

Seal: It has been moved and seconded to continue Vanguard Village, H-2021-0081, to the date of March 17th, 2022. All those in favor? Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

**3. Public Hearing Continued from January 20, 2022 for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.**

- A. Request: Annexation and Zoning of 80 acres of land with a R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 294 building lots and 25 common lots.

Seal: Now we would like to continue the public hearing for Jamestown Ranch Subdivision, H-2021-0074, which was continued from January 20th, 2022, and we will begin with the staff report.

Tiefenbach: Good evening, Commissioner -- Commissioner Seal and Members of the Commission. Alan Tiefenbach, planner with -- with the City of Meridian. So, yes, this was continued originally from November 18th. This is an annexation with the R-8 zoning district and a preliminary plat to allow 294 lots on 80 acres. Just to real quickly, again, reorient you with the property. Again, it's about 80 acres of land. It's zoned RUT right now. It's located at the southeast corner of the North Black Cat, West McMillan intersection, recommended by the Comprehensive Plan for medium density residential, which is three to eight dwelling units per acre. So, again, this is a -- this was a -- that the original request was an annexation with the R-8 zoning district and a preliminary plat to allow 294 building lots. It's presently two single family residences on the property. It's recommended for three to eight dwelling units per acre. Minimum lot size that is being proposed is just a little under 5,000 square feet. These are comparable to the adjacent subdivisions and this particular subdivision proposes five points of access. At the November 18th Planning Commission meeting the Planning Commission continued this application. They did this for the applicant to consider the following: To consider reducing the number of common driveways. To cooperate with ACHD in aligning the collector street with North Joy Street. Originally it was offset to the middle. The consensus was to look at lining it up with North Joy Street, which I will show you in a minute. They wanted to be able to receive an analyze the ACHD staff report. We didn't have that at the time of the hearing and they also wanted the applicant to consider realignment of the micro pathways. What I have here was provided by the applicant. This is a description of what the changes have been. But, in general, it's the addition of five knuckles. That's what you see plotted there, rather than the -- the common drives. They made these knuckles so that's reduced the number of common drives. They have added some pedestrian pathways. You can see some of those circled right here. Connections. They have

adjusted the rural alignments, but this was the road here that the Planning Commission had the issue with. North Joy Street is roughly -- I'm guesstimating -- right about over here. So, there was discussions about shifting this to the east. So, that's not occurred. The applicant has still not done that. They have removed one residential lot and two common lots have been added. They have added some additional landscaping. They have added some additional pedestrian access and the open space has increased. It was 14.5 at the last meeting. It's now been increased to roughly 16 percent. To go on a little bit, here is a -- the conceptual drawing of the subdivision. Real quickly I want to talk about what happened with the ACHD staff report. The first thing I will make a point of clarification in the memo that I wrote. I commented that the ACHD staff report said that McMillan Road from the site to Ten Mile is presently a level of service F. It was brought to my attention before the hearing it actually said -- which is correct -- it's a level of -- level of service D, but it would be F with the addition of this project. So, it's not functioning at F yet, but ACHD found that it would be if this project were done. The reports show that the intersection of West McMillan and North Black Cat is scheduled for the installation of a traffic signal in 2022. West McMillan Road -- it's listed to be widened to three lanes from Black Cat to Ten Mile. Now, the ACHD comments that the applicant's traffic study recommends five lanes, but ACHD responded that five lanes is not going to happen. It's only going to be three lanes. That's due to numerous things, not the least of which would be just geographically speaking they have got a pinch point there they can't fit five lanes in. North Black Cat is listed to be widened to five lanes from Ustick to West McMillan between 2031 and 2035. The applicant will be required to construct a westbound left turn lane on McMillan at -- and Grand Lakes Way. ACHD did support the offset of Grand Lakes Way. So, ACHD was supportive of the road being shifted to the west. ACHD has commented that they would also support the alignment of the road to North Joy Street. So, they didn't have a strong opinion either way. They could be okay with it towards the center. They would be okay with it lining up with Joy Street. With that that is all the updates that I have. Staff has received two letters of testimony. One was from -- well, there is two letters that were received from Mike Wardle with Brighton. He originally had some concerns about the offset, but my understanding is that those concerns have been satisfied. There was also a letter of testimony that we received in regards to the people that live directly across from where that new access would be. They also brought this issue to the Planning Commission at their meeting about that the -- the traffic would be pointing directly at their house, basically, if the alignment was changed as it is proposed. With that those are all of the changes and staff's analysis. If you have any questions.

Starman: Mr. Chairman, before we get into the questions -- before we get into questions or testimony from the applicant or the public, I just want to mention for the record that we -- I had spoke with Commissioner Stoddard before the meeting and the chairperson took part in that as well. So, Commissioner Stoddard acknowledged she did not participate in the previous discussions relative to this project, but she has reviewed the record in total and that she feels comfortable participating this evening. I just wanted to get that on the record and I would invite Commissioner Stoddard to affirm that and, then, we can proceed from there.

Stoddard: Yes. I have reviewed it up to this point and feel comfortable participating tonight.

Seal: Thank you very much. Okay. And at this point would the applicant like to come forward and state your name and address for the record and the floor is yours.

