

6. Public Hearing for Prescott Ridge (H-2020-0047) by Providence Properties, LLC, Located on the South Side of W. Chinden Blvd. and on the East Side of N. McDermott Rd.

- A. Annexation of 128.21 acres of land with R-8 (99.53 acres), R-15 (8.82 acres) and C-G (19.85 acres) zoning districts.
- B. Preliminary Plat consisting of 371 buildable lots [single-family residential (215 detached/102 attached), townhome (38), multi-family residential (14), commercial (1) and school (1)], 42 common lots and 6 other (shared driveway) lots] on 124.81 acres of land in the R-8, R-15 and C-G zoning districts.

McCarvel: Next on the agenda is the public hearing for Prescott Ridge, H-2020-0047. We will begin with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. This project was previously heard by the Commission in September of last year. The Council heard this application and was not in favor of annexing the medical campus portion of the site without inclusion of the 1.27 acre parcel at the northeast corner of the site. So, if you will remember, this is the medical campus portion of the site, the commercial area. There is a parcel right here, if you can see my pointer, along the northeast corner that was an outparcel previously and was not included in this application. So, the Council remanded the project back to the Commission for inclusion of that outparcel in the annexation application. The applicant has submitted updated plans for the overall project that include this parcel and the annex -- annexation boundary now consists of 128.21 acres of land, with 19.85 acres in the commercial portion of the site. An updated conceptual development plan was submitted for the medical campus portion of the site as shown that depicts the three story hospital in the same location and the medical office building now shifted to the northeast corner of the site, if you can see my pointer there it's this area right here. The medical office building changed. It increased in height from three stories to four stories and is proposed to be approximately 80,000 square feet that now incorporates retail and restaurant uses on the entire first floor, which provides a mix of uses desired in a mixed use regional designated area that was not there previously. Staff wasn't planning to go into the whole application again, since this was heard previously by the Commission, but if there is any -- any questions you have or anything you would like me to cover I'm certainly willing to. The rest of the development really didn't change. It's -- it's the same. It was just the commercial portion of the site.

Holland: Madam Chair? Sonya, did we approve another hospital just down the street from this one, too? Do we have two medical facilities going in next to each other?

Allen: And the Brighton application, Pollard Subdivision, directly to the north across Chinden did include a hospital in their concept development plans, yes.

Holland: And I remember --

Allen: I don't believe there has been any movement on that as far as I know, though.

Holland: Okay. One more follow up if I may. I read that there were some concerns potentially with the emergency vehicle access coming in and out. I think that was my -- my only main concern on this project. Do you have any comments related to that?

Allen: The emergency vehicles should be -- it's -- well, let me clarify. Were you referring to emergency vehicles with the emergency department in the hospital?

Holland: Yes.

Allen: Yeah. Yeah. They will be accessing the site from Rustic -- Rustic Oak Way and Chinden. So, they will -- they will come out of here -- there will be a signal here, traffic signal, and they will come in here and access and -- and the ambulance -- ambulance entry is right here, if you can see on the site.

Cassinelli: Madam Chair?

McCarvel: Go ahead, Bill.

Holland: Go ahead, Bill. I will ask mine later.

Cassinelli: Go ahead and wrap it up.

Holland: My only other concern was the way that single family abuts the commercial site. Did staff have any concerns with that? Because it looks like you have got some pretty significant commercial frontage against some of those backyards there.

Allen: Yeah. Madam Chair, Commissioner Holland and Commissioners, yeah, that -- that really hasn't changed, but the improvements to the site plan have been the -- the shift of that medical office building as far away as they can get it at the northeast corner of the site. They are providing a 30 foot wide buffer that's heavily vegetated as you can see along the west and southern boundaries adjacent to existing and future residential uses.

Cassinelli: Madam Chair? Shall I go ahead?

McCarvel: Yes, Commissioner Cassinelli.

Cassinelli: Sonya, just real quickly, I'm assuming that -- I know the last time we saw this that -- that they were hoping to have that parcel under contract. So, I'm assuming that that -- that is now the case. But my real question here is how does the layout of the medical campus differ from -- because the -- to me the last time we -- I think we have seen a couple versions of it and it -- it -- I'm not sure if this goes back to the -- closer to the first time we saw this or the last time we saw it. Do you have -- do you have a rendering of what that looked like, the layout of the medical campus, when we approved it -- when we last saw it?

Allen: Yes, I can find one, Commissioner Cassinelli. It was roughly in this location right here, though. It was oriented more north-south and right here where my pointer is. I can find one for you if you will give me a minute.

Cassinelli: Okay. Because if memory serves me, we also saw a completely different rendering of it at one point in time, but I don't remember if that was the first time out.

Allen: Yeah. There were several iterations of the concept plan. It's been constantly evolving based on staff -- staff recommendations and the public's requests as well.

McCarvel: Any other questions for staff? Okay. Is the applicant with us? If you could raise your hand. Oh. Okay. Mr. Connor?

Connor: Yes. Hi. My name is Patrick Connor. I would like to share my screen if I can.

McCarvel: Okay. And if you could state your name and address for the record.

Connor: Yes. Thank you. My name is Patrick Connor. Address is 701 South Allen Street, Meridian, Idaho. 83642.

McCarvel: Thank you. Go ahead.

Johnson: Madam Chair. Mr. Connor, you should have the ability to share your screen now.

Connor: Okay. Thank you. One moment, please. Hey, Stephanie? Okay. Thank you. Sorry for the technical difficulties. As I said before, my name is Patrick Connor with Providence Properties. This is the third time we are presenting this project to you all at the Planning and Zoning Commission, with the exception of Commissioner Holland, I don't think you have seen this full presentation, so I would like to run through it just so you have an understanding of the full project. As I get to different parts of it where things have changed I will stop and spend extra attention, so the full Commission can see what we have changed and improved. So, this is Prescott Ridge. The location -- the project location is in northwest Meridian, just south of Chinden, and east of McDermott Road. Everything you see on the screen here is either platted, built, under construction or approved for construction. The project does include 28 acres of a site that's owned by West Ada School District. It's part of our project to get them legal -- get the legal lot legally annexed and zoned as part of our application, but it will develop separately from our project. Here is a future land use map. The majority of the site is medium density residential, with the north portion as mixed use regional. I also want to point out that a portion of the Peregrine Heights neighborhood is also mixed use regional to our northwest. The current zoning. To our south is R-4 and R-8. To our north is general commercial. The requested zoning boundaries -- we requested about 16 acres of general commercial, 7.92 acres of R-15 zone, and about one hundred acres of the R-8 zone as shown on the map. This preliminary plat, as Sonya alluded to, has not changed really at all, with the exception of the addition of the 1.2 acres as requested by City Council. So,

that is now part of this preliminary plat, as shown in the north corner of the property. Three hundred and seventeen single family lots, 38 townhome lots, eight single family attached two unit buildings. We have 14 multi-family lots with four-plexes on each of those lots. So, it totals about 56 units. Forty-two common lots. The one medical campus lot, about 16 acres, and, then, the Ada county -- or West Ada School District parcel, which is 28 acres. Our qualified to open space is about 15 and a half percent, which is shown on this map. I should note that this excludes the commercial property and the West Ada School District property. It does include what is included in the residential portion of the project. We do have a main central park with a pool and a clubhouse, with a large tot lot. We have pocket parks scattered around, including two tot lots and a dog park on the west side of the property. Here is some renderings of that central clubhouse with the pool and the large tot lot and here is some renderings of the smaller tot lots and the pocket parks around the property. The pedestrian connectivity is always a big necessity for community and it's always a big amenity that people desire. So, what I have shown here are the pathways that are through our common lots that kind of break up the -- the blocks to allow for connectivity and pedestrian connectivity and also recreation. There is also a ten foot Parks Department pathway that runs from the north of the property through the medical campus, through the cul-de-sac, through the center of the property of the center park and to the school district site. Also the ten foot pathway continues down Rustic Oak to Rustic Oak -- or Oaks North south of our property. Here is a shot of the phasing plan. Just want to point out the -- phase one hasn't changed. We are building the full extent of Rustic Oak in our property from the south portion all the way to the north portion. This was something that the Fire Department liked and that the city did like, because it offered two points of access to our south to Oaks North and also to the north at Chinden and, then, extends all the way farther west to McDermott with those two points of access to ensure that the fire emergency response time is up to snuff and up to their level of service. With this full build out of Rustic Oak from the very beginning it will connect to the Oaks North, Rustic Oak and, then, down to McMillan. Both the Fire Department and the Police Department have said this would improve the police and fire response times for the entire area. We do have 15 neighbors to our west that are not in the city limits, but they are in the county, but we have paid attention to their access point on the south of their cul-de-sac. We are stubbing a road here. To ensure that they still have emergency access or to give them a secondary emergency access we have offered to install an electronic gate with an opticom device that would not impede their response time, but also prevent any through traffic or cut-through traffic through Serenity Lane from Prescott Ridge. In working with a neighborhood over the past year we have made a lot of different changes, particularly to the medical campus, but this is one example of a gate that they would like to see that we would have installed on the property to ensure they have emergency access, but to restrict the cut through. I'm going to talk a little about the housing types and then -- and, then, get more in particular about the product. So, the majority of the property is the mixed 45, 50 and 60 foot lots that you see in yellow. Then you have in blue the cluster of 40 foot lots, but the option to have attached units in those. In the green are a townhome variety that we will get into more detail later and, then, the red you will see is the multi-family portion of the site. What you see in purple are large lots, 70 to 100 feet in width. We located these next to our neighbors of Peregrine Heights as a buffer and as a transition to their large lots. In working with the neighborhood and the --

particularly the HOA and HOA board, we have committed to limit the height restriction to single story on these nine lots shown. Particularly this is to make sure that the two stories wouldn't block any sort of view of the mountains that they had and lower the scale of our homes adjacent to their properties. Here is an example of some of our homes for our 40, 50 and 60 foot plans and these are larger 50 foot and 60, 70 and up houses with a third car garage option. Here is an example of our attached single family. So, getting more into the townhouse -- and you have seen a couple of variations of this townhome. This has not changed since the last hearing where we really improved the layout. Just for some background, we now have two points of access of this private drive to Rustic Oak and Wildfire Drive. We have 46 total townhome units, but there is three different townhome product types. There is 29 rear load townhomes, which are the ones in the center and in the north part of the site. These will have two car garages, but their front yards are fenced in, but that's for their -- their private spaces that opens up to a common view MEW here and these open up to more of a private MEW on the north end. We also have front load two car garage units here on the west side. They actually have a backyard that's fenced in for privacy and on the south side of this townhome complex are our two unit duplexes, which are front load onto the -- onto the public road, but also have private driveways. We do have a common MEW area here and we have this amenity pocket park over here with a pergola, barbecues, seating and a fire pit. Here is an example of the rear load townhomes in the center of the site and the north of the site. This is an example of the townhomes on the west portion of the site. These designs are -- actually the architecture is getting updated to match the overall architecture for the traditional townhomes and duplex product. And this is the duplex rendering. Here is an example of some products that we have worked on as a team around the country, different MEWs and how they can live to be communal spaces that open up and are used by the community and here is an example of some amenities that we would have in that townhome gathering park. A private space located in the townhome area. This is one area that we have improved since the City Council hearing in December. Some of the comments we got were having also some private amenity areas for this townhome -- or for this multi-family. So, we included a new tot lot here in the southeast corner, as well as a gathering place here in this area of four lots. We have also included the location of our mailbox kiosk and a service shed for maintaining the landscape around the units. Here is an example of a rendering of the front, side, and rear of these -- of these multi-family four-plex units. We are building these units in two or three other communities around the valley. For all of our homes of all varieties we are committed to a hundred percent energy star certification. Along with Brighton we have delivered the most homes in the Treasure Valley that received this certification of energy efficiency to help decrease energy costs, but also help the environment. All the homes also -- our buyers have the opportunity to come to our design center to customize their home. Here is a shot. We are on the cover of the Parade of Homes last fall and here is a shot of some of our interiors. Lastly, the medical campus. And to answer some of your questions from before -- and I do have an exhibit in here that shows the other layout, but this medical office building was initially shown to you all in this corner over here and some of the comments that we got from the Commission and from our neighbors was it was too close to our neighbors next door and so we located it as far as we could in the northeast corner over here. Also I don't know if you remember, but the southern -- the bottom portion of the

medical office building is retail and a restaurant. Initially the retail and the restaurant were a separate building. We went ahead to make it a true mixed use. Put it on the bottom floor to allow more kind of neighborhood friendly services for retail and -- and restaurant bottom floor and having the top three stories as a medical office. The hospital building was -- most recently has always been oriented this way. Initially, probably about six or seven months ago, the building was rotated 90 degrees clockwise. Some of the comments we got from our neighbors was they did not want the loading zone next to their homes and so we rotated this direction. We also moved it another 40 feet most recently to the east to alleviate it as far away from the neighbors as we possibly could without taking away our ability to park and to loop emergency traffic through the site. Other than that nothing really has changed on this layout for the medical campus. What you see shown and circled in red are the outdoor areas and integration into the neighborhood and just for reference, Commissioner Holland, because this is a commercial site and these are residential, we will have an eight foot high masonry wall on the south and the west portion of this site, as well as a 30 foot wide landscape buffer. We think that this will give a pretty sufficient vegetative buffer between the residential and the commercial uses. There will be two access points of pedestrian access into the medical campus, both here to the townhomes and here is a ten foot wide pathway through the single family that will continue on to Chinden and the path -- the city pathway that's already built. Here is some renderings of the large -- larger hospital building here and, then, this is an example of what the medical office building would look like. The architecture will -- will match what the hospital looks like, but this is the medical office campus that HCA operates in Caldwell and this is the same sort of use and -- and feel that they would have on this campus in Meridian. These are just some schematics of some integration into the park system and pathways, outdoor seating, walkways through greenspace and areas for people to gather outdoors. So, that concludes this presentation. As Sonya said before, we were remanded from City Council to include that other parcel,. Answer any questions on that. That outparcel is now acquired by us. So, it's part of this application. So, it's no longer a what if it becomes part of the project, it is now part of the project. We are very happy to present this to you all again and, hopefully, I was able to fill in any sort of questions you had on things that we have changed and, hopefully, was able to remind you of some of the good and positive aspects we have in this project. So, with that I stand for any questions.

McCarvel: Yes. Thank you, Mr. Connor. I think that, you know, getting that parcel in -- included in this and being able to see the finished product is very helpful. Do we have any questions from the Commissioners for the applicant?

Holland: Madam Chair, I would say thank you for the -- the overview, because I wasn't here for the first time this came through. I might have been on maternity leave when that one came through. So, thanks for the overview. I appreciate it.

McCarvel: Any other questions? Okay. Do we have anybody signed up to testify on this application?

Weatherly: Madam Chair, we do not.

McCarvel: Okay. With nobody being signed up, is there anybody in the audience, if you just hit raise your hand or star nine.

Weatherly: Madam Chair, I see a couple people raising their hand. Cory Coltrin. One moment, please.

McCarvel: Okay. Go ahead, Mr. Coltrin. Please state your name and address for the record.

Coltrin: Madam Chair and Commissioner, this is Cory Coltrin at 6178 North Serenity Lane. I am the third lot from south off of Chinden down Serenity Lane, just as a reference there, and I would recommend to the Commissioners and to the chair that you reconsider or turn down, actually, the rezoning from RUT to C-G, that that be denied. We have got a 25 year neighbor -- and the reason for that is we have got a 25 year plus neighborhood here. I have been here 22 years now. I have got my -- raised my family here. I have got my life invested into this property. We always knew that, you know, at some day there would be some type of growth going on and -- behind us and -- and we -- we knew that. But the idea to change this from RUT to C-G and put a hospital right in our backyard just breaks our heart and it's going to significantly impact us, you know, and I'm also concerned with -- with the access that they are proposing off of our private road and I know we are going to have some comment on that coming in, but I just want to -- to voice my opinion that I am totally opposed of this medical campus. Yeah, they -- you know, they are going to put an eight foot wall, but how does an eight foot wall, you know, block out a 56 foot hospital. Not to mention the -- it doesn't matter how -- how a wall or how many trees -- and the trees just, you know, inhibit our -- our beautiful view that we already -- that we -- we have had of the mountains and what you are going to be taking away also from -- from the -- from the hospital. So, I appreciate your time and you consider denying the rezoning of that -- that parcel of property. Thank you.

McCarvel: Thank you, Mr. Coltrin. Anybody else, Adrienne?

Weatherly: Madam Chair, I'm going to allow Mr. Jacobson to talk. One moment, please.

McCarvel: Thank you.

Jacobson: Madam Chair, can you hear me?

McCarvel: Yes. Please state your name and address for the record.

Jacobson: Very good. My -- my name is James Jacobson. My address -- my -- my residential address is 8386 West Sundisk in Boise. But my purpose in being here tonight is that I was recently approached by the Peregrine Heights HOA. I am an attorney with the law firm of Sasser and Jacobson and Mr. Coltrin has already spoken. He is a member of the HOA and has been my point of contact. My purpose in providing comment is simply on behalf of the HOA. I think that there are some legitimate concerns that have yet to be addressed and I appreciate that the presentation offered some overview and some

additional insight, but I don't think that the -- the issues regarding the abutment to the residential have been appropriately addressed. I think Mr. Coltrin spoke to some of his concerns with regard to that. The ingress and egress off of this frontage road that's been proposed from Serenity Lane I don't think have been appropriately addressed. There was some mention of a gate and using that to try to address the -- the volume of traffic coming off of Serenity Lane into the proposed medical campus, but there was no addressing as to how that gate is going to be used or controlled and how it's going to, then, effectively deal with the potential increased traffic to the medical campus. Also there was some mention of -- by the chairperson of an additional medical facility located just a short distance from this proposed one. I think that's some concern that we have got two medical facilities that are being proposed within a short distance of each other and -- and so I think that this particular project bears some additional consideration regarding those issues that -- that haven't been adequately addressed. I know that this was something that was presented back in September of 2020 and that we are here now with some effort having been made to try to address some issues, but I don't think that they have been. And so as Mr. Coltrin indicated, I know that there is a desire for the project to be rejected, but at a minimum there should be some additional addressing of those issues adequately and appropriately before a vote is taken and approval is given. Thank you.

McCarvel: Thank you. Anybody else, Adrienne?

Weatherly: Yes, Madam Chair. Next will be Sue Ropski. Sue, one moment.

McCarvel: Okay. Ms. Ropski, if you would unmute your mic, the floor is yours. Please state your name and address for the record.

Ropski: Madam Chair, thank you. My name is Sue Ropski. I live at 6262 North Serenity Lane, which for point of reference is -- Cory Coltrin's next door neighbor. I'm the second lot as you come in on the east side. I moved here 21 years ago from Chicago to get away from exactly what I'm going to be sitting in the middle of. I have been a registered nurse for 35 years and I have concerns that we will have medical campuses across the street from each other. Regarding the medical campus in the back of my property, I'm very thankful that you turned the loading dock, but I still have concerns, knowing what goes on at a hospital, I don't see anywhere marked on there now where your medical waste facilities will be and I am concerned with a loading dock still on the side, that the noise will affect our neighborhood. The height of the medical office buildings has fluctuated between three and four feet. So, I just want you to imagine sitting in your backyard looking at a tower of a building that -- I mean my -- my gardens will be gone. I won't have sun in my yard. I just have concerns that this is going to dramatically affect not only our quality of life, but whether or not I'm going to have my basic hobbies that I have been doing from gardening to having a green yard. So, I oppose a four story structure that is going to block my sun, block my view, and change the quality of life. The access road I don't believe has been addressed and I know that my neighbor Mr. Pittman, who is the first street coming in, is -- is very concerned about how that traffic will move alongside his house and into the neighborhood. So, I -- I go along with Cory and I continue to oppose this project. But thank you very much for letting me give my opinion.

McCarvel: Thank you, Sue. Adrienne, who do we have next?

Weatherly: Madam Chair, next is Patricia Buckholtz. Patricia, one moment.

McCarvel: Okay. Patricia, you have entered. If you can unmute your mic and state your name and address for the record. The floor is yours.

Buckholtz: I'm actually not a part of this. I just wanted to see if I could get the name of Mr. Jacobson's law firm again.

McCarvel: Okay.

Weatherly: Madam Chair?

McCarvel: It will be in the minutes. Adrienne, do you know it offhand?

Weatherly: Madam Chair. Patricia, if you want to e-mail cityclerk@meridiancity.org with your request we would be happy to help you with that information.

Buckholtz: Okay. Great. Thank you.

McCarvel: Thank you.

Weatherly: Madam Chair, next we have Cary Pitman. Cary, one moment.

McCarvel: Okay. Cary, if you would like to unmute your mic and state your name and address for the record.

Pitman: The address is 6203 North Serenity Lane.

McCarvel: Okay. Go ahead, sir.

Pitman: Yes. So, as was previously stated, I am the first property going south off of Chinden on the east side and there is -- the -- a proposed frontage road that continues to be an issue on how there is going to be enough space between ITD's right of way and my property line and there seems to be some issues with -- and, of course, the fire chief and those have not been responsive and -- or been in these meetings and there was a point of -- there was a certain amount of space that needed to be between the property line and the ITD right of way that was a minimal property -- or minimal distance and I'm concerned that that's not been addressed in a -- a manner that someone has never really come out and said, yes, we can and cannot have this much space or can't have -- or we need this much space to get a firetruck and/or other vehicles through this space that is considered to be there -- an access to this medical campus.

McCarvel: We will have the applicant address the questions. Did you have any others, Mr. Pitman?

Pitman: Not at this time.

McCarvel: Okay. Thank you.

Weatherly: Madam Chair, next is Doug Haneborg. Doug, one moment.

Haneborg: Can you hear me?

McCarvel: Yes. Thank you. State your name and address for the record, please.

Haneborg: Yes. Thank you, Madam Chair and staff. This is Doug Haneborg. I'm the HOA president of Peregrine Heights. I live at 6002 North Serenity Lane, Meridian. 83646. So, I just wanted to start off by saying that we do appreciate Patrick and his team trying to meet some of our needs and our concerns of our neighbors and, you know, such as like the single story lots that are abutting our larger lots that he spoke of and the southern gate as well. Patrick has accepted and made some adjustments for some of our requests and we do appreciate that. But, however, that being said, there are still ongoing communications with the neighbors of Peregrine Heights to check the support levels of this project and there are still major concerns as you guys have heard previously tonight. Patrick had asked me if I could maybe write a letter in support of the project and I wanted to run that, you know, by our neighbors and get a pulse and I have met a lot of resistance in doing that and I received several responses from our neighbors in writing and I just wanted to share a few snippets of those responses. One neighbor had stated given that we still don't know what else they can sneak in via amendments between now and the time that this is all built out, we not only don't see how we can rubber stamp the plan, but why we should. We are quite sure that P&Z and the City Council don't expect or require us to, especially since they put the whole hospital complex in a separate application in order to move this all through faster. It's certainly not going to be helpful for our neighborhood. In response to Patrick's requests, he was also wondering what other requests that we had and the neighbors feel like we have already been sharing that with him and have been turned down on some of those. For example, a buffer space between some of the back fences and our yards. Fewer houses abutting the southeast Peregrine Heights properties and the fact that they are ignoring the major frontage road issue. Another neighbor response was: I'm hesitant to sign off on a letter of support. Each time we meet more details come to light. Since the hospital campus is an evolving project, things can continue to seem to change. Another neighbor wrote: We are adamantly opposed to having a hospital next to our subdivision. I have always expected that there would be a nice residential neighborhood behind our property, but would never have imagined someone would try to put a hospital there. Lastly, another neighbor wrote: I'm not a supporter of this project. I have no desire for a large structure behind my house with parking lot lights everywhere blocking the view that was one of the reasons why I purchased this home and the road that they want to put 25 feet from our yards is not acceptable. As previously stated by other people tonight, too, there is a consensus that the private road and it being owned by our HOA, legally the development cannot tie into a privately owned road for their access requirements without our consent and so that

seems to be an ongoing discussion and issue. That's all that I have at this time. So, thank you, Madam Chair.

Fitzgerald: Madam Chair?

McCarvel: Commissioner Fitzgerald.

Fitzgerald: Mr. Haneborg, could I ask you a quick question?

Haneborg: Sure.

Fitzgerald: So, when the highway district or ITD eventually closes your road off, where are you going to get access? Because that's what is eventually going to happen. We have been -- we have been -- in the earlier conversations about this that is the access to your neighborhood, whether it be private or not. It is likely going away in the next five to ten years. Is that -- can we agree on that?

Haneborg: Well, that's what it sounds like and that's kind of our question, too, because if this project requires two access points and that one's being taken away, then, it doesn't have two access points.

Fitzgerald: It does. On McDermott it has one on -- on Chinden. So, I'm confused. I think beforehand we were -- we kind of found an even medium by hopefully giving you guys a gated access for that until your right-in, right-out comes into play and, then, the actual eventual termination of your road goes away. So, I thought we had come to that --

Haneborg: So, that would be the southern -- the southern access point with the gate. But the frontage road is still an issue, because if you are saying their second access point is off of McDermott, then, what's -- what's the need or requirement now for the access point on our private road?

Fitzgerald: And I think it was for you guys, to be honest, and --

Haneborg: No. This is --

Fitzgerald: We will let Patrick respond to that, but --

McCarvel: Okay.

Haneborg: And I think it's been a consistent issue and one of the largest concerns is that road tying into our private road. You know, there is -- like you are saying, what the highway is going to do is what the highway is going to do and so that's why we don't even understand that if in five years I agree with you, if they block that, then, it's a null and void, you know, reason now, because within five years what's even the point of that road there tying into ours if it's going to be blocked off anyways and that's one of the concerns, because, then, if for those five years we just have an excess of traffic that, you know, isn't

necessary or required. And, again, there is no other access road anywhere down Chinden. Not even on the busiest intersections or any of those -- any neighborhood there is not one I have seen anywhere. Do you guys know of any? So, it doesn't make sense to us why this little strip has an access road that will probably be not accessible in five years as you are stating. That's part of our -- our issue, too. And, then, you want to put it 25 feet from someone's yard, you know. So, that's where we are stating that there is -- it's not clear, it doesn't really make sense and if you are saying their other access point is McDermott, then, that's -- that makes sense; right? Because that's a future -- those are the two -- that's what I have been saying, too. If it's McDermott and Chinden, then, why are we putting an access road for, you know, a short -- short little gap that there is no other access roads anywhere else down Chinden on north or south and if it's just to fulfill a little requirement or something for the hospital, that's where it doesn't make sense to us.

Fitzgerald: Appreciate it.

McCarvel: Thank you, Mr. Haneborg.

Haneborg: Thank you.

McCarvel: Do we have anybody else, Adrienne?

Weatherly: Madam Chair, I don't see any other hands raised.

McCarvel: Okay. And, Commissioner Seal, do we have anybody in chambers wishing to speak?

Seal: We do not.

McCarvel: Yes?

Seal: No.

McCarvel: No. Okay. Okay. Would the applicant like to come back up and address the issues that we have heard?

Connor: Yes, I would.

McCarvel: Okay. Go ahead.

Connor: Before I address them, Sonya, do you want to talk a little bit about the Code, UDC 11-3H-4B that tied us to the frontage road with the intent to connect to adjacent properties, particularly the property on the west side of Peregrine Heights?

Allen: Madam Chair, would you like me to address that?

McCarvel: Sure.

Allen: Thank you. Madam Chair, Members of the Commission, the city code requires a frontage road adjacent to state highways. So, it's the -- the access road is not simply serving as an emergency access from Chinden. I mean it is, but the -- the main reason for the access -- well, let me back up. With -- with the first phase of development the applicant is proposing to construct a collector street that's going to extend from Chinden Boulevard to the property's south boundary, which will eventually connect through to McMillan Road. So, that will eliminate the requirement for -- for an emergency secondary access from the Fire Department when that is constructed. The -- again, back to the frontage road requirement. That is a -- the UDC requires frontage roads to restrict accesses to state facilities for safety reasons. So, people aren't constantly, you know, slowing down, pulling out into traffic. So, that will serve as an access road between the property to the west of Peregrine Heights Subdivision when that redevelops and that will provide an access road out to the signalized intersection at the collector street Rustic Oak Way and Chinden. So, the applicant isn't really -- it wasn't their idea to propose this road, it was -- it's a city code requirement. With the State Highway 16 going in further to the west there it -- it locks in this property -- kind of landlocks it without these access roads. Hopefully that helps.

McCarvel: And I guess to Mr. Connor, then, we have had several questions about that access road, if it fits.

Connor: Yes.

Allen: Yeah. And I can actually respond to that, too, Madam Chair. Joe Bongiorno, Deputy Fire Chief, has been out to the site, has inspected the road, as well as reviewed the -- the plans and he has determined that it meets the fire department standards for access, which will also meet the city code requirements for frontage road as well.

McCarvel: Okay.

Allen: And the frontage road is not a public road, but more of a private driveway access, just to clarify.

McCarvel: Okay. And, Mr. Connor, I think we had also questions about where the medical waste was going and the -- the gate for the emergency access.

Connor: Yes. Thank you, Madam Chair. I will answer all the questions that are brought up.

McCarvel: Okay. Great.

Connor: So, just some quick background. I think we have had three -- either three or four neighborhood meetings about this project and the comment about the site changing and moving around is accurate. I would say it's changed because of comments and us

trying to accommodate changes that are asked either by the neighbors, by staff, or by the Commission. So, we are changing it. I would argue that we are improving it to be a better product -- product -- project, but also a better neighbor for the neighbors. So, just briefly just going through it, yes, by city code we are required to have the frontage road. The intent of their frontage road is to connect to the property on the east side. I have worked with the current planner that's working on that project on the east side of Peregrine Heights to coordinate a plan as was recommended by staff and by Chief Bongiorno to ensure that they have that access road as well -- that frontage road as well. We understand that it does kind of create a unique situation with the driveway to Peregrine Heights. We have offered to put in -- put signs that say for emergency use only and trying to deter any sort of traffic from using that road, as well as not printing any sort of signage for the hospital to use Serenity Lane, but to drive all the traffic through Rustic Oak. So, that's one accommodation that we want to ensure. If and when the access to Serenity Lane does go away, the -- the only point of access will be the southern part of Serenity Lane through our project. So, we did do a few changes to the building. So, we oriented the loading dock -- and this is also the location of the trash receptacles, which is on the south side of the building. That was a recommendation by -- by Ms. Sue Ropski and we made that change pretty early on in the revisions of this project and we maintained it. The comments about the height of the building, so the hospital building, the larger building, was made three stories and combining the restaurant and retail into the medical office buildings it did -- it's at four stories. That's -- the initial application was a three story building for the medical office building. Again, moving it all the way to the northeast corner we were trying to alleviate the concerns that were brought up at a previous public hearing that the building was in the wrong location. The attorney, Mr. Jacobson, saying that there is still concerns to be addressed. We have been addressing concerns throughout this project. At the last neighborhood meeting I had two big takeaways from the HOA president, the HOA members and neighbors. The first concern was -- and I believe it came from Mr. Coltrin, but he wanted to see the hospital moved over further east. I moved it I think 30 to 40 feet further east, while maintaining the necessary parking that we had on our east side, but also allowing enough traffic moving to the ambulance entry as I previously said. This is as far east as we can move the building to make it work and function as a hospital. So, that was the first request from the neighborhood. The second request is that we look at decreasing the height of our residential units adjacent to them. Initially I was only given the permission to decrease the height of four houses. I had bent over backwards and asked for permission to move that number to nine as recently as just a few days ago. The HOA president Mr. Haneborg asked me for an additional lot to be dropped down to one story and I made that accommodation. So, that's nine houses that we are taking down to help their view -- their view shed. Also this building in the northeast corner, the medical office building, we orientated it east-west. That actually will take away from some of the visibility of the emergency room and the hospital building by moving in that direction. The sole reason for this movement was to help alleviate some of the questions and the concerns that these neighbors have had about their view. So, those are the concerns that have come up in the most recent neighborhood meeting and all neighborhood meetings and I have asked if there is anything else that is to be addressed. They have brought up the issue of the frontage road required by code. I believe that those issues are addressed and it's necessary for access, as well as it's part of code and

it's part of this project and so there is really nothing that we can change on that. There is alternatives if -- if and when -- a possibility in the future, as this whole area here -- pretty much the whole scene that you see is on the future land use map for mixed use regional. If and when these homes redevelop we could potentially have a stub road at this point. There is -- there is options down the road for how this whole area can redevelop in the future. As far as the parking lot and the lights and -- and having that use, we will be using -- using parking lot lights that only shine on the pavement and not up in the air. This hospital, just for clarification, is going to cater towards women services. Typical hours are, you know, 7:00 o'clock in the morning until about 4:00 o'clock in the afternoon for most of the surgeries and the operations. It's a fairly lightly used hospital use. It's not a trauma hospital, so any sort of big issues or ambulances will go to St. Al's or St. Luke's and not to this hospital. The ambulance entry is really only required because of the level of surgeries that they would do for the outpatient surgeries in the hospital. So, also any sort of -- you have regulations for no sirens and no lights adjacent to certain neighborhoods. So, that's a policy they have to not disturb any sort of residential areas around the area. So, just another clarification. We are -- we are about -- I think it's -- and I can do the measurement, but I think we are over 120 feet from the edge of the property line. This buffer zone is 30 feet, plus 20, plus probably another -- I would say 80 to 100 feet and so the argument that the building is 25 feet from the property line is not an accurate representation of this project.

Hopkins: Yeah. I will add some things. This is Stephanie Hopkins with KM Engineering. 9233 West State, Boise. 83714. Just to kind of touch on a couple of the code related things and to kind of add to what Patrick has already said. I think Doug and maybe another neighbor had mentioned that they think that we are kind of sneaking things through. I think Patrick did a good job of, you know, explaining how many times we have met with neighbors and all the conversations we have had with them and staff and -- and other stakeholders in the area. Additionally, any applications that were -- that the hospital will have to have a conditional use permit, which will include more detailed plans, more requirements, such as photometric tests and -- and other things that will require that we make sure we are not disturbing them with light and that any noise is mitigated and we comply with design standards. In that application and through the next -- and the application, after that we would have to comply with all the code requirements and -- and the neighbors would have another opportunity to talk to us about their concerns and thoughts, too. I think Doug had also mentioned that he was hoping to see residential in this area and, as Patrick had said, this area on the future land use map is designated mixed use regional zone, which the future land use and that -- that area really does guide development towards higher developments or higher density developments for residential properties. So, really, the only residential designation we would be able to request here is R-15 or the R-40 zone and, in fact, they actually hope that you are going to have more of a commercial and a regional draw to the area. So, that's kind of where we landed with this project through several discussions with the city and, you know, just looking to see what makes sense in the area. So, I think that's all I had to add.

Connor: I just want to add just one more thing. There has been some mention of there is already an unimproved medical campus across the street. We are fully aware of that.

In fact, HCA, who is attached to this project, was initially attached to that project and so they decided that their relationship would be better used with us on this side of the street and so from -- from a resident and a user standpoint having multiple medical options nearby is actually beneficial as a consumer. You, potentially, have more access to a variety of doctors and options, potentially at lower cost of surgeries and operations, as well as there is some efficiency and it's smart to have an adjacency of uses of -- of similar medical professions across the street from each other. So, it can be almost like a medical hub. Obviously, the market will dictate what services that each of the hospitals provide, but in many cities all across our region and around the country there are many different medical operators who operate adjacent to each other and this is not to be, you know, to be in competition at all times, but also there is real efficiencies and this can be a real win for the city and for the consumers from a medical standpoint. So, I think that covered most of the questions that were -- that were brought up.

McCarvel: Do we have any questions for the applicant?

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: So, I may have missed it. I apologize. The hospital is -- was it five stories? Is that what I heard?

Hopkins: Madam Chair, Commissioner Yearsley, it's -- it's a three story hospital.

Yearsley: Okay.

Hopkins: Four story medical office building with the retail and restaurant on the bottom floor.

Yearsley: Okay. So, for a long the residence to the west I know we got a 30 foot wide buffer with trees. Are you planning a fence or a structure of any kind to block the noise?

Connor: Commissioner Yearsley, by code we are required to do an eight foot tall masonry wall.

Yearsley: Okay.

Connor: So that -- and, actually, in talking with the neighbors over this time, they may -- I believe were -- were happy with the 30 foot buffer and -- but they also were saying, you know, we don't want too many trees, because we don't want them to grow too high, because that would obstruct the view even more. So, we want to make sure that we work with the neighbors ensuring that we put in appropriate species of trees there that you don't completely block out their view. So, that's something that we want to make sure that we work with the neighbors as we pick the right species of trees to offer the visual and sound barrier, but -- but not too much.

Yearsley: Okay. Thank you.

McCarvel: Any other questions for the applicant? Okay. Seeing none, I would entertain a motion to close the public hearing on H-2020-0047.

Yearsley: So moved.

Seal: Second.

McCarvel: I have a motion and a second to close the public hearing. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: ALL AYES.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Let me start out by saying I sympathize with the folks that share this -- the border there to the west. So, I have had a place with a view twice in my existence here in Idaho and I have moved out of both of them, because houses or something else were built behind me. So, I very much sympathize with that. But I mean how do we protect a view? It's not in our purview. It's nothing that anybody owns. We have been through this before with other applications and although I sympathize with them, there is also an understanding when you move in that there is going to be building around here. There is -- there is no stopping it at this point in time. Hopefully we have done a good job in mitigating, you know, the growth that comes here and making sure that we are responsible about it. I mean I know that so far I mean I have just been jotting down -- I mean the hospital was turned and lowered. The fencing was revised. They put in a 30 foot pathway. They have put in an electric gate. ACHD has approved -- I mean the city was the one that asked them to put in the access point. The commercial building has been moved. They lower the houses to one story around. They are working with West Ada School District to bring in a school. I mean I can't think of -- and through the entire process I think that they have tried to be very transparent. I mean we have worked with a lot of developers and builders that I feel are not transparent, they are trying to get away with an absolute minimum and bring things in. I think these guys are being very creative and I think they are trying to add something to the community that I think is sorely needed, not only in services, but in jobs as well. So, having all that done and, again, there are -- there has been a lot of changes. I mean we have seen this thing three times now and all the changes that I have noted here and everything that I see coming through are all because of recommendations that have been made. I don't see anything that's coming in here as, you know, they are trying to sneak in or put it in sideways or whatever the verbiage is around that. So, I mean at some point in time you have to accept that you are going to have neighbors. That's -- I mean it's an unfortunate thing and, again, I sympathize with that. But, you know, at least it's not a big box store or you know -- you

