

**Public Hearing for Crowley Park Subdivision (H-2023-0053) by Riley  
Planning Services, located at 4135 W. Cherry Ln.**

- A. Request: Annexation of 1.002 acres of land with an R-8 zoning district.
- B. Request: Combined Preliminary/Final Plat consisting of 4 residential building lots and 1 common lot (including one existing home to remain).

Smith: With that I would like to lastly thank you all for your patience in the audience. I would like to open up Item No. H-2023-0053 for Crowley Park Subdivision. We will begin with the staff report.

Hersh: Alrighty. Moving on to Crowley Park Subdivision. The applicant is here to present their project. The application submitted is annexation and preliminary plat. The site consists of 1.002 acres of land, zoned R-1 in Ada county, located at 4135 West Cherry Lane. There is no history on the property. The Comprehensive Plan FLUM designation is medium density residential and the summary of the request from the applicant is annexation of one -- again, a little over an acre of land with an R-8 zoning district, preliminary plat consisting of four residential building lots, including one existing home to remain and one common lot. The subject property is an enclave surrounded by existing single family residential homes. The site abuts an R-8 development to the west. To the south. To the east is an R-4 development and to the north R-2, R-4 for developments. The subject property is designated as medium density residential in the future land use map, consistent with the approved development to the west. The applicant proposes, again, a four lot subdivision for single family residential detached home and one single family detached home at a gross density of 3.99 units an acre, which is with the -- within the desired density range for the medium density residential designation. A legal description of the annexation and exhibit map where this is included, the property is within the -- the city's area of city impact boundary. A preliminary plat and conceptual building elevations were -- were submitted showing how the property is proposed to be subdivided and developed. The proposed lots range in size from 5,148 to 9,524 square feet. The subdivision is proposed -- proposed to develop in one phase. The proposed plat and subsequent development are required to comply with the dimensional standards in the UDC table for the R-8 zoning district. The plat appears to comply with the standards in the district, except for the front porch on the existing home, which encroachers a little more than two feet in the required setbacks. Per the UDC lots taking access from a common drive do not require street frontage. Access to the property is proposed from Cherry Lane from a common driveway on Lot 1, Block 1. Direct access from Cherry Lane for Lot 2, Block 1, is prohibited. Interior Lots 3, 4, 5 at Block 1 are proposed to take access to via the common drive, meeting the -- those requirements in the UDC. Common driveway shall serve a maximum of four dwelling units. In no case shall three -- more than three dwelling units be located on one side of the driveway. The applicant is proposing four dwelling units take access off the main common drive. All four dwelling units are located on one side of the driveway. However, three dwelling units are taking

access via a side common driveway that connects to the main common driveway. The director has determined -- determined that the proposed orientation of the dwelling -- of the units off the side of common drive meets the intent of the UDC code. Off-street parking is required to be provided in accordance with the UDC for single family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. The applicant has provided an additional three parking stalls at the end of the common drive on the southeast side of the site for overflow parking. The existing home does not meet the required number of off-street parking spaces per the UDC for a three bedroom home. Four parking spaces are required. At least two in an enclosed garage. Other spaces may be enclosed or a minimum ten foot by 20 foot parking pad. The existing home does not have an enclosed two car garage. However, the required number of parking spaces is provided via an existing carport and driveway. The applicant is proposing to enclose the carport on the northwest side with a material that matches the existing house. The carport shares a roof line with the existing home and is currently accessed from the west. Access to the carport will change to the south upon approval and completion of the subdivision site improvements once the entry point -- point to the carport is shifted to the south and the common drive is constructed. The applicant is also proposing to add a fence to provide additional screening from the carport from West Cherry Lane. The existing home is recognized as nonconforming due to the off-street parking requirements in the UDC. Per the UDC no existing structure containing a nonconforming use may be enlarged, extended, constructed, reconstructed, moved or structurally altered, except through approval of a conditional use permit -- permit. As a result of the nonconformity the applicant is required to apply for a conditional use permit for any future expansions on the property. There are -- there is -- a 25 foot landscape buffer is required along West Cherry Lane in accordance with the UDC. The landscape plan submitted depicts a 20 foot landscape buffer along West Cherry Lane that includes four existing trees. The applicant is proposing a water conserving design aimed to reduce the landscape buffer to 20 feet in width. However, the proposed design lacks features, like boulders, rocks or permeable hardscape material, such as pavers and flagstones and water conserving grasses. The design should incorporate plants and trees that thrive in climates with approximately ten to 12 inches of annual rainfall. Staff recommends that the applicant revise the landscape plan to comply with the requirements for the water conserving design in accordance with the UDC. Cherry Lane is currently improved with an existing seven foot wide attached concrete sidewalk abutting the site in accordance with the UDC standards. Staff is not recommending that the sidewalk be replaced. Utilities connection to city and water, sewerage and services is required in accordance with the UDC. The existing home is proposed to remain on Lot 2, Block 1, is required to connect to city water and services within 60 days of becoming available. Street lighting is also required to be installed in accordance with the city's adopted standards specifications and ordinance -- ordinances. All fencing is required to comply with the standards and the applicant is proposing fencing in front of the carport for screening, provided there is not a conflict with the layout of the fire hydrant services. A detail of the fencing should be provided with the final plat and the pressurized irrigation system -- the underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth within the UDC. Given that the property possesses irrigation rights and access surface rights --

should be used as a primary source over the groundwater well in accordance with the regulations of Settlers Irrigation District. Settlers Irrigation District does not permit the exclusion of water rights to the subject parcel. The building elevations. Three conceptual building elevations were submitted that demonstrate what future homes in this development will look like. Variations of one story homes with three car garages are proposed. The submitted elevations depict a number of different architectural and design styles and field materials of lap siding, different color and access -- accent roof profiles and stone. Currently there is no written testimony on this project and staff recommends approval of the annexation and preliminary plat subject to the conditions in the staff report and that concludes staff's presentation and I stand for any questions.

Smith: Would the applicant like to come up?

Constantikes: Thank you, Mr. Chairman, Commissioners. For the record Penelope Constantikes representing the property owner Luke Gilbert. My address is Post Office Box 405, Boise, Idaho. 83701. As you know the application is for annexation, zoning and a preliminary plat and it's -- as you know, four detached single family residences with one existing and three new building lots and future homes. And it is consistent with the surrounding residential development. The proposed density as provided in the staff report is 3.99 units per acre and it does provide a variety of lot sizes. One access point to West Cherry Lane is proposed and has been approved by ACHD. Two of the homes face north with the access from the north. One home faces south with access from the south and one home faces north with access from the east. We are reducing the landscape buffer by 20 percent to allow retention of the front porch area and we will be using the water reducing -- water conserving landscape plan ordinance that staff has already referenced. We have reviewed both the Meridian and the ACHD staff reports and are in agreement with the findings and conclusions. The engineer and I met with Public Works for detailed discussions recently about the best location for the water lines, the hydrant service line and sewer service with required easements. The outcome of the meeting was that the hydrant will be located at the northeast corner or near the northeast corner of the site with the benefit of being able to hopefully preserve the two mature trees that are along the Cherry Lane frontage. Just a few highlights. Crowley Park will add three additional p.m. peak hour trips to West Cherry Lane, which is not very many. The site layout includes three guest parking spaces, as staff has already indicated and I believe we may possibly be able to add a few more at the west end of the fire turnaround area. We will check on that as we move through the process. Pedestrian access to West Cherry Lane is -- will be provided along the west side of the existing residents to keep that access away from vehicle access. A streetlight is shown at the northeast corner of the site, although it's a little hard to see. These homes are intended for the middle, which is also frequently referred to as a workforce housing and the middle are essential professionals, such as school teachers, fire departments staff, police and nursing staff. Crowley Park will provide new home options in an existing and mature neighborhood with full-sized trees, which we think is a good thing. The site redesign pairs side yards with existing backyards for the neighbors to the west and the side yards don't get much use and so we thought that this would be a great way to preserve their backyard privacy. I would like to offer some additional details regarding the carport on the existing residence. The carport will be

changed as -- as staff has indicated to the south and the north and west sides of the existing carport will be fully clad with siding that will complement the existing residence. From the street it will appear like it's just a garage. The layout for the existing residence includes four parking spaces, two which will be in an enclosed carport and two additional spaces will be provided on the apron area to accommodate two additional parking spaces, which will be a minimum of ten by 20 feet. The landscape plan can now be updated with the water conserving design after our meeting with Public Works and the most -- and that meeting provided us with the most efficient path forward with utility lines and the fire hydrant located in the northeast corner of the site. The fire department is aware of this hydrant change and my understanding is the location will work well for fire emergency services. The change in the location of the water service for the hydrant will allow fencing to screen the west side of the front lot. That was a problem before we changed the waterline location. And there won't be any fencing location -- or, excuse me, any fencing conflict. Like I said, we anticipate that both the mature trees will be retained along the front edge, but we will continue to work with Public Work staff as needed. The project narrative discusses retention of the existing well for site irrigation. The front lot is already irrigated off the well. Surface water delivery in this area is a private lateral, which Settlers Irrigation District does not manage. According to the neighbors this parcel never used surface water. I have tried to contact the water master multiple times with no success, although Settlers has been very helpful. We would like to work with staff on provision of irrigation and the property owner would like to retain the existing well as the irrigation option -- as an irrigation option as it may be needed. With that I would be happy to stand for questions or discussion with the Commission and we respectfully request a recommendation of approval for Crowley Park Subdivision. Thank you for your time and attention.

Smith: Commissioners have any questions for the applicant? All right.

Grace: Mr. Chairman, can I just get the applicant to clarify -- I probably misheard it, but the comment about the light. Was there a traffic light did you say in the northwest corner or -- can you just clarify that? I was taking notes and I missed that.

Hersh: Mr. Chairman, Commissioner, no, it's a streetlight.

Grace: Okay. Okay. All right. Thank you.

Smith: All right. Thank you.

Constantikes: Thank you.

Smith: Open up public testimony. Madam Clerk, do we have anyone signed up to speak?

Lomeli: We do have -- it looks like five signed up. The first on the list is Sarah Cartwright.

Smith: You don't want to -- okay. Can we get the next on the list.

Lomeli: Judy Cartwright.

Smith: Oh, just in support. Okay. Yeah. If you want to come up and -- you can ask a question. That's fine.

Cartwright: I'm Judy Cartwright. 4365 West Cherry Lane. The subdivision that went in next to us did not provide a new fence along the whole side and I just wondered if this will have new fencing on both sides?

Smith: All right. We have the applicant to come up at the end of testimony. Sorry. Actually, I do have one question. Could you clarify if you are here -- the other names on the list of support or opposition regarding the project?

Cartwright: I -- I support it. Is that what you are wondering?

Smith: Yes. I just wanted to clarify.

Cartwright: I was wondering about the fence.

Smith: Yeah. I assumed support, but I figured I would -- for the record that would clarify. Thank you.

Lomeli: I have a Bill Crossfield. Coffield?

Smith: Just come up and give your name and, then, your address. That would be great.

Canfield: Bill Canfield. I live at 4079 West Cherry Lane to the east. I own the property to the east. There is a lateral -- irrigation lateral that feeds off of there. That's what I feed on to. I water my property with that. That actually goes into the back of this existing property that they are going to build. So, I'm just concerned about my water access and everything as far as accessing that.

Smith: Okay.

Canfield: Plus my -- the fence is on my property. That would be just to the east. That's a wooden -- wooden fence now. I don't know if there is going to be another fence or not. But, anyway, I do approve of this, so --

Smith: Okay. Thank you. That's a question that we can make sure to ask the applicant as well when they come back up.

Lomeli: We -- the next on the list is an Esther Burgoyne? I'm sorry I'm pronouncing that --

Burgoyne: Yes. Thank you.

Smith: Just get your name and address as well.

Grace: Mr. Chairman, can we just get them to speak into the microphone. I'm having a hard time hearing multiple folks.

Smith: Absolutely.

Grace: Thank you.

Burgoyne: So, my name is Esther Burgoyne and I live at 1538 Willow Tree and so I'm right on the west side of -- basically my backyard will be right in the middle of this whole thing and I don't have any problem with the -- with the whole housing and stuff back there. The only concern I have is there is a tree right on the corner that's existing that the branches and the roots are going right into the fence and under the fence and over the fence and so I think that tree really needs to be either trimmed down or taken out. And, then, the other concern is the fence along the whole way is vinyl on -- on the west side and it's wood fence on the east side and even the vinyl side is really starting to deteriorate at the bottom and so I'm just wondering if all this new construction and stuff going in will harm the fence even more to where, you know, it will like fall apart or anything. But other than those two little items I have no problem at all with the housing coming in.

Smith: All right. Thank you very much. Have anyone else signed up to testify?

Lomeli: I do have a Sharon Gooding.

Smith: Sharon Gooding. Not here. I did see a couple of people leave, so that might have been -- anyone else?

Lomeli: No one else.

Smith: All right. I think that covered it. Is there anyone else -- sir, if you would like to come testify at all or -- okay. So, would the applicant like to come back up.

Constantikes: Mr. Chairman, would you like me to reintroduce myself?

Smith: Just your name and address again.

Constantikes: Penelope Constantikes. Post Office Box 405, Boise, Idaho. 83701. I'm not a hundred percent sure where Judy is relative to the project site. Is that something that staff could show me?

Smith: Sorry. It could -- unfortunately not --

Starman: First of all, if the applicant is willing to yield some time to -- and, then, if you would reintroduce yourself and, then, if you want to -- thank you.

Cartwright: Judy Cartwright. 4365 West Cherry Lane, Meridian, Idaho. 83642. We are R-2 on the map. So, it's not -- it's a ways down, but what I'm saying is I'm just concerned that -- for the people in this new subdivision that they get a new fence, because when the subdivision went in right next to us probably four years ago they left the old fence and it's deteriorated and -- and falling down and I don't want that to happen in this new subdivision.

Smith: Thank you. If I could get your name and address that would be great. Thank you, sir.

Gilbert: Good evening, everybody. My name is Luke Gilbert at 6245 South Hill Farm Way, south -- south Meridian. As far as the fence goes, it's currently fenced. The fence is in pretty good condition actually. It's a cedar fence pretty well maintained. As we get into the project I haven't yet considered replacing the fence and I'm not saying I'm opposed to it, it's just more -- the fence that we have up currently is cedar, in good condition, relatively well maintained and I think until we get into the project it would be hard for me to commit to that.

Smith: Okay. Thank you.

Gilbert: Was there anything else --

Smith: I did here -- there were some other questions about tree trim removal and irrigation water access and existing fencing harm. Is there any --

Gilbert: Perfect. Yeah. Well, to the tree trimming piece, the arborist is going to dictate what we can and can't remove. I don't know if this tree falls within a permission to remove. We are going to -- we have -- we have actually taken a couple of bids from arborist on trees on the property, because they are very large trees and they -- they do need some attention over there. We have just been reluctant to move into it before we have permission to do so. So, the trees are on our radar.

Smith: Okay.

Constantikes: Mr. Chairman, Penelope Constantikes. Post Office Box 405, Boise, Idaho. The gentleman before me is the property owner. The last item that was brought up was water access, I believe, and as we all know Idaho statute prohibits anyone from ever interfering with water delivery. So, the gentleman to our east will -- of course, we will be preserving his water access. We have no reason to disrupt it. So, other than that I think we have covered everything. Are there any other questions that I can answer?

Smith: I don't personally have any. Do any other Commissioners have any questions?

Rivera: No.

Smith: All right. I think -- I think we are good. Thank you.

Constantikes: Thank you, Mr. Chairman.

Smith: With that I will take a motion to close the public hearing.

Rivera: I make a motion to close the public hearing.

Stoddard: Second.

Smith: I have a motion and a second. Can I get all ayes -- or all ayes in favor say aye. Any opposed? All right. Motion passes. Motion carries. Sorry about that. Thanks, folks, for your patience.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Smith: Any discussion, deliberation? Any thoughts from fellow Commissioners?

Grace: Mr. Chairman, I would just say that it's -- you know, we use the term a lot, but it's a little bit of an in-fill project and these are never -- you know -- you know, they are -- they are sort of dictated sometimes by other -- by other factors. So, I get that. I like the idea of their -- sort of their target homeowner and I think that's a great -- you know, to the extent that they have too much control over that. I'm glad there is housing for those -- for those types of folks. It sounds like the -- the trees and the fencing, you know, they are trying to maintain what they can and it sounds like they are going to be sensitive to the concerns of those around them. So, yeah, I am in favor.

Smith: Commissioner Rivera.

Rivera: I am in agreement with Commissioner Grace and I do -- the main thing here is I do appreciate the owner that's going to be -- as they move forward keep an eye on the fence and -- and the tree removal and making sure that -- that what needs to be done will get done.

Smith: I would echo that. It seems like concerns kind of are around -- mostly around -- around kind of marginal stuff, so, you know, it seems like with -- regarding the application itself I think it's -- it's close to as good of an in-fill project we can get in terms of, you know, not being some -- some wonky crazy thing. So, I like the -- like what the -- what the applicant is trying to do here. Just, yeah, with the -- you know, maintaining, you know, a close ear to neighbors and concerns and all that good stuff. I like this a lot. I will take a motion if anyone --

Rivera: I will make a motion here. After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2023-0053 as presented in the staff report for the hearing date of November 16th, 2023.

Grace: Second.



Smith: I have a motion and a second. All those in favor, please, say aye. Any opposed?  
Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Smith: All right. It looks like that time of day that I will be looking for one more motion.

Rivera: I make a motion to adjourn the meeting.