Koeckeritz: Thank you. Elizabeth Koeckeritz. I'm with Givens Pursley for the applicant. 601 Bannock Street, Boise. I have a presentation coming up. Thank you for having us here tonight. I am pleased to present part two of the Jamestown Ranch Subdivision. I was not here for our first meeting on November 18th, but it sounds like quite a few also were not and have been -- there has been a lot of switches and moves since then. What Jamestown Ranch really is is a really high quality development. It's multi-generational. It has a 55 plus component, 283 lots, and it's really just a great -- it's become an in-fill location within the city of Boise in this rapidly developing, high priority area of -- I apologize. I said Boise. Of Meridian. Last time we were here, as was just mentioned, we were asked to look at reducing the number of common drives. We also made a few plat updates at that time. There was also a question about the division of open space between the over 55 component of the project and the market rate area and there was a big discussion about the location of the collector road, Grand Lakes Way, and, then, also, as mentioned, we just didn't have the ACHD staff report, so it was difficult to really discuss what they were suggesting at that time. So, since then we have received the preliminary plat. We have taken all of the comments really to heart that we received from the city -- from the council -- from the commissioners and we have made some pretty -- we have made this a much better -- we think a much more walkable, better environment for all of the future residents and residents of the City of Meridian. As you can see in yellow on this we removed five common drives and replaced them with knuckles. So, that really does eliminate the number of the common drives. That leaves seven common drives remaining on this lot. However, four of those common drives are used now as pedestrian pathways and so they are a dual purpose. They are a pedestrian pathway and the common drive and only three of -- and three of the common drives are really short, they only have a couple homes on them. They really are minimized. One of the other questions that came up last time was do common drives make good neighbors and there was some discussion about -- well, I don't know, if you have got the trash collector backing down the common drive, that seems like a terrible situation for a neighborhood. Well, that's not actually the way it works -- is the trash collector, the mail, all of that, they -- they are out on the streets and so you don't actually have trash -- just all of that backing up down these short driveways, but, rather, the residents drag out their trash, recycling, that sort of thing, to the main road. There is also -- the question came up about the parking and historically there has not been, in the Walsh Group's experience, an issue with individuals parking on the private drives. They are pretty -- they are wide, but they are not so wide that you would feel comfortable necessarily parking there, but also as a term in the HOA, a condominium declaration, it does talk about no parking is allowed on those private drives and so that really reduces any issues that they have historically ever experienced. They just feel like that's not been something that's come up in the past. In addition, there are two new grassy open spaces. You will see one up in the northeast area where the green -- where the house remaining is located. That was a residential lot

before, it is no longer. There is also one over on the western side that also at one point was a residential lot, but now has become additional green space. In speaking with ACHD they felt that the roads are too straight and so they have put in these -- not knuckles, these bulb outs, which are depicted in purple, which will really help slow down the traffic and, then, what's nice -- and you don't necessarily see it on this one, but where all those knuckles are, then, there -- where all those bulb outs are, then, there is grassy space connecting across through them, either to the south or directly horizontal, but it makes just a really nice connected community. Also in the blue we did add four additional pathways and so it just really adds a much more connected community based on all of your recommendations last time. And, finally, in the orange is -- the clubhouse has revised parking. Last time we were here the parking just backed directly out onto the streets and ACHD said no, so we said sure and we move the parking into parking lots in the over 55 section. There is four spaces. It's a pretty small area. We don't anticipate a lot of people would be driving there. There is a little bit bigger parking over in the free market, which is -- there is five spots in that one. Okay. The open space and amenities. Last time there were just sort of questions about -- and it was really hard to tell how much open space was associated with each of the different areas, because it was all depicted in green. Here you can really see the breakout of the open space, what's also just pathways that don't count as open space, but are still there and provide a nice amenity for the neighborhood. So, there were the additional four pedestrian accesses, two additional common lots that are grassy parks and, then, at the age 55 plus there is now 17.32 percent of total qualified open space and that's depicted in the blue. The amenities there include, excuse me, a swimming pool, a clubhouse and restroom, a pickleball court, and, then, there is sort of pathways throughout that area. Plus there is the four parking spaces we mentioned. There has also been in the single family, which is the red and green, we have parkways going along all of the streets, which just makes it feel like a much nicer, more open areas to have those wide eight foot wide pathways with the trees and between the pathways and the clubhouse, the open space, the grassy areas for the market area, it comes to 15.78 percent total qualified open space, which equals overall 16.05 percent open space. Okay. The collector. So, last time we were here there was a lot of discussion about the collector and should it be moved and how does this best align and the development team really took this to heart and went back and reworked through this and thought about it and talked about it and ultimately came up with -- for this development the collector, where it is -- was currently located remains the best place for the collector to be. This is in large part because the collector -- well, because after talking with ACHD we were told that you could only have one access onto McMillan and so we were going to be unable to have just a small local road access in the middle of the development there going up to McMillan and so it really became this far eastern straight road going straight up to McMillan and the way just traffic flows and traffic patterns are throughout the development, it's either going to force some traffic -- more traffic to Black Cat or you end up in this big snarl of traffic throughout the subdivision trying to get over to the collector. It also results in creating this super highway down the side of the development and per ACHD policy they recommend that on residential collectors that they be designed to not exceed speeds of 30 miles per hour and here we have more than 1,200 feet straight line raceway roadway, whereas the collector that we have remained with the big S jog through it, that has those passive traffic calming just by virtue of how

it's built and so it really does slow down the traffic. One other thing with this is if we were to go with this out -- with this location, then, we would also have to consider putting in an additional road leading into -- sort of bisecting across to the age restricted from -- from the street that runs north-south over next to it. I apologize. But just kind of cutting across there and that would, then, result -- in order to have the traffic flow correctly -- and that would, then, result in really probably losing the age-restricted area, because the whole point in the age-restricted area is that it is a little bit more separate, it's a little bit more closed off and you don't have all of the rest of the development just racing through there and so it really was felt that where it was was the best location. We also have a little bit more here. There is a lot going on, but let's look at the bottom one first -- is that this map depicts where all of the roads are coming up onto McMillan and it really is a much better spacing between the various roads to have this not align with Joy, because, then, you start having between Vicenza Way, San Vito Way and, then, the Joy -- the Grand Lakes collector, that those are really really close together, which creates even more traffic problems on McMillan. So, by leaving it where it is it just spaces that traffic out as the traffic comes onto the road. Also Joy is a small road that essentially leads to nowhere. It goes into this one little sort of small development and, then, all surrounding it, even to -- at the places where it connects through, it's not the way that if you just think about the way traffic would flow how traffic would actually come out. So, it really is a pretty small, pretty minor road right there and so it doesn't necessarily -- there isn't a big reason to have to align these two, that there is going to be traffic going across McMillan and continuing up Joy. And, then, finally, on this, the -- the top one shows -- if you remember there is one in holding parcel that's going to remain. It is part of the plat, but is not owned by the development team and that's on that northwest -- northeast corner. In order to develop the road going right through there they would have to purchase the whole property that's in the red and also -- which is approximately one third of an acre and, then, also would have to move that power pole that was discussed at length last time. That power pole is located in the right of way and it would need to be -- ACHD would require it to be moved. Based on spacing of the power poles it could happen, but the ideal spacing is really where it's at right now and so we would prefer to leave it where it is right now. One of the big things we are waiting for was the ACHD review and that has now come back and the ACHD -- ACHD review essentially found that except for the section of McMillan between this development and Ten Mile Road, all of the intersections and the roads are going to be acting under appropriate conditions. The ACHD -- the Ten Mile to the site will be -- exceeding the conditions, will be acting in an LOS of F during the peak hours between 5:00 and 6:00 at night, but when that happens they do look at what happens in the shoulder hours. When you consider the shoulder hours it does meet the LOS thresholds and so they are -- they didn't really have -- it's -- other than suggesting that this become the three lane road, that was their primary improvement for this area. The development team is in agreement with all of the ACHD recommendations. They are intending on putting in that westbound turn lane on McMillan. One of the things that was suggested by ACHD was bicycle lanes on the frontages on the roads. What the developer -- developers are suggesting is they are going to do a ten foot wide pathway along the sides on those two main roads and so there will be plenty of room for mixed use and bicycles on those roads. ACHD has asked them to contribute to any future pedestrian crossing features, which they are welcome to -- they are certainly open to doing. At this

time none has been specifically requested, but they would do that. There is also -- they are agreed to put on the yellow three inch retro reflective sheeting to the black plates of the intersections and just so you know, that's the bright yellow. It goes around the traffic signal. We had to look it up. And, finally, on traffic, we know that traffic has been a big issue and a lot of discussion here in the recent past. One of the things that I think this development has going for it is the fact that there is a large 55 plus component. This is a demographic that tends to drive less. They have down -- so many of them have -- they are downsizing their homes, they are not going to work or school every day necessarily and many of them only have one vehicle, many households in this demographic. So, that does help lessen the traffic impacts. Also Black Cat and McMillan is scheduled to be signalized this year and in the future ACHD intends to put a roundabout in it. We also, as mentioned here, are going to put in the left turn lane. Last time -- and, then, also the neighbors across the street where we are proposing that collector road be, mentioned -- had concerns about the lights from individuals leaving the development and their street lights getting into their -- getting into their -- street lights interference. As you can see from this picture, their house is offset. That is a shed that directly fronts and there is also a nine foot high security fence along that entire way with really tall trees and bushes right there. And on that, in conclusion, we are really excited to bring this development to Meridian. We think that it's a great location. It's a great high priority area. Good use of an in-fill space and we will stand for questions.

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

Wheeler: Mr. Chair?

Seal: Mr. Wheeler, go ahead.

Wheeler: Hi, Elizabeth. I had a question for you on the -- you mentioned the power pole, that it would need to be moved if Joy Street was aligned.

Koeckeritz: Yes.

Wheeler: So, your plan is that with the -- the lots that -- that butt up next to McMillan Road that that power pole would stay right there?

Koeckeritz: The power pole can stay there if the road doesn't go through.

Wheeler: Okay. All right. So, all -- so -- but that lot -- this -- the housing lot, right, a residential lot --

Koeckeritz: No. It comes out right -- so, it really comes out -- on this map right as you come out -- it would jog a little bit to the left and it would come out next to -- on the western edge of that bigger in-fill lot, the lot that's remaining.

Wheeler: Okay.

Koeckeritz: And so there is a power pole there. So, there would remain one across -- sort of kitty corner behind the one residential lot, but not -- but it wouldn't be blocking it.

Wheeler: Okay. And, then, one other question on aligning up Joy. You mentioned that you would have to take your extra third of an acre into -- in order to make that happen and that would be on to the next property; is that right? To the --

Koeckeritz: It would be on -- I apologies. So, in this one you can see there is this large corner lot. It is part of the plat, but it's not owned by the developers and so it would be a section -- it would be the western most boundary of that -- the western most third acre of that property is where Joy would come out -- where this collector road would come out.

Wheeler: Okay. And at the same time, though, I think your drawing showed that it would go just due south almost -- and tie into the street below that, if I remember right. It would be more like just a straight road; correct?

Koeckeritz: Yes. There has to be other alignments going on. The other map we show doesn't have all the properties. It's really showing where our current collector is coming up straight, instead of making that jog.

Wheeler: Okay. Is there -- did your developers take a look at possibly taking Joy and aligning it with the street -- or across the street and having it come in and start to bend -- I wouldn't say sharply, but quickly into what you already have here as a plat and, then, resume?

Koeckeritz: Well, what the issue becomes is -- is that age 55 -- is in the coming in and going to the --

Wheeler: I think it's called Sunday Loop? So, quickly in --

Koeckeritz: Yes. That is -- I apologize.

Wheeler: No. No. No. You are fine. You are totally fine.

Koeckeritz: That is the age 55 component of this development. I can scroll down here and just show you how it's sort of -- we have the extra one. So, what's in red is the 55 component and so that just isn't, in our opinion, is really appropriate for the collector road to go right through that section, which is purposely its own area. It's not going to be gated off, so that there can be some kind of connection between the areas, but it just doesn't make sense to run traffic through there or it's not ideal.

Wheeler: Okay. Okay. Thank you.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli -- oh. Alan, real quick.

Tiefenbach: Just one point of clarity. Alan Tiefenbach. Associate planner. One point of clarification is -- is staff didn't analyze this as being 55 plus, because unless there is a deed restriction there is really no way we can enforce that. So, it would purely be upon the -- the applicant to say they are going to keep it 55 plus, unless they are willing to deed restrict it. So, if there is the -- really is the -- if the Planning Commission really is inclined to go that way on traffic, we can't enforce that unless they do restrict it.

Seal: Okay. Thank you. Commissioner Cassinelli.

Cassinelli: Well, I had a couple of questions, but I might as well, then, ask -- ask the first one. Will it be deed restricted?

Koeckeritz: I do not -- it will be in the -- I believe it will be in the HOA rules and requirements. I do not believe it would be deed restricted and it would be following -- this is something I know has come up between the attorneys. It would be following the housing for older -- whatever is. It's not strictly 55 up, whatever the act is, because many individuals in the 55 and up have -- maybe you are 56 and you have a younger spouse. maybe you are 70 and you need your son to come live with you. So, there is some movement in there, but it would follow the requirements set forth in that act.

Cassinelli: Okay. And, then, I have -- I have got a couple others.

Seal: Go right ahead.

Cassinelli: The -- the parking on the private drives --

Koeckeritz: Yes.

Cassinelli: -- talk about that issue. Will it be signed that there is to be no parking --

Koeckeritz: It is -- in their experience it historically has not needed to be signed. That's something that could certainly be considered. We have a picture in here of what it looks like. This is one of the short drives in one of their other developments. Although on ours most of them will go through as pathways, but just how that is -- there just typically hasn't been a need, but it's something that they could certainly consider -- would consider.

Cassinelli: Okay. And, then, with -- with the ones that go through with the pathways, are there going to be other -- can traffic get through or will those be bollard off in the center?

Koeckeritz: They will be -- they won't -- they will not be able for traffic to go through.

Cassinelli: Okay. So, it will narrow down to just a pathway?

Koeckeritz: Right.



Cassinelli: Okay. So, you have to approach the homes on either side from those -- their respective sides; is that correct? You can't get through -- so, like in this case --

Koeckeritz: The one where you can come in from both ways?

Cassinelli: You can't -- yeah. You can't get --

Koeckeritz: You can't drive through.

Cassinelli: You can't get to one house from the other side.

Koeckeritz: Right.

Cassinelli: The -- with the 55 plus area, are those amenities to be shared by the entire community?

Koeckeritz: No. Those are for that community.

Cassinelli: Okay. That's -- that's what I have right now. Thank you.

Seal: Thank you. Any other questions? Commissioner Grove?

Grove: Mr. Chair. With the micro pathways that you added, one of the concerns that we had last time -- or at least one of the concerns I know I had was with the lack of connection from the furthest east properties, being able -- there is no pathway connection from those properties to the rest of the development, you have to go all the way down to the -- the street in the far southeast corner to be able to access any of the other pathway system. Could you explain why there is no pathway connecting those houses to the greater pathway system?

Koeckeritz: You are talking about the ones that are on the far east side?

Grove: Correct.

Koeckeritz: Not coming -- let me double check. No, I do not know why. But it does seem like something where we could shift a portion of the new open space at the end of that road maybe -- and shift something down in there and be able to create some sort of pathway through there, if that was a condition of approval moving forward. I would have to confirm with them, of course, but it seems like it would work.

Grove: Mr. Chair, one other question.

Seal: Go ahead.

Grove: With the ACHD report coming back and being at an LOS of D, but going to LOS of F, that is going to be a major concern for us. Don't want to speak for everyone, but just

-- I know that that is going to be a point of contention. So, you addressed it earlier, but can you address it further in terms of how this will impact this development and the -- the surrounding developments as they -- as we look forward on this?

Koeckeritz: Well, one of the things -- I mean they are willing to do -- there is a couple things -- is first there are going to be improvements. They are going to be widening this road sometime in the -- I believe it was in 2030, 2031, in that time frame the road will be being widened to the three lanes, which will help reduce some of that. Also I understand -- like there is only -- there is only so much -- part of the reason that -- what spurred ACHD developing these roads, widening these roads, is the development coming and the impact fees being paid to help pay for those improvements to the roads and so they don't tend to do the widening of the roads, they don't tend to make those improvements until the development's already there and so I do understand that these roads will continue to have more people on them, but that's why there is the other exit out to Black Cat, which is going to be a five lane road and the truth is there just isn't much more along this corridor of McMillan that will be left to develop after this. There is just a small area directly to the north.

Grove: Thank you.

Seal: Anybody else?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Elizabeth, can you -- can you repeat what you said in your presentation? You broke out the open space between the --

Koeckeritz: Yes.

Cassinelli: -- the 55. Can you give me those numbers again?

Koeckeritz: Yes.

Cassinelli: Please. And, then, in addition to that -- kind of a follow-up to my earlier questions, how are you going to separate -- how are you going to prohibit those that aren't in the 55 community to what -- what means do you have to -- to prohibit the people from using that pool and other things?

Koeckeritz: Okay. The age 55 plus is 17.32 percent open space and the single family is 15.78 percent, for an overall 16.05 and it does make sense to have a slightly higher percentage in the over 55 area, simply because they are home more, more likely to use it, kids are going to school, kids are playing, other places. So, the way that it would be restricted is there will be separate HOAs for the two areas. So, that would be one way. I'm sure there are other ways. If it becomes a problem there are other ways that the HOA

can maintain that separation. They can do like the local police -- not the police force, but their local internal policing of the areas, making sure that the people are in the pool -- the only people in the pool are the people that should be there.

Cassinelli: And, then, can you -- what are the other -- besides the two separate parks with pools, where are the other amenities in each area?

Koeckeritz: So, there is the pool with the clubhouse and with the clubhouse restrooms, changing area, as well as the pickleball courts and the lineal open space throughout the 55 plus area. The big grassy areas. And, then, also in the open market there is the clubhouse, the pool, the large grassy areas and quite a few just of those smaller parks throughout, as well as the pathways along the perimeter of the development.

Cassinelli: Okay. Mr. Chair, can I ask one more question?

Seal: Go right ahead.

Cassinelli: For staff. If there is separate HOAs between the 55 plus and the regular community, do we have to look at the number of amenities independently or are we looking at it together?

Tiefenbach: Mr. Cassinelli, Members of the Commission, we don't have anything in our code that says we look at it separately based on HOA. It's just based on the square footage and based on the number of units we look at whether or not there is required amenities. It doesn't say you have to have X amount of amenities for 55 plus, Y amount amenities that aren't. This square footage -- or sorry. This acreage, this many units, this is what you need to provide. Now, our new code does have different types of amenities for different types of categories, but it's still all based on the development, not just each HOA.

Cassinelli: Okay. Thank you.

Seal: Anyone else? All right. Thank you very much. Appreciate that. Okay. At this time we will take public testimony. Madam Clerk, is there anybody signed up?

Weatherly: Mr. Chair, there is not.

Seal: Okay. Anybody in the audience like to come forward and testify? Anybody online raise the -- oh. We have got one person coming up. Good evening, sir. Please state your name and address for the record and you have three minutes.

Pachner: Joe Pachner. 5725 North Discovery Way. I represent the developer. I'm an engineer with KM Engineering. One of the things that I wanted to discuss with you is just a little bit more on the traffic and what ACHD's recommendations were. Part of the -- well, one of the first steps in correcting the issues along Black Cat and McMillan is moving the -- the current irrigation lines, especially along Black Cat, is right at the shoulder. It's a

safety concern. If you have looked in that area that road rolls off and it drops right into that -- the lateral that goes through there. Part of this project is tiling those ditches and moving them far enough away, so that not only does it, you know -- you know, create -- removes that safety concern, but it provides room necessary for the future right of way expansions. This is well over a million dollars worth of irrigation work just to get that pipe out of the way. These are large laterals. You know, the one is a 48 inch and the other one is a 60 inch. One of the other things that we were looking at was, you know, we have actually drawn up -- went through the whole process of realigning the plat to try to get a Joy alignment to work, but one of the problems that we have is -- and ACHD recognized this as well -- is that the traffic will not -- it's not -- it will not travel north onto -- you know, across our -- across McMillan north to Joy Street. It will go an east-west direction, because Joy Street does not lead to the destination they want to go to. So, the traffic going east-west, what they found is if you offset those, then, they are not conflicting. If they are -- if you are -- if everyone's been at a four way stop sign and you get that -- you come, no, you stop -- you come. When you are offset by -- especially when you are offset by about a thousand feet, those traffic turns move more smoothly to allow that to go through. The other thing was, you know, the level of service it will be an F only during those peak hour times. The rest of the time, you know, ACHD has -- their staff report has stated that it will function as -- you know, as, you know, we anticipate it and that's -- you know, again, in these, you know, age restricted developments that component -- that's -- they love it, because they don't have to go to work right at 8:00 o'clock. In fact, they can stay -- you know, they can determine their times whenever it's more -- you know, it's convenient to them and so with that it does lessen the burden on the traffic system all at the same -- all that the peak hour. But when you try to move all the traffic right through that age restricted, it ruins that -- the characteristics that we are looking for to provide an age restricted component. With that I will stand for questions.

Seal: Thank you. Do we have any questions? No? Thank you very much. Appreciate it. Anybody else in the audience who would like to come forward? Go ahead and state your name and address for the record.

Watts: Rachelle Watts. 4376 West McMillan Road. And we are the ones they are referring to directly across the street from this entrance. The collector road was an issue for us also with connecting with Joy and when I testified the last time I did point out all the developments north of McMillan between Daphne Square, Brody Square, now there is Pera Place and there is another one that is directly across from the James parcel that they are maintaining. They did own all of this. And, then, they decided to keep the one home and shop that was his father's that passed away in August of '20 and, then, the developer has purchased the rest. So, it is the same Mr. James that is involved in this. The five acres that's directly across, they have already torn down the house that's owned by a gentleman who has now proposed to put in another subdivision. You don't have that yet, but I'm sure it's coming, because there was a neighborhood meeting for that. So, our concern is, first of all, obviously, it's directly across the street from us. It is not a nine foot security fence. We did many years ago put in a berm with some landscaping, trees -- leaves are not on the trees during the wintertime. It is six foot wood, but there is always lights that shine through the slats and I -- when they widen that that will come out, because