know, an R-40 or something like that coming. I mean a quiet little hospital that's sitting there, I would almost welcome it in.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I would like to echo a lot of what Commissioner Seal just said. One of the things that, you know, we have seen this, like he said, three times and I -- I feel for the residents that are next to this project. One of the things that kind of keeps them back is this -- and I know this is not their intent, but the compromises that have been made are not -- it's not a -- it's not a capitulation to do everything that is asked of the developer, there is a compromise that has to come from both sides, and I feel like throughout this process that that has been the goal of the project is to meet in the middle on a lot of these things and so I -- I applaud, you know, the changes that have been made and some of the things that they have changed even since we saw it last time in the residential piece, I -- I like, you know, what they have done with the -- that four-plex area and making that more of a livable space and the -- I continue to like what they did with the -- I think it was the second time we saw it when they changed the townhome section to have the MEW and creating that sense of space within that area. The whole project has done something that I appreciate, which is creating a sense of space, a sense of community within a project and I think tying that into the medical campus is great with what they have done and I -- I'm in favor of where they have moved the medical office and the consolidation of it into one building. I know that added a story, but it did improve the -- the traffic flow in that area and it provided a -- provided a different aspect that seemed kind of cramped before, but feels like it -- it will really do what they had intended to do from the get go. I think that, you know, where this is next to the state highway is a great location for a hospital facility and especially where, you know, it's going to have the two highways crisscrossing not far from this and it's also going to improve what else is going on in this general area with, you know, bringing jobs out to northwest Meridian where, you know, we need to continue to have places for people to work near where they are living potentially and so we don't want to have solid -- just solid, you know, residential use throughout an area. It -- it doesn't hold up well in my opinion over time.

McCarvel: Thank you.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: So, here is my -- you know, one -- one thing I will -- I will note. There seems to be far more comments by the residents of the -- of Serenity Lane there this time than -- than last time, which -- which is interesting and I thought we hit a lot of the concerns last time. But here is what really -- here is what's kind of getting -- getting to me and bothering me. When we first saw it back in September it was a -- it was -- one of the buildings was four story and one was three and, then, when we saw it in October and I

think we went past midnight that night and I hope we don't do it tonight, but when we -- when we saw it then and went over it, they had reduced the height of -- of both buildings and taking them to three stories and that was -- I think that was a big part of -- and we liked everything else they did on the residential set, but I -- but I think that that was a big thing with -- with all the Commissioners, that they -- that they really looked at that and they -- they -- they did what they could to work with the -- with the neighbors there to -- to reduce the -- the height to try and keep a view to a degree. They moved -- you know. And we had asked him that I could -- you know, I'm looking at the motion that we passed last time and it was -- it was a three story medical office building be moved to the east and now that they got that lot they were able to do that, but now they bumped it up to four. So, we approved it unanimously as a Commission at a three story hospital and a three story office building and now they come back today and one of those buildings is now a four story. I don't know how much the hospital has changed. It doesn't look like much. It's -- it has been orient -- reoriented a whole lot from the very first time it was, but it looks like it's pretty similar to when we approved it. But the big one is that we have -- what we approved was a three story, where now they have come back -- kind of feel like a little bait and switch. They have come back now since going to Council with a four story and that's not -- that's not what I wanted last time. I don't know if -- you know, I can't speak for all my fellow Commissioners here, but I do know I'm looking at the motion and -- and what was made there and it was an approval based on both buildings being three stories. So, where -- where I sit -- I'm -- that's what I wanted, that's what I said yea to on the approval and that's what I'm sticking with is -- if they came back four -- or if they came back with the three story on the office building -- and I realize they are trying to put -- they want to put retail and restaurant on the bottom floor. I get what they are doing. But that's -- with all the work that we did and the hours we spent on it, that's what we approved and now we are -- we are -- we are looking at something different now to approve it and, really, all Council wanted to do was kick it back to us until -- until we had that parcel as part of it. Well, now it's -- the design has changed since what we approved. That's what I'm trying to say. So, I -- personally I can't get behind it.

Fitzgerald: Madam Chair, can I ask Commissioner Cassinelli a question?

Cassinelli: Yeah. You bet.

McCarvel: Yeah. Commissioner Fitzgerald.

Fitzgerald: So, I get what you are saying. I think the -- if I recall correctly -- and you can correct me if I'm wrong if you are looking at the notes, but there was a request to not only bring that -- that parcel in and try to incorporate it, move the medical building over, but also include retail. That was a direction they gave them -- we gave them. So, I think they are going after the direction we gave them or at least that was my understanding of the direction we gave them. Because we would like to see some type of retail restaurant pad, something there that incorporated that into just -- not just an office building. So, I mean moving it, you know, 50 to 80 feet or more, I'm not sure exactly what -- at least a significant amount is much more than the angle you are looking at if you -- if you had it in the middle of that parking lot and so we approved it not knowing exactly if that thing was going to be

-- it was going to be approved with that new lot or not and it was in the middle of that thing. So, we had moved it over 80 to 100 feet and it's added a story that we asked for. I mean we didn't ask for that specifically, but we asked for retail and restaurants to be on that pad somewhere. So, I don't think they are bait and switching, at least I don't want to put words in their mouth, but I don't think there is a bait and switch going on. I think there is -- they are listening to us and trying to incorporate what we asked them to do. So, that -- at least that's what I took away from it.

Holland: Madam Chair?

McCarvel: Commissioner Holland.

Holland: Can I just ask a clarification question to staff? Do we have anything planned to the east of this development on Chinden right now or what the future use map is there -- is still continued -- possible commercial zoning there?

Allen: Madam Chair, Commissioners, we do not have anything directly to the east yet. That area is also designated mixed use regional. I believe there is a landscape company there now.

Holland: So, it's likely that at some point that would continue with more commercial?

Allen: That's correct.

Holland: Okay. Thank you. I don't know if you want me to make my comments now.

McCarvel: Go right ahead.

Holland: I -- this is my first time really looking at this application, because I was out the last couple times you guys heard this. I think, again, I was maybe on maternity leave or elsewhere, but apologies for not being involved in that before. I love -- I really like commercial developments. Obviously, that's my background is economic development. Hospitals bring great jobs. They bring great wages. They bring great amenities that are needed for communities. So, people don't have to drive as far for medical services. If I could have picked where to put one I wouldn't have chosen to put it necessarily next to an R-2 subdivision, so that's -- that's my challenge to looking at it and I know it sounds like you guys have done significant rounds of conversations on how to be as amenable to that neighbor as possible. It's tough. I would -- I think it looks like they have made some good concessions to try and fit in there. The residential component I think it's -- it's a well balanced project. The only heartburn I'm having is still with that Serenity Lane and how that ties in. I wish that there could be another row of homes to transition it, but I know that that would probably still have some heartburn for those folks as well. So, I commend you all for making the recommendations you did. It looks like they have integrated a lot of those components. I would also agree with Commissioner Fitzgerald's thoughts on the -- moving the building to the east. If it's going to integrate with future commercial you are likely going to have other structures that will come in at a height and

you are kind of transitioning it over to the east side. I think it might be far enough away that the difference between a three story and a four story is not going to make a huge difference where it's located. So, I'm okay with the four story building there for the office, because it adds the -- the potential to have more restaurants, live-work spaces available to the public there, but I certainly commiserate with the Serenity Lane folks and I'm struggling on how to help them, but it's -- it's tough that that neighborhood is located next to this project or that this project is located next to that neighborhood, which ever way you put it. That's my only heartburn.

McCarvel: Mr. Yearsley.

Yearsley: Yes, Chairman -- or Chairwoman. You know, it's -- I guess for me is the homeowners, you know, to the east -- to the west has had a great opportunity for 20 years to live out in peace with -- with nobody around them and, unfortunately, growth has finally caught up to them. As I have been listening tonight I have -- I have tried to determine is the use appropriate for the area. Initially I thought that the hospital was five stories, but three stories I don't see as a big an issue, especially as far away as it is. My one concession is they are going to do an eight foot wall -- masonry wall. I would consider making a motion go ten feet tall if -- if, you know, as an option just to give a little bit more screening for the homeowners if they prefer. I have watched and seen other areas have the same issue with remote residents out in the -- out -- out in the fringes getting caught up and it is tough, I feel for them, but at the end of the day, you know, development has come close up to them. It may not be the development that they want, but I think it is an appropriate use given the location to the highway and the future State Highway 16 and so I think with that -- and, then, also I echo Commissioner Fitzgerald. We asked them for some rough commercial and I like where they put that and added the story there just to give -- and it's far enough away that I don't think it will be as big of an impact as more commercial use on -- closer to them. So, with that I would be in favor of the project.

McCarvel: I guess I will go ahead and throw in my two cents. I think with the highways where they are -- I mean they just -- we need to have -- it begs for a regional use and I feel bad that they have -- you know, that their houses were once upon a time next to a much slower moving highway or way less traffic, but the growth has come and I think it's an appropriate use and, yeah, personally I think I would rather have this than a big R-40 development right behind me and that's -- you know, a 15 or a 40 is what could potentially be there. I think this is probably a better transition and saves the view and probably less noise for more of the homes there, because you have got, you know, parking lot for the most part not obstructing several of the home views, so -- and I think the applicant as well as done a lot. I mean a lot of what we have asked in working with neighbors, you know, like I said, it doesn't -- sometimes it's just not everything you want, but I think they have done a good job in providing better access in the future for what's coming. Anybody else? Comments? Motion?

Yearsley: Madam Chair, I will make a motion.

McCarvel: Commissioner Yearsley.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2020-0047 as presented in the staff report for the hearing date of January 21st, 2021, with the following modifications: That the block wall to the east be raised to ten foot upon approval of the homeowners association of that -- that increase at City Council.

McCarvel: Commissioner Yearsley --

Allen: Madam Chair?

McCarvel: -- did you mean west? Yes, Sonya.

Allen: Clarification. Yes, I believe he meant west.

Yearsley: Yes.

Allen: But city code restricts the maximum height of fences in the commercial districts to eight feet in height.

Yearsley: Okay.

Allen: However, you could -- you could require a two foot berm with an eight foot tall fence on top --

Yearsley: I like that, Sonya. You are awesome.

Allen: -- for the same result. And they could also apply for alternative compliance to that section of code that restricts height to eight feet as well. So, either one of those options and you could -- you could allow for either of those options if you would like. Alternative compliance has to be approved by the director, so there is no guarantee in this forum that it would be approved.

Yearsley: I like the -- I would like to amend my motion to add a two foot berm with an eight foot block wall to the west.

Seal: Madam Chair, quick --

McCarvel: Oh. Could we --

Seal: -- if I could make a point. We -- I mean the whole argument started out we were trying to protect a view. If we put a ten foot fence and they are going to have a view of concrete.

Yearsley: Well -- and I -- you know, for me it was -- is based on, you know, if the homeowners association doesn't want that that they can say no. That was my -- my motion is based on approval of the homeowners association.

Seal: Okay.

Yearsley: My only concern was the noise from the hospital, trying to help block the noise.

Seal: Understood.

McCarvel: Okay. Is there a second?

Holland: Second the motion of Commissioner Yearsley.

McCarvel: We have a motion for approval of H-2020-0047 and a second with modifications. All those in favor say aye. Opposed?

Cassinelli: Nay.

McCarvel: Motion carries. Thank you, Mr. Connor and Stephanie.

MOTION CARRIED: SIX AYES. ONE NAY.

McCarvel: Next on the agenda is -- I think I will stop real quick. Does anybody -- do we want a five minute break or do you want to plow through? Okay. It's 8:32. So, let's do five minutes.

(Recess: 8:32 p.m. to 8:38 p.m.)

8. Public Hearing for Aviator Subdivision (H-2020-0111) by The Land Group, Inc., Located near the Northeast Corner of N. Black Cat Rd. and W. Franklin Rd.

- A. A Comprehensive Plan Map Amendment to return the subject site back to the future land use designation of Medium-High Density Residential (MHDR) for the purpose of developing the site with residential instead of a school site as previously approved.
- B. A Rezone of a total of 9.8 acres of land from the M-E zoning district to the R15 zoning district to align with the proposed map amendment.
- C. A Modification to the Existing Development Agreement (Inst. #2018-079763) for the purpose of removing the subject property from the boundaries and terms of the previous agreement and enter into a new one, consistent with the proposed residential concept plan.

McCarvel: Okay. So, we will reconvene and start -- next item on the agenda is the public hearing continued from January 7th for Vicenza North Subdivision, H-2020-0108, and we will begin with the staff report.