

3. Public Hearing for Timberline North (Timberline Sub. No. 2) (H-2022-0024) by Riley Planning Services, LLC, Located at 655 and 735 W. Victory Rd.

- A. Request: Combined Preliminary and Final Plat for 33 single-family residential building lots and 4 common lots on 9.8 acres of land in the R-8 zoning district for the purpose of subdividing phase 2 of the Timberline Subdivision (H-2017-0140, DA# 114007668) that has since expired.

Seal: All right. At this time I would like to open the public hearing for Item No. H-2022-0024, Timberline North, and we will begin with the staff report.

Dodson: Thank you, Mr. Chair. Skipped over the last one. I forgot to change the maps again. I'm -- fail for Joe today. Apologize. The application before you tonight is for a combined preliminary and final plat for Timberline North, also known as Timberline No. 2. And I will get into that. The site consists of 9.8 acres of land, currently zoned R-8, located at 655 and 735 West Victory Road. It's pretty much at the south terminus of Stoddard Road about a half mile west of Meridian off of Victory. The property was annexed in 2013 as part of Timberline -- or sorry. Annexed in 2013, zoned R-8, then, it was platted in 2017 as Timberline Subdivision. Received final plat approval in 2020. It does have a medium density residential future land use designation, which is three to eight units per acre. The subject property, again, approximately ten acres was originally platted in 2017 under Timberline Subdivision. Annexed in 2013 as part of a city initiated annexation from RUT to the R-8 district as an existing development agreement that was carried through from the annexation through the platting and is still current. The approved preliminary plat in 2017 was to be completed in two phases. Phase one consists of 24 single family residential building lots and has been recorded and fully constructed with homes, open space, amenities, et cetera. Phase two received final plat approval for 33 single family residential building lots and four common lots in March of 2020 and was set to expire on May 1st, 2021. Due to unfortunate timing and circumstances, phase two plat expired. It did not receive the city engineer's signature by the deadline and no time extension was submitted. Therefore, it expired both phase two and subsequently makes the original preliminary plat expire as well. Therefore, the applicant is required to replat the phase two area under a new preliminary plat and record a second phase of the preliminary plat. Currently phase two of the development is constructed per the previous approvals, including the open space, fencing, utilities, sidewalks and the public roads. So, everything is in already, except homes. Everything. Because the subdivision improvements are constructed the applicant has submitted the previously approved final plat documents from the previous application and an alternative compliance application to allow the existing open space approved with the original submittal to remain as is and not meet the current open space and amenity standards. Due to the unique circumstances behind the expiration of the plat and the fact that the improvements are all done, staff believes that additional open space and amenities are not necessary and has subsequently approved the alternative compliance request associated with this. So, to be clear, the current open space amenity wise -- I -- I'm pretty sure it would be the same. Probably end up being --

and we have a point system now. Not too concerned there. Open space it would require more, 15 percent versus ten, in the overall development. However, again, phase one is already constructed, has open space and amenities in that. Phase two is basically constructed. All the important -- important stuff are there, minus the homes again. It just needs -- and the lot lines on a piece of paper and subsequently in the dirt. There was one piece of written testimony as of about 2:30 this afternoon from Mr. Bell. He said he was not supportive of a change from R-4 to R-8 due to the additional traffic, but the property is already zoned R-8, so I'm not sure if they were referring to another project in the area, but it is not associated with this. Staff does recommend approval of the combined preliminary/final plat. Staff finds the proposed plat meets all UDC dimensional standards and is consistent with the Comprehensive Plan as previously approved and I will stand for any questions.

Seal: Okay. Would the applicant like to come forward? Good evening. Either one. Your choice.

Constantikes: Is this the right one?

Seal: Either one? There is no wrong microphone.

Constantikes: Thank you, Mr. Chairman. For the record, Penelope Constantikes. Riley Planning Services. Post Office Box 405, Boise, Idaho. 83701. I would like to begin by thanking staff. This is a very unusual circumstance and it took coordinated effort by everyone to get us to this point. I just wanted to mention, along with what Joe was talking about, that the neighbors apparently have the impression that this is a fresh piece of land that doesn't have anything on it. The zone of R-8 was assigned in 2013 and I think Joe might have misspoke. It was probably part of the Kentucky Subdivision group and, then, Timberline came along later. Yeah. Which -- no big deal. So, the -- the annexation, zoning, and rezone occurred in 2013. For the benefit of the neighbors that are here this evening, I -- I just wanted to go over that in particular and to just mention to the neighbors that are here this evening that nothing is any different than it was when our preliminary plat was approved in 2017 and 2018. It's, essentially, identical. Per the staff report we have submitted an updated landscape plan with the corrections that were requested. We have also updated the final plat as requested by staff and that has also been provided. ACHD did issue -- or they -- they sent the same staff report. There was a question about two feet of additional right of way along Victory Road, so their standards changed. It's somewhat in between when we were originally approved and now and they are forgoing that two feet. They are not going to come ask for that now. I did want to point out we have a 25 foot wide landscape buffer along the frontage on Victory Road and so in the future when ACHD is ready to redevelop that road and rebuild it, they can get an additional two feet. It would -- it would make the landscape buffer slightly smaller, but it's not like that option will disappear entirely, it's just out there when they are ready to need it. There was an e-mail -- a previous e-mail from Justin Bell and I did respond to him initially and explain that this is an existing -- everything's built. There is nothing changing, but it's good that when people pay attention. That should be complemented. The post office letter is mentioned in the conditions of approval and that letter is in process and we will

have it to staff before our final plat goes before the City Council. Although the alternative compliance application has already been approved by the director I did want to briefly outline the open space and amenities that were constructed with the subdivision. So, we needed to -- what we have there now is originally the -- the open space down in the southeast corner was smaller. We expanded it and ran it over all the way to the street that comes northward into our subdivision. So, there is a micro path that sweeps through that open space and connects two areas of the subdivision. There is a children's play structure that's in that area and it's rather large, so there is a lot of open grassy area. Immediately adjacent is the Jocelyn Park Subdivision and I believe that their open space is right there as well, so there is a combination and that was the one -- that was something that Bill Parsons brought up when we originally came in with the subdivision was that there seemed to be a clustering of open space down in that corner for all the adjacent subdivisions. So, there is actually quite a bit down there. It's very nice. We have a micro path, as I mentioned. The picnic area that's in phase one and it's about midway on the east property line, that was a custom built cover. It's a shelter area with tables and it's very nice. And, then, we have a regional path connection and there are two open space lots in phase two that go along with that. Let's see. So, as Joe said, the lots are ready for homes whenever we can get that plat recorded and the neighborhood meeting that I had in March, some of the neighbors came and asked about the puncture weed and I just wanted to report that it's been cleaned up and the developer has arranged for regular spraying to keep the puncture weed down so it doesn't show up again. With that the development team is present if you have any questions that you would like to ask them specifically. Other than that, I would be happy to answer any questions you might have for me.

Seal: Okay. Thank you. Do we have any questions for the applicant or staff? No? Okay.

Constantikes: Thank you.

Seal: Thank you. Okay. At this time we would like to take public testimony. Do we have anybody signed up?

Johnson: Mr. Chair, one person signed up. They didn't mark they want to speak, but they are here. Sandy Smith.

Seal: If you would like to speak come on up.

Johnson: Okay. Thank you.

Seal: Anybody else in Chambers like to come up and testify? All right. I think we only had one other person online. No raised hands. So, I will take that as a -- as a negative and if there is no other questions --

Johnson: Sorry. Jaime's mom was watching at some point. She was the only viewer.

Seal: Okay.

Johnson: He was not a camera, so she left.

Seal: All right. Do we have any other questions for the applicant? None?

Wheeler: Mr. Chair, I have a question for staff if that's okay.

Seal: Please feel free.

Wheeler: Okay. So, Joe, just a question. Penelope mentioned that they expanded a lot and I think it was phase two, but that still doesn't get to the 15 percent for the open space requirements or anything.

Dodson: Commissioner Wheeler, it was in phase one and, no, they are not going to meet the -- the 15. I believe -- I had to do the math on my own, because I was looking at the old final plat, because that was different than the pre-plat and et cetera. I think it came to about just under 12 percent. So, it was more than what was approved with the pre-plat, but not at the 15 percent, no.

Wheeler: Okay. Thank you.

Dodson: You are welcome.

Seal: Any other questions? All right. Then I will take a motion to close the public hearing for Item No. H-2022-0024.

Lorcher: So moved.

Grove: Second.

Seal: It's been moved and seconded to close the public hearing for Item No. H-2022-0024. All in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Who would like to start? Who would like to give a motion? Sorry. Was that a little pushy?

Grove: Mr. Chair?

Seal: Go ahead.

Grove: So, there -- there is not a lot to -- to pick apart on this. I mean it's essentially something that was previously approved, but coming back to us with the exact same thing, so there is -- it's not an annexation. There is not a lot to pick apart. I will say I applaud having the cul-de-sac versus shared drives, so kudos to you for going that

direction, because we don't get enough of those in my opinion. So, good job. I mean with the open space, the requirements changed from when the original went through until now, so -- I mean in terms of how we are looking at this. It's relatively straightforward in my opinion.

Seal: I would tend to agree. Would anybody else like to comment?

Wheeler: Mr. Chair, are we ready for a motion then?

Seal: I think we are ready for a motion if you want to --

Wheeler: Okay.

Seal: -- take a shot.

Wheeler: There it is. After considering all staff, applicant, and public testimony, I move to recommend approval of the City Council of File No. H-2022-0024 as presented in the staff report for the hearing date of May 5th, 2022, with no modifications.

Yearsley: Second.

Seal: It's been moved and seconded to approve Item No. H-2022-0024, Timberline North, with no modifications. All in favor say aye. Any opposed? Okay. Motion carries. Thank you.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: All right. Can I get one more motion, please?

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley, go ahead.

Yearsley: I move we adjourn.

Wheeler: Second.

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

MEETING ADJOURNED AT 6:39 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK