

Seal: So -- and nothing else can notice in that time, so that's probably it. Okay.

Weatherly: That's correct.

Seal: So, can I get a motion on continuance for H-2021-0102 to the date of 4/7/2022?

Lorcher: Mr. Chair?

Seal: Go ahead, Commissioner Lorcher.

Lorcher: Motion that Pavilion at Windsong, Item No. H-2020 -- H-2021-0102 for a continuance on April 7th, 2022.

Wheeler: Second.

Seal: It's been moved and seconded to continue File No. H-2021-0102, Pavilion at Windsong, to the date of April 7, 2022. All in favor say aye. Any opposed?

MOTION CARRIED: SIX AYES. ONE ABSENT.

6. Public Hearing Continued from February 17, 2022 for Vanguard Village (H-2021-0081) by Meridian 118, LLC, Generally Located 1/4 Mile South of W. Franklin Rd. and S. Ten Mile Rd.

- A. Request: Modification to the Existing Development Agreement (Inst. #110115738) to replace it with a new agreement for the proposed development.
- B. Request: Rezone of 7.06 acres from the C-C to the H-E zoning district, 17.38 acres from the C-C and H-E zoning districts to the M-E zoning district, 40.33 acres from the R-40 and C-C and M-E zoning districts to the R-15 zoning district, and 1.10 acres from the H-E to the C-C zoning district.
- C. Request: A Preliminary Plat consisting of 8 building lots and 6 common lots on 115.26 acres of land in the R-15, C-C, H-E and M-E zoning districts.
- D. Request: A Conditional Use Permit for a multi-family development consisting of 552 dwelling units on 40.33-acres of land in the R-15 zoning district.

Seal: Okay. Now, we have all heard me talk long enough. I would like to open -- or I would like to continue the public hearing for Item No. H-2021-0081, Vanguard Village, and we will begin with the staff report.

Allen: Thank you, Mr. Chair, Members of the Commission. The application before you tonight is a request for a rezone, a preliminary plat, and a conditional use permit. A development agreement modification is also proposed, but it does not require action from the Commission tonight, only City Council. This site consists of 115.26 acres of land. It's zoned C-C, H-E, M-E and R-40 and is generally located a quarter mile south of West Franklin Road and South Ten Mile Road. This property was annexed back in 2010 with a development agreement that included a conceptual development plan for the overall property that consisted of a mix of high density residential, commercial, mixed employment and high density employment uses. The Comprehensive Plan future land use designation is shown there on the left map. It's mixed use commercial, medium high density residential, mixed employment and high density employment. A modification is requested to the existing development agreement to replace it with a new agreement for the proposed development. The original agreement included a conceptual development plan as shown that depicts a mix of uses consisting of flex office, condos, and townhomes, ground level retail with residential and offices above, research and development, restaurants, offices, parking structures, an amphitheater and park areas with lakes. The proposed concept plan also depicts a mix of uses, including a multi-family development with garden style apartments and townhome style units on the north portion of the development at a gross density of 13.63 units per acre. Flex uses of approximately 410,000 square feet, which may include office, light industrial and other uses, such as distribution and light manufacturing and that is on the southwest portion of the development there. Vertically integrated residential commercial retail uses -- and that is on the -- this area right here and nonresidential uses, such as corporate campus, business and professional office space, research and development and limited retail and service uses of approximately 380,000 square feet and that is this area along the southern boundary of the property. Conceptual elevations were submitted for these uses and this is the four story vertically integrated residential and retail office that I mentioned and, then, this is the mixed employment at the southwest corner. The C-C product along the northern portion of the west half of the development. Mixed use commercial and high density employment along the southern boundary on the east end. The applicant is proposing a rezone of 7.06 acres of land from the C-C to the H-E zoning district, 17.38 acres from the C-C and H-E zoning districts to the M-E district and 40.33 acres from the R-40, C-C and M-E zoning districts to the R-15 zoning district and 1.1 acres from the H-E to the C-C zoning district. All of these zoning districts currently exist on this site, except for the R-15 district, which is proposed to replace the R-40 district on the northern portion of the property right here, which staff does believe will provide a better transition to the existing single family dwellings to the north. This rezone proposes to reconfigure the boundaries of these zoning districts into more developable areas consistent with the proposed road layout and concept plan. A preliminary plat is proposed as shown consisting of eight building lots and six common lots on 115.26 acres of land in the R-15, C-C, H-E and M-E zoning districts for Vanguard Village Subdivision. This subdivision is proposed to develop in five phases. Further revised phasing plan shown on the right. The first phase of the multi-family development on the north end of the site, zoned R-15, is proposed to develop first with the M-E zone portion second. The second phase of the multi-family development third, the H-E zoned portion fourth and the C-C zoned portion last. Access is proposed to be provided from the northern boundary of this site from West

Franklin Road via South Sunset Point Way and South Baraya Way and from the east from South Ten Mile Road via the extension of Vanguard Way. Coral Reef Way, Sunset Point Way, Umbria Hills and Vanguard Way are all designed as collector streets in accord with the master street map and the transportation system map in the Ten Mile plan. Stub streets are proposed to adjacent properties for future extension. Due to the unacceptable level of service projected at the Baraya Way and Franklin Road intersection and the cut-through traffic projected on Baraya Way and Sunset Point Way north of the site, ACHD is restricting development to the first phase with 136 multi-family units or a combination of commercial and residential development that generates approximately 75 p.m. peak hour trips until alternative access is available to Umbria Hills Way, Franklin Road, or Black Cat Road or wait to extend Sunset Point Way into the site and Coral Reef Way to connect Baraya Way until there is an alternative access available to Umbria Hills Way, Franklin Road or Black Cat Road. The development is restricted to the first phase that generates 3,000 trips in this scenario or approximately 366 multi-family units in the M-E zone, which -- until alternative access is available to the site. Ten foot wide multi-use pathways are proposed on the site in accord with the pathways map -- excuse me -- master plan. This is just a map real quick showing how the proposed development integrates with the existing Baraya Subdivision and the street layout to the north. This is the landscape plan. Then back to the pathways. One of the multi-use pathway segments follow the Williams Pipeline easement diagonally across the site and that is the -- the green area right here. Another segment runs along the southern boundary within the street buffer along I-84. The Parks Department has requested a pathway connection be provided between the pipeline pathway and the nearby sidewalk along Coral Reef Way. A pedestrian circulation plan is proposed as shown that depicts all sidewalks and pedestrian pathways planned throughout the site in accord with the Ten Mile plan for mixed use areas. A conditional use permit is proposed for a multi-family development consisting of 552 dwelling units with a mix of three story apartments and two story flats and townhome style buildings, ranging from 758 to 1,693 square feet on 40.33 acres of land in the R-15 zoning district. A 9,368 square foot single story clubhouse is proposed with amenities, along with two other amenity buildings. Nine garden style apartment buildings containing a total of 216 units and 51 flats and townhome style buildings are proposed containing a total of 336 units with a mix of one, two and three bedroom units. Common open space and site amenities are proposed in accord with UDC standards. A total of 7.5 acres of common open space is required. A total of 8.99 acres is proposed. A minimum of four amenities are required. Amenities from all the required categories are proposed as follows: A clubhouse with a swimming pool, hot tub, and cabanas. An outdoor kitchen and dining area. Fitness lounge. Lawn games and a fire -- fire pit lounge. Pickleball court. Children's play area. Dog parks. Smaller swimming pool. Picnic shelter and fire pit lounge. Art. Pedestrian walkways. Ten foot wide sidewalks along the collector street Vanguard and an amenity area with a barbecue lounge. Conceptual building elevations were submitted for the proposed apartment, flat, and townhome style units and the clubhouse building. So, I will just go through those real quick. These are the garden style apartments. These are the townhomes. More townhomes. And this is the clubhouse. Updated building materials consist of vertical and horizontal Hardie plank siding in light gray, green, and wood colors. Stucco in dark gray and off white colors and vertical western red cedar siding with cedar posts and beams and asphalt shingles. These

elevations are not approved. Final design is required to comply with the design guidelines in the Ten Mile plan and the design standards in the Architectural Standards Manual. Written testimony was received from the applicant. They submitted comments in response to the staff report, which staff responded to. The applicant found the response acceptable and noted that after tonight's hearing a few clarifications may be needed, but nothing of significance. No other testimony has been submitted on this application. Staff is recommending approval with the amended development agreement provisions and conditions in the staff report. Staff will stand for any questions.

Seal: Thank you, Sonya. At this time would the applicant like to come forward. Go ahead. And if you want to lift the microphones up and state your name and address for the record.

