as being a true amenity, but I think overall with it being moved back off of Eagle Road, I think that -- you know, I think we are getting to a place where we can get there. So, I would be in support.

Lorcher: Okay.

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: In order to continue, which seems to be the common thing, I think -- and to ask the applicant and staff what date works best, I think we need to open the public hearing, so I would like to make a motion to reopen the public hearing.

Lorcher: Do you have a second?

Gelsomino: Second.

Lorcher: It's been moved and second to open the public hearing to -- to help establish a continuance date. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Lorcher: Can you come back up, please? I'm sorry, what was your name again?

Adams: Matthew.

Lorcher: Matthew. Sorry. Okay. So, today is September 17th. We need staff to have some time to be able to come up with some conditions of approval. So, Bill, this is Sonya's application; correct, and she's on vacation and not to bombard her too quick when she gets back, what do you think a reasonable time frame is for Matthew and Sonya to be able to work together to come up with conditions of approval -- or Sonya to come up and give them to Matthew?

Parsons: Yeah. Madam Chair, Members of the Commission, Sonya will be back midweek next week and, then, she's working on staff reports for the 1st, so that's taking her time. So, a realistic date for -- for us and the applicant is probably going to be --

Lorcher: October 15th.

Parsons: -- October 15th or the November 5th. But 15th is probably preferred by the applicant. I think I would ask him if that would work for him as well.

Adams: I believe it would. I think -- it depends on some architecture, depending on what we are doing, so continue --

Lorcher: So, the 15th -- today is the 17th. So, it gives you just -- with her coming back next week and understanding she has other applications as well, but that gives about a month. Otherwise, we would have about six or seven weeks if we went to November 5th. So, do you have a preference?

Adams: I think November 5th, given -- we probably wouldn't have information from her probably for three weeks is my guess. I don't know if that's enough time to respond.

Lorcher: And we can always change that date as well.

Adams: I just would like enough time to make sure we can have some internal design reviews on bidding changes and we have several people that have opinions in the office --

Lorcher: Right.

Adams: -- so --

Lorcher: Okay. Very good. Thank you very much.

Adams: Thank you.

Parsons: Yeah. Madam Chair, Members of the Commission, if -- if you would like -- or at least I would request of you -- if there is certain elements you want changed on the plan, then, I would ask you give us some direction, so as we prepare those conditions of approval so the applicant knows what the expectations are and, then, so does staff, so we can bring back some of the changes. I have heard open space three. You want to see that enhanced -- or landscaped differently. I heard Commissioner Shappee speak about the water feature. If that could be changed. I don't know if that is the desire of the rest of the commission or maybe you do like the water feature. I don't know if you do or not, but -- and, then, whether or not you would like to -- I think in our hearing outline, even in the staff report, we spot -- we -- I think Commissioner Smith touched on this, but the enhanced building materials for the -- the structure, just to make sure that we are attenuating the sound a little bit along Eagle Road. I think -- to me those are three of the items that I heard and, then, the ped crossing as well and making sure that that's wrapped in as a condition. We have done it before where we have had applicants work with ACHD on an appropriate crossing. So, I think those are the four items that I heard a lot of discussion on this evening. But if there are other ones I'm happy to take more notes and pass that along to -- to staff and work with the applicant on those.

Lorcher: Okay. So, this is where I always get a little confused. We need to close the public hearing. Nope? It can still stay? Keep it open. Okay. We don't do these very often, so it always throws me. All right. So, then, we are going forward with a motion?

Smith: Yes. Madam Chair, we have a motion, but it seems like there is an ask and not to over deliberate before a motion, but it seems like there is an ask of are there any other things that anyone would want to see included in a motion? I have kind of bones of a motion here, but I --

Lorcher: Commissioners, do you have any other items that haven't been mentioned by Bill so far that need to be included in the motion?

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: if I'm understanding Bill correctly that you want more details on what we want to see in the conditions or --

Parsons: Madam Chair and Members of the Commission, not necessarily. I just -- again we are going to have general conditions of approval. Eighty-eight units, provide X amount of open space, provide amount of parking. But if there is things you want changed on the plan or condition to change, then, that's where I would ask feedback from you. For example, Commissioner Smith would like to see more details on that off-site ped crossing on East River Valley. So, those are things that we need to have in a DA, because it's an off-site improvement. It's -- or it can be part of the CUP. But keep in mind we are preparing a development agreement as well. If you guys are recommending us bring back something to you. So, offsite things like that to improve or enhance the product typically end up in a development agreement, landscaping and those types of things can be conditions of approval with a conditional use permit. So, again, if -- if you are concerned about the size of the trees and how those may impact the overhead power lines and you want the additional trees to be placed on common Lot 3, then, you can just tell staff have appropriate conditions that common Lot 3 or open space Lot 3 is enhanced with additional trees or landscaping to -- to add more sound attenuation or buffering or whatever you want it to say. But we can work on the words, but, again, if you -- you don't like two barbecue pits and you want something else, you can suggest that. You mentioned you wanted some additional striping at the roundabout. Those are things that we are looking to you to help guide us in some of those conditions. We will capture a lot -- we will capture a lot of them, but if there is anything else that you think you want us to -- to work with the applicant on we can do that. And if you are good, we are good.

Perreault: Madam Chair?

Lorcher: Commissioner Perreault.

Perreault: As for the roundabout, I -- I don't know that we could make the condition specific enough to put it in writing, to be honest with you, because we really don't know how the flow is going. I think it would be highly recommended, but I don't know it necessarily needs to be a condition. I agree with Commissioner Smith, I would like to see some conditions surrounding that pedestrian crossing. Crossing -- I don't know what we are permitted to do, since it is offsite and it is ACHD. But I would at least want the applicant to go through that process with ACHD to see what could possibly be there. Maybe get a timeline. For me those are the only two conditions I have interest in.

Smith: All right. Madam Chair?

Lorcher: Commissioner Smith.

Smith: Okay. I'm ready to make a motion. I will give it my -- I will give it my best college try. I move to continue File No. H-2026-0010 to the date of November 5th in order to allow staff to draft conditions of approval specifically, among others, regarding the enhancement of the off-site crosswalk. Landscaping, especially sound abating landscaping on Lot 3 or open space three. The plans for sound abating materials for the construction, especially facing Eagle Road and to discuss or consider -- I don't want to lock in staff, but to discuss or consider alternatives to the water feature, whether that is the most appropriate and highest use of the land there and to -- and potentially regarding roundabout striping if we are able to make that happen.

Gelsomino: Seconded.

Perreault: Second.

Lorcher: It's been moved and second to continue Regency at River Valley Phase Three for November 5th for -- to establish conditions of approval. All those in favor say aye. Any opposed? And I will stay with my opposed. But motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. ONE NAY. TWO ABSENT.

Lorcher: May I get one more motion?

Gelsomino: Madam Chair?

Lorcher: Commissioner Gelsomino.

Gelsomino: Motion to adjourn tonight's meeting.

Shappee: Second.

Lorcher: It's been moved and second to adjourn. All those in favor say aye. Any opposed? Motion carries. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 7:21 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)
APPROVED

MARIA LORCHER - CHAIRMAN

____|____|____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK