

**Public Hearing for Lennon Pointe Subdivision (H-2024-0060) by
Rodney Evans + Partners, LLC., located at SE Corner of N. Linder Rd.
and W. Ustick Rd.**

- A. Request: Preliminary Plat consisting of 41 single-family/townhome residential building lots, one (1) multi-family residential building lots, one (1) commercial building lot and Seven (7) common lots on 8.80 acres of land in the R-15 and C-C zoning districts with some private streets.

Lorcher: Okay. The next application is by Rodney Evans and Partners, requests a preliminary plat for the Lennon Pointe Subdivision near Linder and Ustick Roads and we will start with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. The next application before you is a request for a preliminary plat. This site consists of 8.8 acres of land. It's zoned R-15 and C-C and it's located at 1515 West Ustick Road at the southeast corner of North Linder Road and West Ustick Road. This property was annexed back in 2022 with a development agreement and approval was granted at that time for a preliminary plat and a conditional use permit for a multi-family residential development both of which have since expired. The development agreement requires future development to be generally consistent with the previously approved plans, including the preliminary plat and conceptual building elevations, as well as a site plan. Comprehensive Plan future land use map designation for this property is mixed-use community. A new preliminary plat is proposed consisting of 41 building lots for the development of three single family residential detached units, 30 single family residential attached units and eight townhome units. One multi-family residential building lot for 18 apartment units and one commercial building lot for two building pads and seven common lots on 8.8 acres of land in the R-15 and C-C zoning districts. The proposed plat generally complies with the previous plat included in the development agreement as required. One phase of development is proposed. Access is proposed by one full access via North Linder Road, an arterial street, along the project's west boundary, which may be restricted to a right-in, right-out if warranted by ACHD in the future. And one access from West Ustick Road, an arterial street, which is restricted to right-in, right-out. Access is also proposed via the extension and connection of West Pebblestone Drive at the east boundary of the site and North Zion Park Avenue at the southern boundary of the site. Both existing local streets stubbed to this property. The public street will provide access to lots on the eastern portion of the site and a private street loop is proposed for addressing purposes and for access to the lots on the western portion of the site. So, I will just show you real quick here. This is the public street coming in and, then, the private street is proposed right around here and loops back to that public street. The development incorporates a MEW in the design as required by the UDC for approval of private streets and single family developments. The director has approved the proposed private streets. The maintenance agreement for the private streets is required to include all lots within the development, all of which are required to pay their proportionate share toward maintenance of the private streets. Ingress-egress easements are required for all lots in the development to use the private

streets and the driveways in the commercial and multi-family residential portions of the development, as well as the single family. Seven foot wide attached sidewalks exist along Linder and Ustick Roads. A 25 foot wide street buffer is required along both of these streets. There are two major waterways across the site, the Creason Lateral and the Kellogg Lateral. The Kellogg Lateral is being rerouted to the southwest corner of the site near the Creason Lateral. A ten foot wide multi-use pathway is proposed to extend from the southern boundary along the Creason Lateral to the sidewalk along Linder Road in accord with the pathways master plan. A minimum of 15 percent qualified open space is required to be provided for the single family residential and the townhome portions of the development. Based on 6.96 acres, a minimum of 1.05 acres is required to be provided. 1.33 acres or 19.07 percent is proposed, consisting of linear open space, open grassy areas exceeding 5,000 square feet in area, 50 percent of the arterial street buffers along Linder and Ustick Roads and storm water retention facilities. A plaza area. All of which meet and exceed UDC standards. Qualified site amenities are also required to be provided based on the area of the development. A minimum of two site amenity points are required to be provided. The applicant is proposing a dog park with a dog wash station for two points, two dog waste stations, one point. A tot lot with commercial grade play equipment. One point. A short segment of use pathway, internal pedestrian bicycle circulation system with landscaping and bicycle storage exceeding the minimum standards by several points. Future development is required to comply with the conceptual building elevations and site plan included in the development agreement. Final design of all single family residential attached and townhome structures, as well as the commercial and multi-family structures is required to comply with the design standards in the Architectural Standards Manual. A conditional use permit is required for the multi-family development prior to development. Written testimony has been received from the applicant Ben Semple. He has submitted a letter in agreement with the staff report. Staff is recommending approval with a request for an additional condition to be added requiring an ingress-egress easement to be depicted on the plat across Lots 2 and 3, Block 1, the commercial and the multi-family residential lots, granting access to all lots in the subdivision. The applicant is in agreement with this added condition. Staff will stand for any questions.