they are going to widen to the north and starting in 2031. So, that will come out and we will have to either sell or start over or something. So, it is developing all around there. But there is the one I was talking about that with the pickleball court, that's directly across -- okay. Right or left arrow up or down. Where is the arrow at? I'm not sure. Up or down. Page down. I'm sorry. Page up. Okay. You scroll. Okay. There is only a couple of pictures. But I wanted you guys to visualize this. If you can go back. Okay. There is -- there is the picture from the -- the remaining property that was James that he is keeping. So, the back of that there is the -- is the shop and the home is to the right. There is the power pole over there on McMillan that they are talking about would have to be moved for Joy Street -- because of Joy. There is the acreage on the right that is now proposed for pickleball street -- or pickleball court. I'm sorry. It's not developed yet and this abuts up next to Bridgetower West. So, if you can scroll again to the next one. Oh. Well, they are kind of out of order. But this is where they are in the construction right now for the entrance. Now, they have mentioned that they would have to move a power pole, that there is a lot of power poles and lines in the way. This is where the entrance is at now, directly across the street from our house that they are in the process of constructing. To start at the beginning of January. There is the power pole that they have talked about having to move. When that development goes in directly across the street, if it's approved on that five acre parcel that's where the fence is down and the house has been torn down, I'm assuming that will -- they will have to go back on McMillan and, then, over on Joy. Now, the developments that Joy runs into -- and Joy does dead in, but it goes into another development and it goes into Daphne. Daphne, then, goes down Pera Place goes -- is now going to be developed and flow onto there -- Daphne Square flows in and rounds about where Brody Square is and, then, if you guys remember, they moved -- they are in the process of moving Daphne so it's not straight through. So, they are either going to have -- all that traffic is going to either have to go out onto Black Cat or it's going to have to come down Daphne to Joy and out. So, for us, obviously, we have a stake in this, but we are not the ones developing the property. Mr. James is. He doesn't live there. He -- it's a -- one of the commissioners that had made a comment I heard on one time was, ah, they want their cake and eat it, too. Well, we are not the ones in the middle of development. When we met with them in July when they had that neighborhood meeting that was held here, we expressed our concern to the developer about that collector road. They have never reached out to us, they have never done anything and we have -- so, anyway, the pictures that I'm showing you are basically showing this is directly across from that property on the north side of McMillan right at the edge of Joy Street and that's where that pole is where they are in the process of constructing this directly across from our house. Now, somehow they don't have to move that pole and those lines, but they have to move the other one. I think it's a preference is what I think. And I have not seen a specific study that states that they would not be able to do it. Here this is the overlay to show you McMillan and that shows Daphne Square on the left, Brody Square up there and -- and Daphne Road that follows through the middle of that is now for Brody Square going to wind through the subdivision and rerouted it. Pera Place is in the -- has not started development, but it's been approved by -- by the commission and, then, pickleball -- pickleball court is probably coming. So, I guess what my -- what I would like to say is you have the opportunity now to make sure that we have the correct alignment that should be the collector road, the master street map from Ada County Highway District, and they

were not opposed to it. I know I'm out of time. According to this it was saying that they would -- they would -- is also supportive of aligning that Grand Lakes Way with Joy Street on McMillan. Okay. I would just like you to consider it.

Seal: Thank you. Okay. Would anybody else like to come up? Come on up, sir. Please state your name and address for the record and the floor is yours for three minutes.

Walsh: Great. My name is Ron Walsh. I -- address 12 -- Post Office Box 1297, Eagle. I'm the developer. My son and I are the developers. Walsh Group. I was wondering if you could -- Alan, if you could put Elizabeth's jump drive back in with our exhibits. I appreciate all of the concern about the alignment and -- and I wanted to tell you while we are getting this up that we -- we just did the Village Bungalows on Ustick near Eagle Road, about 74 55 plus homes, and when we went through the approval process the city asked us -- told us they did not want to monitor the 55 plus designation in there and so we put those in our HOAs and record them with the HOA, so they technically are a deed restriction and they are -- we have to comply with a federal law called HOPA and they monitor us. We have to have a questionnaire filled in and signed by every resident that they meet the HOPA guidelines and the HOPA guidelines are fairly simple. It's just one of the residents needs to be 55 years or older until -- unless -- you can't go less than 80 percent of the total amount of residents in there that aren't 55 or you don't meet that. So, we do monitor it and it is somewhat of a deed restriction, because of the recorded CC&Rs and it would take a unanimous vote by all of the residents to remove it and -- and, then, they would be in violation of the HOPA -- HOPA guidelines, which is federally monitored. But I wanted to see if you could page down through her -- keep going. One more. One more. Oh, I wanted to -- one -- back up. On this particular -- okay. Keep going down. I'm sorry. I didn't know the number. I didn't watch the number. Oh, there you go. Yep. This has gotten really confusing on this Joy Street alignment and I can tell you that we don't -- we actually spent more money to put this curved roadway in to calm traffic. We created our bungalows -- Village Bungalows to create a community that's all kind of encompassed inside itself and so we are really protective of that and this -- this -- this driveway -- or this roadway right here is a really calming roadway. If you will notice to the south where this roadway exits us and goes into Quartet Subdivision, they have a curve right there that has a big arcing curve that heads over to Black Cat. So, they didn't want a -- a straight road there, neither did ACHD. And, then, when we straightened this road out it's -- it's 1,200 feet of wide straight road. It's just going to be a nightmare to go too fast. We did not want this -- our roadway to enter into the front door of the neighbor's house. If you will notice that road exits out onto McMillan right on the property line between her and her neighbor and her neighbor has a heavily treed home that you can't even see the home from the -- the McMillan Road and, then, the road -- the house to the right that's concerned about our headlights has a three foot berm and a six foot fence and, then, where the roadway comes out is on -- on our property line and there is no building there, it just barely catches the edge of one of the outbuildings, definitely not her home, so we just feel like it's just in the best interest of the city to have this roadway aligned this way, rather than a straight -- a straight roadway and, then, cutting off any traffic out to McMillan, other than the -- the arterial -- just creates a -- kind of a nightmare traffic flow inside the subdivision. So, we just don't think it's a prudent use of, you know,

our money or the city's time and the -- ACHD's efforts. So, we didn't pick it, because it saved us money, we just picked it because it makes the most sense for what we think is a well done subdivision. Thank you for your time. I will stand for questions.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Did you -- did you discuss anything to be done with the neighbors or -- I think -- believe it's the Watts to -- it sounds like their concern is -- is headlights and whatnot. So, did you discuss any -- anything as far as additional vegetation, anything?

Walsh: No. You know -- and we have -- we have had situations like this we have developed in our Village Bungalows and what we did is we actually paid for additional foliage on their property, because, obviously, we can't put anything between our roadway and McMillan. But I would have no problem as a condition of approval putting whatever kind of planting she -- that they want in there to -- because we don't want to disrupt any of our neighbors. But, yeah, that could be a condition of approval. We think we could do a great job by doing that, because we just -- my son and I just drove it, took pictures, because we knew it was one of your only concerns and I think we could shield her a hundred percent from any kind of lighting.