Butler: I will just wait until the presentation comes up. Great. Thank you. So, good evening to the Commission. Sonya has done such a great job that I hope I don't bore you here. JoAnn Butler. 967 East Parkcenter Boulevard representing the applicant. With me tonight on Zoom our Jim Zeiter and Airalea Newman for the applicant. Denton Kelley and his colleagues for LDK Ventures is here, along with their attorney Deb Nelson and Deb is going to take the floor in just a few minutes to address the Commission in connection with the north 40 that Sonya just mentioned, the conditional use request. John Carpenter from TO Engineers is here to answer any technical questions. We did really appreciate working with staff going through the staff report. We also appreciated that the Commission deferred this last month for a month. We had just gotten the ACHD report and we needed to review that and that -- that allowed us to address that report and adjust our phasing to minimize any kind of traffic impact. We will be making significant improvements to the road system, especially in the first phase with the development of Vanguard Way all the way from Ten Mile to the west boundary of the property and our phasing ensures that the land development is not built in advance of the transportation system. By the way, the applicant is working with the property owner immediately north and to the east of this property to jointly develop Vanguard Way. If I can just -- I'm not sure exactly how to move -- they don't seem to -- okay. As Sonya mentioned, this property was annexed and zoned in 2009, 2010 was when the development agreement was recorded. The concept plan proposed was consistent with the Ten Mile plan objective to ensure that Meridian in this area of town didn't close down at the end of the work day, with a wide diversity of housing types and mix of residential, commercial, and employment opportunities. In 2010 the Ten Mile interchange was not actually finished and the east side of Ten Mile was completely a gleam in somebody's eye. In 2020 -- in 2010 the city recognized that these unusual zoning boundaries would change as the street system was modified when we came through with a conceptual plan like we are today. Those streets have been modified and the city recognized that the land use and the zoning boundaries would again be modified accordingly. Thanks, Sonya. If you could -- one more. Other way. Okay. No. Thank you. Okay. So, with this slide we are showing both the -- the streets and the land use boundaries actually have been modified and the -- the zoning is actually the same as it was in 2020 with the boundaries modified to be much less fragmented and to flow with the overall circulation plan. You have got the R-15 -- we actually were approved with an R-40, as Sonya mentioned, but the development

agreement required us to only develop accord -- in accord with R-15 standards. So, rather than do it that way we said let's just go with R-15, it makes it clearer for everybody to understand. Next. So, on this phase we are showing the overall site plan and the phasing. As Sonya went over we have got -- phase one will include all of Vanguard Way coming from Ten Mile going west and 366 units within the first phase of the multi-family. Although it's not shown on here, there will be a secondary access going north. You will require us to extend a water line up that way and we will be putting a road over there so there will be secondary access going to the north. Next, Sonya. Thanks. Or maybe I should -- okay. There is the overall landscape plan. As Sonya mentioned, the remarkable line that cuts through project Vanguard is the Williams or Northwest Pipeline. The landscape pathways, the open space, the fitness areas planned for this -- for this pipeline easement assist the applicant meet the Ten Mile plan goal of connecting land uses through the pathways, through the sidewalks, through the open spaces. The goals of the master pathway plan is also addressed with this concept plan, both with the Northwest Pipeline pathway, but also along I-84. The master pathways plan calls for the Meridian pathway loop to continue in that area and that will be continued as well -- as well. So, both those pathway components provide walkable routes for the project Vanguard internally, but also to -- for our neighbors to the north, to the west and also to the east as we head towards Ten Mile. I'm not going to go -- oh, yes. Street sections. The only thing I'm going to say about street sections is that staff and ACHD staff and John worked really hard to get street sections in place that both governmental agencies, ACHD and Meridian, found acceptable. Slides -- this slide and the next several slides show the design elements and the land uses. I'm not going to go into any detail there. I'm going to -- these are all the design elements and the details for the -- the development south of Vanguard Way. So, with that I'm going to turn the podium over to Deb Nelson to describe the area north of Vanguard Way and, then, she and I and our team will be available for any questions.

Nelson: Good evening, Chairman, Members of the Commission. Deborah Nelson. 601 West Bannock Street. As JoAnn mentioned, I'm going to focus in on the conditional use permit. I get to show you some pretty pictures of buildings and amenities. That's the fun part. So, Vanguard Crossing is the residential community that's within this larger mixed use area. We appreciate staff's support of the -- of the use as proposed and we are in agreement with their conditions. I guess -- excuse me. We will stay on that one for a minute. It includes this range of -- of housing types with one and two bedrooms in the apartments, one, two and three bedroom flats and townhome style and buildings that are arranged with four to eight units creating quite the variety. There will be only 366 of these in the first phase to comply with the phasing plan provided by ACHD. We will also have extensive open space taking full advantage of the pipeline that runs through that JoAnn and staff have mentioned and we will have pathways throughout, as well as extensive amenities. As Sonya mentioned four amenities are required. We have over 18 here. Just want to briefly show the layout of the heights that you can see. Most of the buildings here are two story townhome style buildings, with the three story apartments on the southwest and south, providing a great transition from the R-8 residential to the north and the mixed employment to the south. Again just -- here just to show you a little variety of the townhome type -- building types that are dispersed throughout. Sonya showed you

our elevations. I just want to highlight -- there is a variety of colors and materials, with architectural variation in the facades and the building roof heights. The interiors of the units will have a high end modern finish, with stainless steel appliances and kitchen islands and other finishes that you would expect from a nicer residential product. Similarly, the apartment buildings have complementary colors and materials, architectural variation in the facades, varying roof peak heights and well defined and welcoming patios and balconies. The clubhouse presents a striking look in the central amenity space with classic materials, including Ashlar stone at the chimneys, a dramatic three foot overhanging eaves with cedar post support and large windows. Roll up glass doors face the pool and the amenity area, bringing the outside in. The clubhouse is going to serve as the community center for residents to provide opportunities for gathering, for meeting, using the remote workspaces, the fitness center, outdoor barbecues, indoor and outdoor lounges with fireplaces and extensive recreation areas. Turning now to the site plan and the amenity features. You can see here the central amenity area with its location within the larger site plan. The central amenity area has that clubhouse I just described. A pool, pickleball courts, play structure, pathways, picnic and barbecue areas and a game lawn. You can see that here in this rendering as well. The central spine amenity provides the multi-use pathways, extensive landscaping, and gathering nodes and seating throughout the development and the amenities are dispersed. So, you have got amenity areas in each area, not just in the large central amenity area. Up here in the northwest we have additional landscaped pathways and one of the dog parks. In the northeast we have a second pool and pool house. In the southwest we have another play structure and the barbeque area. In the southeast a second dog park. You have the extensive network of pathways that provides recreation opportunities for not only our residents, but the adjoining neighborhoods as well and provides safe pedestrian and bike commuting opportunities to connect residential areas with the employment areas. Here is just some concept images of some of our amenities. Then I just have a couple of design standards to address with you. This development is within and designed in accordance with the Ten Mile plan. We have just a couple of areas that we ask for flexibility within your detailed design standards for buildings. As you know, our buildings are going to be subject to a design review process that will follow this, but this is our opportunity to ask the city decision makers for guidance on that towards staff to provide them some direction on just a couple of areas where we plan to seek some changes from the standards. The first area involves the roof pitch for certain architectural features. The Ten Mile plan provides as a general guidance that these roof pitches fall within a range of 4-12 to 12-12. The vast majority of our buildings do that. We ask for two exceptions to be recognized. One is for our amenity buildings and this includes the clubhouse and the two smaller amenity buildings that are purposely designed with a lower pitch roof. This 2-12 pitch and that striking three foot overhang, to create an attractive and unique element that is set apart from the remainder of the residential community and really identifies it as this distinct gathering place. The clubhouse is a modern interpretation of the shed roof style, which is seen on barns and traditional farmhouses that are part of the history of Meridian. So, it's an intentional and important gesture to make this clubhouse this marquee architectural statement within the development, bringing in that history with also a nod to the new. The townhome garage roof has a similar slope with a 3-12 pitch also proportional and looking to that shed style. It not only creates dimensional interest, but it's also very functional in

this location as we have tried to show you here with this lower left image, because it allows the larger windows and lower sills. If it's steeper you block that opportunity for the second story to have that room for that feature. The second design standard we ask for some direction on involves the Ten Mile plan's guidance to provide front stoops that face public streets at 18 to 24 inches above grade. This creates a problem for ADA compliance, for accessibility to the front entrances of these residences. We also note that you have many places in the Ten Mile plan that promotes human scale accessibility, bringing the front entries closer to the sidewalk and really creating that feel of a pedestrian friendly environment. We feel that the design that we are proposing accomplishes that. We also appreciate the idea -- the architectural idea in this design element with promoting that, you know, elevated stoop. It's really to create a dramatic feel to the entrance and we feel like we accomplish that through having our adjacent patio railings that really frame off that entrance and the balconies that cover it that also frame in that door. You have got places in your Ten Mile plan, again, that talk about the importance of having -- where you have homes that front streets that are accessible by garages and parking in the back that you really give both facades fair treatment and usable entries and that's exactly what we are trying to do. In the rear you access through the garage and in the front you have this main entry and we would like it to not just be decorative, but to truly be a usable entry that meets the building code for ADA compliance and the Fair Housing Act for accessibility. So, with -- with those requests I will stand for questions with the team.

Seal: Okay. Thank you. At this point do we have questions for the applicant or staff?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: For staff. The pathway that goes along I-84, it shows it on this parcel. Is the idea that that is going to kind of continue as development goes between Ten Mile and Black Cat?

Allen: Mr. Chair, Council Woman Lorcher, yes, that is the intent.

Lorcher: Thank you.

Yearsley: Mr. Chairman?

Seal: Commissioner Yearsley, go ahead.

Yearsley: Can you go back to the slide that you had two and three stories? It went through pretty fast and I wanted to make sure I understood which ones were two and three story.

Nelson: Commissioner Yearsley, this one?

Yearsley: Yeah. I was -- I was kind of making sure that we didn't have the three story up against the residential to the north, so thank you.

Seal: Commissioner Grave, go ahead.

Grace: Thank you, Mr. Chair. I'm not sure who this question is for. Maybe the applicant. But do you -- and forgive me if this is an obvious question that -- that -- that doesn't need to be an issue for me. Do you happen to know how deep that 24 inch pipeline is?

Nelson: Chairman, Commissioner Grace, I don't, but we have our engineering team with us.

Grace: Yeah.

Nelson: They probably have the -- six feet? Six feet.

Grace: Okay. And I assume that's probably some federal regulation that it has to be a certain depth. But I only ask the question, because it looks like it's in a -- it's in that pathway common area and, obviously, that's an item that would be very important to keep safe and I'm wondering if -- six feet sounds sufficient to me, but I'm wondering if there is any comment you might have about the ability, potential likelihood, or anything that it could get damaged, that people would be digging in that area or anything like that, because, again, it is a common area.

Nelson: Chairman, Commissioner Grace, we will certainly comply with all the city standards for depth and for separation between the water and the sewer.

Grace: Thank you.

Seal: Couple questions I have got here. So, I will just start out with the -- the first one and you mentioned a secondary access to the north. Can you add a little flavor to that? I just want to make sure we are talking about something that's going to be like an emergency access, not regular access here, or like a cut through.

Nelson: Chairman, that's correct. We will only provide emergency access at this time until as authorized by ACHD and incorporated as conditions here until there is alternate access up to -- to Franklin or to Black Cat. So, at this time it will only be bollarded emergency access to the north.

Seal: Okay. And this one between you and Sonya -- Sonya, I have heard a lot of different numbers thrown out. We have got 136 -- limited to 136 units, 550 -- 552 total units. But you said you would be limited to 366 units. So, what are we limited to by ACHD?

Nelson: Chairman, I could jump in and, then, Sonya can -- can answer as well. I think, Sonya, you mistakenly did say 136. So, we were correcting that in our presentation to say 366, which is the number that ACHD has authorized there.

Allen: Sorry. Thank you. I was reading the options straight out of the ACHD report. One of the options was for the 136 and the other was for the 336, so --

Nelson: Three sixty-six.

Allen: Excuse me. Yes. Whatever. It's in your hearing outline.

Seal: Okay. Okay. Yeah. I just --

Allen: Or you can reference the ACHD report. It's -- it's site specific condition number one.

Seal: Got you.

Allen: They left the applicant some options to comply.

Seal: Okay. Thank you. Third question is on the -- the variation of the roof pitch and the front porch elevation. Is that something that's going to be, essentially, handled by City Council as part of the CZC or --

Allen: Chairman, Members of the Commission, that is part of the design review process. There is design guidelines in the Ten Mile Interchange Specific Area Plan that are subject to buildings within this area, as well as the Architectural Standards Manual design guidelines. The applicant is requesting that Commission -- Council approve a -- an alternative roof pitch for certain buildings out there and they would like that memorialized in the development agreement or direction given to staff on preference. Or if that's amenable to them.

Seal: Thank you. Does anybody else have questions?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: For staff. In regard to the roof pitch request in the Ten Mile interchange building plans have any waivers or alternatives already been approved or would this be the first?

Allen: Mr. Chair, Commissioner -- Commission -- Commissioner Lorcher. Excuse me. Are you -- are you referring to this development or just in general? In the Ten Mile area?

Lorcher: Right. Have we done waivers before?

Allen: I'm unsure, to be honest with you. There is -- there is no real waiver in the Ten Mile plan. They are design guidelines. They are not standards.

Lorcher: Okay. So, guidelines.

Allen: So, where -- I believe the Ten Mile plan says where at all possible or -- or something to that effect, that all -- all roof pitches should be between those pitches specified.

Lorcher: Okay.

Seal: Other questions? Comments? All right. Thank you very much.

Nelson: Thank you.

Seal: All right. At this time we will take public -- public testimony. Madam Clerk, do we have anybody signed up?

Weatherly: Mr. Chair, we do. The first of which is Garrett Scott, who is online. Garrett, you should have the ability to unmute yourself.

Scott: Hi. I'm just here as part of the Vanguard team to answer any questions if necessary. Thank you.

Seal: Can you give us your name and address for the record, please?

Scott: Yes. I apologize. Garrett Scott. And my address is 507 18th Street in Cody, Wyoming.

Seal: Okay. Thank you. Does anybody have any questions for Mr. Scott? Okay. Thank you, sir.

Weatherly: Mr. Chair, next is TJ Winger also online. TJ, you should be able to unmute yourself.

Winger: Can you hear me?

Weatherly: Yes, sir.

Seal: Yes, we can. Go ahead and give us your name and address for the record and --

Winger: Thank you. TJ Winger. 800 West Main, Boise, Idaho. Part of the architecture team on the project. Just wanted to say thank you for your time and give a brief mention on the roof slope and the ADA requirements. We have probably got 5,000 units in design right now in various scales of projects and sizes and done quite an extensive amount of studying these project types similar to you guys. In trying to make these projects successful we often see that the amenity portion of the project is something that's set apart and different, identifiable and adds excitement to the project and with this particular request for the roof slopes we feel that that's -- that's the intent and the goal there is to make a sense of place within the community that access the -- the gathering place. It's identifiable by children. It's identified -- identifiable by the neighbors and surrounding community users. So, we -- we do think that that's an exciting element that could really

strengthen the project as a whole and give that sense of place within the community. Regarding the ADA requirements, we are helping other clients that have this problem in lawsuits currently, because they -- they check a box rather than following through in depth study of ADA, ICC, FHA requirements for their projects and so knowing that, we just wanted to bring that to the attention of the city, so that we could have this discussion to make sure we are designing projects that are in accordance with the ICC and FHA. The stoops are very nice. We love that. It creates that front porch feel. Neighborhood streets. It activates the streets. Really gives a sense of place and scale and so we tried to accommodate that in the design with the railings at the front porch, the coverings of the front porch, so that all of the elements and concepts behind the stoop are in place. The only item that is missing is the steps so that we can make those ADA compliant. But you will notice on the design that every -- every front door is covered, every front door has a porch and every front door has the elements that are desired from what a stoop brings, but we just are -- are asking for consideration on the steps that come along with that and thank you for your time. Thank you. Does anybody have any questions? Okay.

Weatherly: Mr. Chair, that's all that I have indicating a wish to testify.

Seal: Would anybody in chambers like to come up and testify? If so would you raise your hand. No one? Anybody online? Do we have anybody raising hand online?

Weatherly: Not at this time, Mr. Chair.

Seal: Okay. With that would the applicant like to come back up?

Yearsley: Mr. Chair?

Seal: Oh.

Yearsley: Before we --

Seal: Commissioner Yearsley, go ahead.

Yearsley: Can I just ask if there is anybody from Williams Pipeline in the audience today? Most times they usually have someone come in for these type of deals, so I wasn't sure if anybody was here. Sounds like no. Thank you.

Seal: All right. If the applicant would like to come back.

Nelson: Mr. Chairman, Members of the Commission, thank you for your consideration of this project. I know there was a lot of materials in the record. We appreciate your careful review of it. Especially appreciate Sonya and her team, because I know she did a ton of work on this and through that effort we have really been able to come to a project that I think we can be proud of and hopefully you can, too. We -- we have been coordinating -- Commissioner Yearsley, to your question just then, we have been coordinating extensively with the Williams Pipeline folks, as we will continue to do with the service

providers here and just a little bit of reminder for context, this is a -- a rezone and change to an existing approved development here and the uses that are being proposed with this development are all cumulatively less intense than what is already approved here. So, we think for all the reasons that JoAnn laid out so well in her presentation, you have got increased connectivity and ability to take advantage of the pipeline here and the roads and so we think it's going to be a great opportunity to improve upon what you guys have already approved in the past. So, we thank you for your consideration. We ask for your support and your approval. We do ask for your comments to staff if you are so inclined on the design standards we addressed and -- but we are in support of the staff report and the conditions of approval. Thank you very much.

Yearsley: Madam Chair or --

Seal: Commissioner Yearsley, go ahead.

Yearsley: Sorry.

Seal: I'm -- I'm not Rhonda.

Yearsley: I know I have been so used to Rhonda, so -- just -- just with that with the Williams Pipeline. Have you been in contact with them regarding the landscaping? Have they had a chance to review that and are okay with the landscaping?

Nelson: Chairman, Commissioner Yearsley, yes, they are in -- in support of the landscaping, which, as you may note, doesn't include trees within their easement area.

Yearsley: Yeah. I noticed it was pretty intense with the landscaping, so I wanted to make sure that they had a chance to review that. So, thank you.

Seal: I have a quick question on the -- it seemed like there was two different options given by ACHD, one with 156 units, the other with 366 units. The one with 156 sounds like they were trying -- they -- that included more commercial development at the time. Can you speak to that?

Nelson: I may need to grab the staff report to look at the exact language, but, chairman, the short answer is that the -- that ACHD was trying to provide options that would have the same impact in productivity of -- of traffic specifically to keep our trip generation within the 3,000 trips that Vanguard Way, as a single access for the first phase, could support and so they provided options that would accomplish that and the option that we have selected to move forward with the phasing that we have proposed includes 366 units of the multi-family and the mixed employment area to our south, so that you get a combination of the -- of the mixed use elements here.

Seal: Okay. Thank you.

Yearsley: And then with that --

Seal: Commissioner Yearsley, go ahead.

Yearsley: They are planning to do a signal at that intersection, too; correct? At Ten Mile and Vanguard Way?

Nelson: Chairman, Commissioner Yearsley, yes.

Yearsley: Okay.

Lorcher: Chairman?

Seal: Commissioner Lorcher.

Lorcher: Isn't there already a light there? At Vanguard?

Nelson: Chairman, Commissioners, we will be adding the extension and turn lanes associated with the Vanguard improvements at that light. Improving the signal that's there.

Lorcher: Okay.

Seal: Anybody else? All right. Thank you very much.

Nelson: Thank you. Okay. At this time can I get a motion to close the public hearing for Item No. H-2021-0081?

Wheeler: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for Item No. H-2021-0081. All in favor, please, say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Who would like to comment first?

Wheeler: Mr. Chair?

Seal: Go right -- go right ahead.

Wheeler: Yes. I have -- I personally like this plan, mainly because there is -- I think there is a lot of features, too, but one of them is that they are -- when they went from an R-40 to an R-15 use on this, I'm liking to see more properties not carry as much density on them. I like the street -- I like the -- the landscaping plan that's here. I like the extra amenities that are there. The pickleball courts. I have a good friend that's a pickleball

player. He's going to be excited about that, more and more of that in the area. I think we have seen plans before or concepts before that have -- that have carried much greater density than these and so that's nice to see and when it's speaking to the pitch -- the pitch on the roof and the ADA compliance on not having the steps on there, I'm in support of -- of both of that from what they have put forward. It makes sense to go ahead and have a flat access up to the front onto the ground level floors -- or, excuse me, to the ground level apartment -- apartments and the pitch on the roof I'm -- I'm -- maybe I'm missing something here on what the big to do about having a certain rise and pitch on the roof and things, but to me being within those kind of standards or within those guidelines I'm not seeing -- I'm not seeing a bigger issue here, so --

Seal: Thank you. Anyone else?

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go ahead.

Yearsley: I actually like the revised phasing on this and to try to minimize the amount of access to Franklin. My initial look at this was very concerning that they would have a lot of cut-through traffic through that residential area. So, I like the -- the updated phasing regarding that. I also -- when I initially looked at the staff report I was concerned that they had had more three stories in that area as well. So, I like the fact that they have -- they have staggered that and had more of the two stories. So, it gives me a little bit more -- better level of comfort where that's going in, so -- and I -- with the -- with the roof pitch variation, where it's only a small portion of the structures that's the smaller pitch, I think that's very appropriate to do that, to kind of give it a different feel or a different look. And the -- requiring the 18 to 24, I'm -- I'm sure they could make it work with the ADA compliance, but I don't know if that to me is a big issue either, so I -- I would be okay with both of those variations.

Seal: Okay. Thank you. Any other comments? I will jump in here a little bit and say I really really like this product. I like the way that it's -- it's got good spacing, it integrates well. I think the R-15 over the R-40 is going to transition a lot better. The -- the -- the pathways and the ride ability, walkability, run ability of it, especially if you kind of live/work in that area where you can do just about anything you want in that area is -- I find that to be very nice for sure. So, as far as the variation on the roof pitch, I'm kind of in the same camp as others that have spoken so far, so I don't mind that, especially since it is a central amenity. It's designed to be different. It's designed to look different. You know, as long as that doesn't get us too far out of the Ten Mile plan I think that that's acceptable as, you know, essentially, a one off in the -- in the place as a central structure. The front porch elevations, I -- I will leave that up to staff. I mean, obviously, we want to be ADA compliant, so if there is something in -- if there is something in the Ten Mile plan that makes that, you know, nonattainable then, obviously, that's something that we will want to take a look at within the guidelines of it. Having a zero threshold on there, if -- if that's kind of where they are going with it, I have some reservations about that, just because when we get snow and we get rain and if that sinks in a little bit towards the front door you got a great

big icy puddle there. So, hopefully, that's not where we are going with it. But I wouldn't think that that would be the case. One of the concerns I have here is just with the three stories on the west side of the property, just talking about transitions and how we are going to transition to the property that gets developed to the west of that when it develops. I think maybe pulling those three stories inward and putting the two stories on the west side would help to transition better when that happens, instead of forcing somebody to come up with something that's going to help transition into a three story wall, you know, right at their border, I think that maybe moving those three stories in would be helpful for sure. As far as the phasing plan, I share Commissioner -- Commissioner Yearsley's sentiments on that. I would actually like to see less of the residential develop and more of the commercial develop. I know there is a gold rush on to buy houses here, but the thing that we need more than a place to go is a place to go to, meaning that, you know, we have got plenty of people here that need a place to work. So, it would be nice to see more emphasis on the work portion, less than the -- the live portion. But I do like that they are going to develop together.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher.

Lorcher: Since we are voting tonight on the development agreement modification -- well, it has no action required from commission. A rezone, a preliminary plat, and a conditional use permit, in regard to the front porch elevations and the roof pitch, is that part of our -- our motion or -- or we are not -- we are not really voting on that, we are voting on the rezone, plat and conditional use permit; correct?

Seal: That's correct. But like Sonya had said earlier, that's part of the Ten Mile plan, so it's part of the design standards.

Lorcher: So, when we make a motion we need to address the variations of the roof pitch and the front porch elevations or no?

Seal: Well, Sonya, you can speak to this, but my understanding is it's already in the -- it's already in --

Lorcher: The staff report.

Seal: -- the staff report or the applicant's response to the staff report and your response to them as far as where we stand on it. Is that correct?

Sonya: Chairman, that's pretty much correct. It is part of the development agreement modification that is acted on by City Council, which is not before you. However, you are free to make any recommendations to Council you wish with the application.

Seal: Anyone else?

Yearsley: Mr. Chairman?

Seal: Commissioner Yearsley.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2021-0081 as presented in the staff report for the hearing date of March 17th, 2022, with the following recommendations: That the requested design standard changes be approved.

Wheeler: Second.

Seal: It's been moved and seconded to approve Item No. H-2021-0081, Vanguard Village, with the aforementioned modifications. All in favor, please, say aye. Any opposed? Motion carries. Thank you.

MOTION CARRIED: SIX AYES. ONE ABSENT.

7. Public Hearing for Faissy's Child Care (H-2022-0002) by Faissy Kwizera, Located at 1322 E. Grand Canyon St., Near the Southwest Corner of E. McMillan Rd. and N. Locust Grove Rd.

- A. Request: Conditional Use Permit for conditional use on 0.17 acre of land in the R-4 zoning district to allow group daycare of more than 6 children.

Seal: All right. So, at this time I would like to open the public hearing for Item No. H-2022-0002, Faissy's Child Care. Hopefully I said that name right. And we will begin with the staff report.

Tiefenbach: Thank you, Mr. Chair, Members of the Commission. Hopefully I also say this one right. Okay. This is a proposal for a conditional use -- Alan Tiefenbach, associate planner with the City of Meridian. Sorry. The site consists of just about .17 acres of land. It's zoned R-4. It's located at 1322 East Grand Canyon Street, which is southwest of East McMillan and North Locust Grove Road. The property -- so, the history of this property is that in 2021 there was an accessory use permit that was issued to this property to allow a family daycare. A family daycare is categorized as a daycare of six children and less -- or six children and less. Since that time the applicant has had another child and because the applicant has had another child and several of the kids that they are watching are actually not part of their family, this kicks them up to being what is called a group daycare, which is more than six, less than 12. Because of that a conditional use permit is required. My understanding from talking to the applicant is that that is the only change to what is presently occurring there. They don't plan on at this point having anymore children, except the one that they had. The -- the way that it works right now, they pick up and deliver the children. So, although they don't typically have people coming there, of course once in a while I'm sure that happens, but the -- the -- the -- the usual operation is that they pick up the children and they bring their children home. It