Lorcher: Would the applicant like to come forward?

Semple: Good evening, Madam Chair. Ben Semple with Rodney Evans and Partners. 1450 West Bannock Street, Boise, Idaho. 83702. Yeah. I want to thank Sonya and the rest of the staff for helping get through this. It's kind of an interesting situation where we had actually obtained a final plat approval and there was some missing information about -- we got a final plat approved about four months before the preliminary plat expired, so when the preliminary plat expired everything else fell in line, so we are back here. The submitted -- oh, first of all, we are in agreement with the staff report and all conditions of approval. We have already actually made all of the adjustments. I mean there is a few that we still need to make based on new UDC standards for a couple of the little spots, but we have adjusted a lot of this plat based on the previous when we came back for the final plat. So, we feel very good about this project and we will return -- as Sonya stated we will return for a CUP and design review on the multi-family structure or structures.

Nine units in each building. They all have garages. The owner and developer of this project is planning to hold those for his income. So, he is -- his intent is to make it more of a high end and a luxury apartment setup. So, you know, with this area being a transition from this busy intersection into single family to the east and south we are trying to push single family. All of the -- the homes on the southern half of this are single family. They are townhomes connected. But there are fee simple lots, so they will allow home ownership. All of them have two car garages, as well as driveways that are minimum of 20 feet deep behind the sidewalk. With the amenities we are providing we did a little bit of a reorientation of the multi-use pathway along the Creason Lateral. Worked with the Parks Department and the pathways managers here at the city to make sure we have got a less kind of curving situation going on. It was -- it was a little disconnected before. We have two plazas, one in the southern portion that you can see down by that multi-use pathway and that has seating. It will have some pedestrian level lighting in it. That's also the access to the dog park. Currently this is shown at about a 4,000 square foot dog park and looking at the conditions of approval we will increase that size to 5,000 to meet the UDC standard and, then, there is a plaza to the east of the retail building that is closest to the residential, so that will be publicly accessible as well. That's kind of the main crossing from that center MEW area over to that commercial retail. We did have some really great conversations with ACHD regarding the public street and the extension of those two public streets that's up to this property. Met with the neighbors for the resubmittal of this and we have already adjusted some stuff. Again previously the eastern side initially had some access front door pathways along the east side, so between the existing and the new. We have taken that away, so all of the homes on the east side -- they have a backyard against a backyard to the east and so all pedestrian traffic will stay, you know, to the west of that. You know, again, really looking forward to getting this project restarted, so it can get built out, as well as improving the connectivity here by the connection of -- there is currently a multi-use pathway that stops at the southern boundary. Really doesn't have any way to get anywhere else, so by connecting this it will allow people to move from those residential areas all the way up to that corner to access services. And the Creason Lateral will be piped through the site. So, that's the -- the relocation of that will include a piping of it, which is why we have this common driveway and kind of larger landscape area at that southeast corner. That's where it's picked up, it's brought west and, then, it angles through the site through that open space area. I think that's kind of all I have. Again, I think Sonya did a great job presenting the project for me and I would stand for any questions you may have.

Lorcher: The northwest corner of your parcel all the way at the top on the left-hand side, do you have control of that? Is that one of your retail buildings or is that not part of this application?

Semple: Madam Chair, yes, so the -- all buildings on this site -- this entire corner is held by one developer, my client. So, he plans to develop all the residential. He has been having some conversations with some users about the commercial retail spaces. Obviously, we would come back with a formalized application for design review and CZC once he has a user to build that out.

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

Semple: Thank you.

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

Lomeli: Thank you, Madam Chair. We have David and Marie Childers. Okay. That's great. Okay.

Lorcher: Okay. Thank you.

Lomeli: Next is Joy Furlipa.

Lorcher: Hi.

Furlipa: Hi, Madam Chair. My name is Joy Furlipa. I reside at 1375 West Santiago Street. I'm part of the Tetherow Crossing HOA across the way from where this actually is. I just have some clarification that I wanted on the Ustick side of the road, because we already have issues with traffic blocking the intersections in and out of our neighborhood and so I'm wondering -- I didn't know that they noted it is going to be -- if I -- can I touch the mouse? Is it okay if I touch it?

Lorcher: I'm not sure if it will work, but you -- you can --

Furlipa: I will just say on the -- the added entrance that they are doing for right turn only, if that's right turn only, what I want to know is if they are going to put in like painted lines to like not block, because similar to my streets we have the entrance into West Santiago from Ustick, it will be blocked during the work hours.

Lorcher: So, like the square that says, you know, give the space, so that you can't go there.

Furlipa: Correct.

Lorcher: Okay.

Furlipa: So, I don't know if it's something that would be viable there or for the others that are in the neighborhood that's adjacent to put in a painted block, because I know during the just work commute hours it tends to be really chaotic to get out if you have to turn -- turn left at all.

Lorcher: Okay. We can definitely ask the -- the applicant for that. Were there other concerns?

Furlipa: That is all.

Lorcher: Okay. Thank you very much.

Furlipa: Thank you.

Lorcher: Madam Clerk?

Lomeli: Madam Chair, we have Guy Speek. Sorry. Okay.

Lorcher: Okay.

Lomeli: No one else has signed up.

Lorcher: Anyone on Zoom?

Lomeli: Madam Chair, no.

Lorcher: Would the applicant like to come forward and address the concerns?

Semple: Madam Chair, again Ben Semple with Rodney Evans Partners for the record. So, part of what we have to do for the right-in, right-out onto Ustick -- ACHD is requiring us to install candles, so that there cannot be a left-hand turn out of that entrance. The one on to Linder, ACHD is allowing us a full access for now, because there is an EMT station right across the street, they just wanted to -- I guess restricting any movements from their driveway they were concerned about putting anything out in the Linder right of way there. They did reserve the right to close that to a right-in, right-out in the future if it's warranted. But ultimately -- and I think I understand the question. The -- across that drive aisle was the question is there is going to be a crosswalk that you don't block or something.

Lorcher: I think in her subdivision it's challenging to get in and out, so by having the painted square where people don't queue up all the way up the street, you have to leave that so they can come in and out.

Semple: Madam Chair, I think I understand. So, the parking lots that access the back of the multi-family buildings, I'm sure we will put some signage that says don't block this intersection and same thing with the rest of these roads. I mean they will be signed. There is -- there is some on-street parking, but we will make sure -- this has to comply with all the fire department access, so --

Lorcher: Her concern was Ustick Road.

Semple: Yeah. I mean I don't -- there will be the ability to turn right into the development and turn right out onto Ustick, but other than the -- what we are putting out in the right of way to prevent cars from trying to turn left, I think that will help, because people understand they just -- there will be signage that says right-out only.

Lorcher: Okay. Any other comments that you would like to make before we close the public hearing?

Semple: I don't think so. I appreciate your time.

Lorcher: Yeah. If you could just talk to Joy before you leave that would be great and make sure that everybody's good with it.

Semple: Yes.

Lorcher: Thanks. Can I get a motion to close the public hearing?

Seal: So moved.

Sandoval: Second.

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

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: This was an application that came before us actually several times and it looks like that their development agreement or something had expired, so they were required to comply with new UDC codes and things like that, which I think they have done a good job with.

Seal: Madam Chair?

Lorcher: Commissioner Seal.

Seal: Yeah. This seems to be a more complete application on what we have seen on it before, so I like some of the modifications that have been made. The only thing I still kind of question is just the three lots on the common driveway. Seems to be a little bit out of place, but in trying to maximize the -- the usage there I understand there is not much you can do about that, so I am glad they moved the dog park out of that area, so --

Lorcher: Yeah. I think they are limited with the lateral and the topography as well. Commissioner Garrett or Commissioner Sandoval, do you have any other comments?

Garrett: No, ma'am.

Lorcher: So, with that, after considering all staff, applicant and public testimony, I move to recommend File No. H-2024-0060 to City Council as presented the staff report for hearing date of December 19th, 2024.

Sandoval: Second.

Seal: Madam -- Madam Chair, staff asked for the additional ingress-egress as well to be added as a modification.

Lorcher: And to consider the ingress-egress on Lot 2 and 3, Block 1.

Sandoval: Second.

Lorcher: It's been moved and seconded to approve Lennon Pointe Subdivision with the one modification for ingress-egress. All those in favor say aye. Any opposed? Motion carries.