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

Walsh: Thanks for your time.

Seal: Do we have anybody in the audience who would like to come up and testify? Madam Clerk, do we have anybody online?

Weatherly: Mr. Chair, not raising their hand.

Seal: Okay. At this time I will close the public testimony.

Cassinelli: Mr. Chair, I move we close the public testimony.

Starman: Chairman, before we close did you want to invite the -- we had the applicant actually maybe three or four times come up to the podium, but did you want to give the applicant an opportunity to close?

Seal: Yes, we would. Yeah. If you would like to come back forward. Thank you. Sorry, I got -- I got out of time on my script. Thank you for notifying me.

Koeckeritz: Just one other thing. Thank you for having me back up here. I did confirm we can put in with no problem on this one -- right at -- the concern about the pathway going across to the east. We can absolutely put one in right sort of where Grand Lakes

Way curves to go south, we can put one in across there. And with that I will stand for any more questions.

Seal: Thank you. Any other questions? No? All right. Thank you very much. Okay. At this time can I get a motion to close the public hearing for item number H-2021-0074.

Lorcher: So moved.

Cassinelli: Second.

Seal: Okay. It's been moved and seconded to close the public hearing for Item No. H-2021-0074. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Who would like to jump in first?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go right ahead.

Cassinelli: Commissioner Grove brought it up in his questioning and that was the -- the ACHD staff report and their numbers. One thing that I had noticed on the staff report is the McMillan numbers were from 2018. So, it's almost a four year old traffic count. So, I don't know where that would put -- you know, if it's -- I think shoulder hours or a D right now. I mean if we were looking at today's numbers I don't know where that would be. The other thing that we are not -- unless I'm reading the reports incorrectly and somebody, please, correct me if I -- if -- if I am. They are not looking at -- I mean two weeks ago we saw Quartet South and we are not -- I mean we are not even -- this isn't even factoring in their numbers. ACHD numbers aren't even factoring in all of Quartet, if that's -- it looks like you guys are nodding your head. So, it's going to be even worse than F. If -- if they have a scale that goes to Z we might be down there. I don't know, but -- but I mean that's -- and I hate to put that all on the applicant. It's -- it's on ACHD. But we are looking at -- and they are not even going to five lanes on that. All they are doing on -- on McMillan is putting in a center turn lane the full width of -- I mean from -- I think like Locust Grove to -- to the -- to Ontario or something. It's not going to be five lanes. And so it's -- it's bad now, it's going to be bad -- it's going to be worse later. That center turn lane isn't going to do a whole lot. It -- the report also doesn't factor in -- it's only -- they only show traffic levels for McMillan and Black Cat. Some of that might feed all the way down to Ustick. I mean it's -- it's -- it all -- this is all going to be one substantial subdivision when you put this in with Quartet. So, I have got -- I have got a lot of concerns with that and what I would like to do is bring in ACHD and beat them over the head, but we don't have that -- that luxury to do that, but that's -- that's the issue and that's -- and I don't know how the applicant can solve that. But those roads out there right now in -- during peak hours are -- they are already difficult and it's only going to get worse. But I don't know what the answer is, unless ACHD is willing to do more on McMillan, but they are saying they can't.



I mean I don't know where to go. Those are my thoughts right now. I will probably have some more later.

Seal: Okay. And I will jump in. I mean as far as the traffic -- traffic issue is concerned, we -- I mean we all kind of suffer the -- you know, the -- the same fate here where there is several times we may not agree with, you know, what ACHD is saying on the opposite side of this where -- saying that the level of service is acceptable -- we are all kind of scratching our head going how can that be where here we have the level of service is not acceptable. So, I mean, you know, ACHD owns the roads, we -- they give us a report and we are supposed to act on those on the best interest of the city. I mean seeing that and -- and like the application that we did have two weeks ago, that is, you know, right in the same location, we are faced with a similar thing where as -- you know, my opinion is knowing that the level of service at peak hours is -- is not going to be acceptable, knowing that the data is four years old and also understanding that there is that limitation from, essentially, Locust Grove all the way through where these power poles are, something is going to have to be done in the future to help accommodate that. More than likely it's going to be that they are going to overbuild Black Cat like they have done with Ten Mile. I mean that was brought up earlier, so -- but we are not there yet. We are literally ten years away from even that happening and as a person that lives in that area and has to drive these roads on occasion, there is never a time when there is not a lot of traffic in that area already and they are -- you know, we are just getting warmed up with subdivisions in there. So, I mean it's -- it's tough. I wish ACHD would do something about the roads in there in a timelier fashion, but they have to take our entire area of impact and prioritize projects in there. Unfortunately, this has the prioritization of doing it in 2031, instead of 2022. Anybody else like to chime in? Commissioner Lorcher.

Lorcher: Commissioner Seal.

Seal: Go right ahead.

Lorcher: If Commissioner Yearsley were here he would say something to the fact that you are taking a parcel of land and putting as many houses or, you know, products on as you possibly can that cannot accommodate the space that is already there. I think that there should be a subdivision here. It's definitely residential. But looking at the density of this particular corner, especially when it's McMillan and Black Cat. The roundabout is not scheduled, although the light will help. Our infrastructure is not ready for a project like this.

Seal: Okay. Thank you. Anybody else? Commissioner Grove, go ahead.

Grove: Thanks, Mr. Chair. Where to start? The -- the improvements to the site plan make this a little bit easier. The pathways, the reduced common drives are great. The -- the traffic is going to be a concern. There is no way around that. I think the offset of the collector is probably the only thing that could potentially save it, actually, just from a -- a flow standpoint. I don't think lining these up would make this better with the restrictions that McMillan is going to have. If it were to be a five lane road I would probably

really strongly want those roads to line up, but with it only going to three it -- I don't think having the road line up actually improves the situation. I think that we would probably be creating more problems by fixing the one problem. The ten year -- are nine years to -- what is it -- 13 years out for this road improvement gives me extreme reservations about being able to move this forward. If this was in even a five year outlook, you know, with the ability to move it up a couple of years with -- with the impact fees and things like that, I would be much more inclined to say, yeah, let's -- let's take a look at how does this, you know, phase in, you know, by the time, you know, things get platted, things get moving. I think with the -- with where ACHD is at with the Black Cat and with McMillan, this is even more problematic than the one that we had last time where it was on the south end of this block where you had Ustick and Black Cat. At least there the ability to extend the roads is possible, whereas McMillan is really landlocked and I don't know how to fix this. I don't really even know where I'm at. I think if I were to say right now I would probably say to deny based on the roads and how far out the ability to fix this problem is. So, that's -- that's kind of where I'm at right now.

Seal: Okay. You know, I think there is a little commonality among there -- those things. I mean as far as the density goes, I mean it is appropriate. You know, considering -- essentially considering all the zoning and the future land use map and all that, the zoning that's in here is appropriate. Otherwise, the staff would have called that out I'm sure for the mass of land that it's on. I do like what you have done with the bulb outs. You know, I still just hate common driveways, because it's not a -- the common driveways are not an issue of any -- all the service vehicles or anything backing into them, the problem is -- especially when they are on corners, when it comes trash day, instead of a couple of cans on the side of the road, you have about 12 and you get to play Mario Kart through them if you are trying to drive through there at any point in time. So, there is two of them that I have to drive through regularly and it's horrible. So, shared driveways are just really sketchy as far as that goes, so -- it can create all kinds of issues, especially for service vehicles. Some of the improvements that you have done through here I really like. I like the bulb outs. The age restricted community -- it's interesting, I can -- you know, I mean we have a scenario where I can definitely see, you know, you are living in here, you have an age restricted, you know, mother, father, grandparent, whatever that is, living in the age restricted piece of it. So, you know, the ability for you or grandkids or whoever to go visit and, you know, basically, will ride a bike or cross the street is actually nice. It's a nice feature I think to have something like this integrated, because a lot of times we get age restricted communities that stand on their own. So, they are -- they are part and parcel not joined to anything else. So, it's kind of nice to see that. That said, running it through the HOAs, you know, with the CC&Rs, you can change them, so -- I mean it just takes a vote and that's not age restricted anymore. So, the likelihood of that happening would probably be low, but I mean in 20, 30 years who knows what would be there or what would be happening with it. So, there is a lot of positive here. But, again, we kind of come back to the traffic issue and that -- I think no matter how good something coming in here at this point, the roads just aren't able to take that traffic right now and I think putting this in and, you know, accommodating everything else that is being built right there is going to be very very problematic and it's not going to be -- everything else that's being built out there is going to be in there within the next four or five years and, then, you still

have at least five more years before we get any relief at all there, outside of a traffic light, which is moderately helpful, which is about all it was, moderately helpful on Black Cat and Ustick. Black Cat is going to suffer the same fate. They have the same kind of power poles running down Black Cat. You can only widen it so far. So, I mean it's going to be interesting to see what happens with this area when they do finally develop those roads. Part of me thinks that's the reason that they are pushing it out so far as the 2031 and out. You know, there is a lot of other areas that are going to develop before then. I think this one is very very problematic for them, because you have the power poles there and they can only do so much, but -- it's tough. I mean I like the subdivision itself, but I just don't think it's responsible to move forward with it, considering the -- that the roads already are incapable of handling it. Anybody else? Okay. At some point we got to get a motion or we got to get a question.

Cassinelli: Mr. Chair, I just -- I had a question -- a quick question for staff on something.

Seal: Go ahead.

Cassinelli: Alan, that -- that structure that's going to stay there that's almost right across from Joy, is that -- right now it takes access from McMillan. Will that be taking -- if this were to go through will that be taking access -- continue to take access off McMillan or is that going to take internal access there? It's up in the top.

Tiefenbach: You are talking about the northeast corner?

Cassinelli: Correct.

Tiefenbach: Yeah. That's going to be taking access off of that cul-de-sac, not off of McMillan.

Cassinelli: Okay. That's what I figured. Thank you.

Tiefenbach: Or, sorry, not the cul-de-sac, off of Sunday Loop. You can see the --

Cassinelli: Oh. Okay.

Tiefenbach: You see it here.

Cassinelli: Okay. But it's internal to the --

Tiefenbach: We wouldn't let some -- we would -- we would not support adding additional entrances without removing them.

Cassinelli: I didn't see anything in there, so I --

Tiefenbach: No. You are correct.

Cassinelli: -- just wanted to check. Thank you.

Tiefenbach: Yes, sir.

Seal: Okay. If anybody would like to float a motion.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: Before I do my motion, just want to reiterate. I'm not opposed to the design or the density, but the -- the -- the traffic is -- is the issue. So, with that being said, after considering all staff, applicant, and public testimony, I move to recommend denial to the City Council of file number H-2021-0074 as presented during the hearing date of February 17th, 2022, for the reason of traffic impact on the arterial roads abutting this project.

Cassinelli: Second.

Seal: It's been moved and seconded to recommend denial of Item No. -- I had it in front of me. H-2021-0074. All those in favor of the recommended denial, please, say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Thank you.

Wheeler: Is it your honors tonight, Bill?

Seal: Yeah. Can I get one more motion, please.

Cassinelli: Final -- final motion. Mr. Chair, I move that we adjourn.

Lorcher: Second.

Seal: It's been moved and seconded that we adjourn. All those in favor say aye. Any opposed? Motion carries. Thank you.

MEETING ADJOURNED AT 7:19 P.M.  
(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)  
APPROVED

\_\_\_\_\_  
ANDREW SEAL - CHAIRMAN  
ATTEST:

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK