

**Public Hearing for Kleiner Adjacent Subdivision (H-2023-0059) by
Brighton Development, Inc., located at Northeast corner of N.
Records Way and E. Fairview Ave.**

- A. Request: Combined Preliminary/Final Plat consisting of two (2) building lots on 9.88 acres of land in the C-G zoning district.

Seal: We'd like to open up the public hearing for Item No. H-2023-0059 for the Kleiner Adjacent Subdivision and we will begin with the staff report.

Parsons: Thank you, Mr. Chair, Members of the Commission. Feels like it's been about three months since I have seen all of you, but Happy New Year to all of you.

Seal: Thank you, too.

Parsons: Hopefully it will be a brief meeting tonight. So I'm here this evening presented -- presenting the Kleiner Adjacent Subdivision on behalf of Sonya this evening and so the application before you tonight is a -- what we call a combined preliminary/final plat. The property consists of 9.88 acres of land. It's currently zoned C-G in the city limits and is located at 1730 North Records Way, which is at the northeast corner of Records and Fairview Avenue. In 2022 the city did approve a conditional use permit for this site to develop 472 multi-family units on that property. The applicant has received approval of a time extension, so that CUP is still valid and tonight all they are proposing to do here is take the one lot and subdivide it into two buildable lots. Main reason for that -- when we met with the applicant -- so just a little bit of a background here. The multi-family project is still going to move forward, but as far as for financial reasons they are required to subdivide the property to start construction of the site and so, really, this is just more of a formality than anything. They have a legal parcel and they have the right to develop now under that conditional use permit. So, again, it's just adding one lot to two lots. You can see here a little -- it's cut off a little bit, but the -- there is an access on the west boundary here from Records. That's a right-in, right-out only that was approved by ACHD with a CUP permit and, then, there is also a shared driveway with the car dealership CarMax to the east that they will have access to and share with that adjacent property. Staff has required that they provide us evidence of that cross-access agreement prior to construction. More than likely they probably did that with their CU or their CZC, but, again, sometimes these conditions just carry over from the previous approvals. The required landscape buffers were all evaluated with a conditional use permit as well. We had a chance in this particular staff report -- we didn't note, though, because of ACHD's requirement for the right-hand turn lane and their requirements for their frontage improvements along Fairview, that their buffers along Fairview will be less than the 35 feet required by code. So, the applicant has agreed to submit their alternative compliance requests prior to the City Council hearing and they have been conditioned to do that as well. And that will give Council that the ability to act on that request as well. So, we did receive written confirmation from the applicant that they are in agreement with all conditions in the staff report, including the request for the additional application prior to

City Council. With that staff is recommending approval and I will stand for any questions you may have.

Seal: Thank you very much, Bill. Would the applicant might come forward?

Wardle: Mr. Chair, for the record Jon Wardle with Brighton. 2929 West Navigator, Suite 400, Meridian, Idaho. 83642. If I could be made a participant and, then, Bill, can I share my screen? Panelist. That's what it is. Thank you.

Seal: Careful or you will be running the technology here.

Wardle: I have had a lot of technology today. So, let's see how I go with this one. Earlier was a little iffy. All right. Commissioners, good evening. Happy New Year to you. I will be fairly brief on this. The opening statement is we do agree with the conditions which are in the staff report. As Bill indicated, this project has a little bit of history. Some of you may have been here when it was previously reviewed for the CUP, but for your information there was a CUP approved back in 2022 for -- and approved the 472 residences here and site plan approval. We did get a CZC DR approval for the project in 2022 as well in September. Upon that approval, then, we submitted for building permits, which have been reviewed. I believe they are ready to issue, with the exception of us paying for the fees. We -- on the timeline here -- and so -- let me just back up. So, we have gone through the CUP, which is approved. The design review has also been approved and building permits have been applied for and have gone through the process of review as well. So, what are we doing tonight? We are requesting a two lot subdivision. I can show you here we have Lot 1 in yellow, Lot 2 in blue. As you may appreciate financing has become a little tricky. Construction costs are still high and with the financing package on this specifically our lender has asked that because the project will be phased we will be building the south building on the blue parcel first. We will be doing all the site improvements at the same time, but the first building, which is on the south -- let me go back here -- will be built first. But the lender requires that it be on its parcel, because there is a future phase. And so we met with staff. The only way that we could do that was to do a preliminary/final plat, which is before you tonight. As I mentioned we will be doing all the site improvements on the project at the same time, but we will only be constructing the south building and the amenity building -- everything that's shown here in blue. At a later date we will come back and build phase two of the project. This one's a little cleaner, if that's a better exhibit for you, pulling those phase lines off. Again, we are moving forward with the project, but this came up really kind of back in late October, so we met with staff about what the process was. We held a pre-application meeting. We did a neighborhood meeting and we are here before you. It really is a -- it's a lending requirement. We could move forward today with the project, but because of that financing requirement we are -- we need to plat it. So, once, that is done -- and that's why we are doing a preliminary/final where we can do no more than four lots under a preliminary/final plat. We are -- we concur with the staff recommendation and we are asking for your affirmative recommendation to the City Council of this preliminary/final plat and I will stand for any questions you might have.

Seal: Commissioners?

Wheeler: Mr. Chair?

Seal: Yeah. Go ahead.

Wheeler: So, Jon, on the -- the amenities, those are going to be done during phase one or does that include the pool, too?

Wardle: It does. Let me go back here. You probably don't see my mouse, but everything that is in blue, I -- the amenity building is an L-shaped building. There is a swimming pool there and, then, there is a little rectangle box up here and that's a pool house, outdoor restrooms, things like that. So, that is all done with phase one. So, the amenities for the entire project are done at the -- at the start of the project. When we do phase two, phase two actually connects directly to that amenity building. There is breezeways that allow tenants in phase two to access directly in the amenities without going outside and so they -- we have to do it in the phase one first to make that happen, but, yes, we wanted to get the amenities in at the very beginning. We will also be doing all of the site improvements, which include the parking lots and landscape buffers on the entire project at the very beginning, so that all will be done, so when we do phase two it is parking structure and, then, four levels of apartments above that.

Wheeler: Okay. And is this a -- this is a four over two or --

Wardle: It is a four over one.

Wheeler: Over one. Okay.

Wardle: Four stories. One -- one level of parking and, then, there is some surface parking as well, but four stories of apartments above.

Wheeler: And you are going to put in the asphalt parking in as part of the phase one even on -- even on the second phase?

Wardle: We are. We have some access requirements. We do have two access points that come over to the shared driveway between us and -- maybe I can go to -- this shows a little bit better. We -- this is the -- there is a shared access between us and CarMax.

Wheeler: Okay.

Wardle: And so we have an access here and we have an access here and, then, we have an access over on Records, but we are going to be installing all of the surface parking and all of the landscaping at the very beginning of the project and, then, we will come back and do phase two, which would be the second building at some point in the future.

Wheeler: Okay. Yeah. I don't envy development now with all the requirements and -- all of the construction costs, but also the lending requirements, too, so --

Wardle: Part of the reason for doing that is we -- we have both sewer and water, they go through the entire site. Storm drainage as well. The reason for paving at once -- if we don't pave it and City of Meridian requires that there be a mountable surface of the sewer and water lines and so it's in the parking lots anyways, so we just want to do it all at once. Wheeler: Is that going to negatively affect later, though, for like your lay down areas and the heaviest machinery going through there and you will have to resurface it later, too?

Wardle: It's possible, but we should be able to do all of our construction in that lay down area in the parking that's not needed for the other residents.

Wheeler: Okay. So --

Wardle: It will be a tight sight. If you saw what we did at the Bri project to the north of The Village, it -- it is complicated, but it can be done.

Wheeler: Okay.

Wardle: Thank you.

Wheeler: Thank you. And, then, I had one question for staff if that's okay.

Seal: Go ahead.

Wheeler: You said that the 35 foot buffer had to be less because of some access requirements; is that correct?

Parsons: Frontage improvements.

Wheeler: Frontage improvements. Okay. Okay.

Parsons: Yeah. They have to put a right-hand turn lane in, I believe.

Wheeler: Oh. Got you. Okay.

Wardle: If I can maybe clarify that just a little bit -- add a little bit of color to it. The -- we requested alternative compliance for Records already. So, there was an alternative compliance request that we did because of this. ACHD came back last minute, asked for that right turn coming off Records into the site and so that's already been approved. What really came up in the staff report this time was the question along Fairview. There is a couple of things there. As you know Fairview at the moment at this location does not have a curb. We are building out -- we are actually improving their storm drainage. Because it is what their -- their rural section, which doesn't have a curb, they do a sand window and so we actually are grassing down to the edge of the sand window, but ACHD

doesn't -- doesn't allow us to grass on the other side of the sand window adjacent to the asphalt. If there was a curb line it would all be grass and you wouldn't notice that. So, the alternative requirement -- or the alternative request in this moment is -- because we have that gravel there, it's -- which is within the 35 foot landscape buffer, we have to ask for that requirement -- or that alternative compliance. So, we do have it, but the ACHD hasn't determined what their final build out is, where the curb line exactly will go, so we are putting the sand window in and we just cannot put grass on the south side of that sand window. So, that's what really we are talking about. There is probably about maybe two feet of extra gravel that falls within the landscape buffer.

Wheeler: Okay.

Wardle: But the other alternative compliance request on Records has already been approved by staff after the conditional use permit was done.

Wheeler: Perfect. Okay. Thank you. And, then, one other question for staff here. We didn't have to worry about like an extra DA or modifying that with the parcel split here. It's approved and we don't have to do anything like that; right? Is that correct?

Parsons: Yeah. Mr. Chairman, Members of the Commission, there is a DA on -- put in place and it's going to run with the land and stay with this property. So, whoever buys one parcel or both parcels or if it stays under one ownership, it's all going to be -- it's going to stay intact. And that's what's unique about this particular project and that's what we talked with the -- the applicant about, too, is we want to make sure whatever we do on this, because there are two -- two different sides and two different buildings, they will -- they will have the necessary paperwork in place to make sure that there is -- drainage is -- is shared between both properties and parking and amenities are all being shared, but for the overall development, just not -- so each building won't be independent of one another, they will still be tied together through either CC&Rs or however they deem best to set that up for any -- for either themselves or any future owners going forward.

Wheeler: Perfect. Okay. Thank you.

Seal: Quick question. The private drive between this property and the CarMax, does have access to Fairview Avenue?

Wardle: Mr. Chair, it does not. It was -- it's never been approved for an access directly to Fairview. So, it's an access between our two properties and we can get out to Elden Gray, but we also both have accesses out to the other side. I think CarMax -- I don't know exactly how that -- they are using that. It clearly would be an access for us, because if you are coming in to our project coming south on Records you are going to go around the roundabout, head east on Elden Gray and come in or if you are coming in off Fairview you can do a right-hand end, so -- but the access is -- we do have an easement -- a cross-access easement on that with them. So, that's already been established. And part of the reason that I asked that question is knowing that the northern units are going to be last to develop, is there something you can do to help during the construction phase of the first

phase that will help kind of keep the construction traffic off of, you know, the -- the main roads there? You are going to have to come in Records for, you know, quite a bit of this I would imagine, but trying to keep it off of the road that runs east-west to the north of the property -- I mean is there anything that can be -- and I know that's -- that's a tough tricky question to ask, but I know that that's going to be a concern, especially for the folks that live, you know, a little bit more north up the road there, so --

Wardle: So, there is two -- Mr. Chair, there is -- there is two items at play here. One is additional access to an arterial roadway. Fairview is a no go. And we actually had to ask -- as part of our conditional use permit we had to go to Council, you acted on the conditional use permit, you approved it, we had to go to Council to actually get this right-in, right-out approved on Records.

Seal: Okay.

Wardle: And so you have this access between us and CarMax is a shared access. For all intents and purposes will act as a primary access and I think we would assume that most, if not all of our construction traffic will come in off of Elden Gray into this. I can assure you we do not want our large construction vehicles circling the parking lot to the south and coming back up and so that's -- that's really where we will, we will be off Elden Gray into that shared access between us and CarMax.

Seal: Okay.

Grace: Mr. Chairman?

Seal: Okay. That's just -- yeah. I just have a couple of -- to me it's concerning, because there is -- there is already a lot going on. The Village is a place -- there is a lot of youth that gather there. There is a lot of kids that are there that are going to be coming in from all over the place. So, I just -- my concern is just kind of the safety of them and, you know, that being less impactful on the residents that are already there, because this is going to -- I mean this is -- construction is probably going to go on for quite a while, so just throwing out some ideas, you know, to kind of help -- help us all be good neighbors.

Wardle: Mr. Chair, I do know that there are -- there are phases of construction. There are moments when it's super heavy. Candidly when concrete is being poured, something like this where we have a parking structure, there -- there is a fair amount of activity, those activity moments tend to be off peak. I can't guarantee that they will, but I know that when we did the parking structure for Bri that was done overnight and that was poured at times where it made sense for them. Will that be -- can I guarantee that? No. But I do know that as well from an efficiency perspective that our subcontractors like to bring on as much material as possible at one time, so they can operate with that. We panelized a lot of our other projects. So, those wall structures are coming in and they are able to put a lot of those up fairly quickly. So there are ways from a construction perspective. But I can't tell you that there will not be an impact, because, candidly, there will. At least we are not selling hamburgers.

Seal: True. Very true. I have had to make my way out of that area. So, I -- so far I have not had one of the hamburgers, so -- but very good point.

Wardle: The lines aren't quite as bad in Utah or Vegas. So, you --

Seal: That's right. Yeah. Okay. Commissioner Grace, do you have a question?

Grace: Yeah. Thanks, Mr. Chairman. Sorry, I didn't mean to interrupt you earlier. But a couple of questions if I could, Jon. Just to touch on -- I want to make sure I understood this correctly, the parking structure. I think -- I think I know what you were saying, but, essentially, what I wanted to know is during phase -- after phase one is done and prior to phase two being completed there will be adequate parking for phase one residents; right? I thought I heard you say the structure was under -- under the north -- the north building or is it under both?

Wardle: Mr. Chair -- I will answer that question first. Each building, the south and the north, each have parking structures.

Grace: Perfect.

Wardle: And, then, there is surface parking. We actually -- you can kind of see it -- the amenity -- or the blue area here provides more parking and would be finished right up against the -- the sidewalk on the north building. So, yes, there -- there is sufficient parking for phase one as a standalone, as we do all the site work, even if we exclude north of phase two, so that there won't be -- we meet the parking requirements. So, then, when we open phase two we can use -- everybody can use all the surface parking without restriction.

Grace: Yeah. You meet them independently, which is what I was driving at. The next question is do you have -- do you ever know -- is there going to be any kind of a crosswalk across Records more -- I guess more north than that Fairview intersection? I started seeing a lot of residents might be heading -- heading west there to partake of all the amenities over at The Village and I'm just wondering what do -- if you know what -- what that might look like?

Wardle: Mr. Chair, Commissioner Grace, see if I can do this. The locations to get across Records will be here down at Fairview at the roundabout. There won't be any pedestrian access at that location. There is actually a raised curb through there and it just -- it doesn't make sense to go across. There will also be an access to the park here. I will note as well that we are building a ten foot sidewalk along Fairview and along the frontage of Records. So, there is good connectivity up to Kleiner Park. But, yes, the only -- the only access points will be just south of the roundabout and just north of Fairview and there won't be -- sometimes you see this, Commissioner Grace, that there is a pedestrian ramp kind of directing pedestrians a certain direction. There will not be a pedestrian ramp that would allow a -- that really points somebody that way. It doesn't mean, again, we can't - we can't fix or stop every moment. People will try to run across there. It will happen.

But we are not providing any, you know, a curb cut or anything that will go across that medium that's raised.

Grace: Yeah. Is the one just south in the roundabout, is that crosswalk present right now or would that be added?

Wardle: The crosswalk is present. The sidewalk on our side along Records is not in. I'm trying to remember, Bill, maybe if you could look at the map. I don't know if there is a sidewalk on Elden Gray on our side or not. So, I kind of feel like there is some sort of sidewalk along that corner across to get up to the park. I would have to look at it on a different map here really quick and I can answer that in rebuttal if I need to.

Grace: No. I was really more just curious than anything else, Jon. Okay. Thanks for that. I appreciate that.

Wardle: Commissioners, I'm just looking at it right now. There actually is a sidewalk on that part of the roundabout. It's just a short section that meets -- so, there -- let me just clear this off and I will just resketch it here. Because the sidewalk exists here -- so, you can -- if you are coming from The Village across, you can get there and you can get here today. But there is no other sidewalk that exists that would allow you to go really any farther than Elden Gray or really any farther on Records. But we will be building that out completely on both directions. I just wanted to note that we are building a ten foot kind of regional pathway on Fairview and on Records and, then, a standard five foot sidewalk on Elden Gray.

Grace: Okay. I appreciate that. Just -- last question. Did you get any -- did you get any public comments when you had your neighborhood meeting?

Wardle: We have not had any public comment. I believe there is a few individuals that are here that perhaps were at previous hearings with us, but, no, Commissioner Grace, this is a -- it's a platting process, but it's -- you know, the conditional use permit as previously approved is still the same.

Grace: Okay. Yeah. And I didn't see any in the -- in the materials either, but -- but I looked at them online, so -- okay. Thanks, Jon. I appreciate it.

Wardle: Thank you very much.

Seal: Commissioners, anything else?

Wheeler: Mr. Chair?

Seal: Go ahead.

Wheeler: Jon, yeah, I do remember that. That was my only concern was the pedestrian traffic; right? And I'm sure it's a concern of yours -- yours on it, too, and I do remember

some other mitigation things about maybe putting signs on there and saying like, hey, no -- no -- no public pathway or no crossway or no pedestrian walkway there in order to work -- you know. And having arrows -- whatever the case is in order to help mitigate people try the actual place traffic, you know, right there.

Wardle: Commissioner -- Mr. Chair, Commissioner Wheeler, yes, doing that on our side where we can control the signage is a very easy thing to do for public safety.

Seal: Anything else, Commissioners? All right. Thank you very much.

Wardle: Thank you very much. Do we have anybody signed up?

Lomeli: Yes. Thank you, Chairperson Seal. We have Larry Vanover in attendance.

Seal: Good evening, sir. We will need your name and address for the record, please.

Vanover: I'm Larry Vanover and my address is 3420 -- 3420 West Montrose Lane in Meridian. 83646. I'm a retired city engineer -- or I'm sorry -- traffic engineer for the state of Idaho and I'm now on the board of the Meridian Senior Center and I know that he said that the pedestrians won't be able to cross and they have to go either way, but they are not going to stop and as it is now when we leave at 4:30 we can't go around the roundabout, because the traffic is coming for two blocks beyond the roundabout and if the roundabout is too close to the -- to the intersection and a lot of people are going past the used car lot has tried to cut off the intersection and it's not working and if -- is this going to be two lanes in north or just one lane north? Because we are -- right-in and right-out is a lot of traffic that's going to come around the roundabout to go back to -- to Fairview Avenue, so -- and I'm representing the senior center, because Toni was -- was not able to be here with her husband --

Seal: Okay.

Vanover: -- as he is, so thank you very much.

Seal: Thank you. I appreciate your testimony and we have all had to drive in that area and it's -- it's very busy as it was meant to be, but that's also, you know, not necessarily what some of the folks that have lived there for a long time want to see. So, appreciate - - appreciate your -- your comments. Anybody else?

Lomeli: Yes. Scott Dykstra.

Dykstra: Good evening, everybody. Scott Dykstra. 4260 East Venture Circle, Meridian, Idaho. 83646. So, I was here last time. This little development -- when you look at all of these plats and all of this information that you have on the screen in front of you, we are just off the edge of your map and your plat. So, I'm -- I'm here representing Venture Subdivision, which is the access point where all of the traffic is going to be. So, it's just fascinating every -- every time Brighton brings this development up they talk about Elden

Gray and the traffic on Elden Gray and Elden Gray stops and they never address Venture, which is where all of that traffic off of Elden Gray has to go and Venture Drive is a very small, narrow road. Used to have Bright Bank -- Hillcrest Bank right in front of it and there is 14 houses back there and so we are going to push all of this traffic back over to Venture still, we had an opportunity back when this was first proposed to take that road between the development and CarMax and bring that road out to Fairview and collect everything there and you could have created a right turn onto that road between CarMax and this development, a right turn in, a right turn out off of Fairview Avenue, you could have completed Fairview Avenue with a curb and gutter and I know this all goes back to Ada County Highway District, which is part of the challenge you guys have. Okay. Everyone -- we didn't go to the public meeting, because we weren't notified. We are outside of that 300 foot zone. So, nobody tells us anything until we see your sign go up and then we show up and say what are they doing tonight? Okay? So, they should have changed it so you have a right-in, right-out off of Fairview. That would have taken the traffic off of Records. As it is right now they are going to come up Records turn right to get into this development. As they leave they are going to come out onto Records and be forced to turn right -- turn right on Elden Gray, catch up with everybody else coming out on the east side of the property and come down to Venture, my street, with 14 houses and end up getting piled up on Venture trying to get out onto Fairview again. Okay? So, just be aware when you look at a plat there is a world outside of that plat and I'm here to represent that world tonight. Okay? I would -- I would suggest that you look at that zone along there -- look at CarMax, what they have done with that, and talk to Ada County Highway District about putting in a nice entry for the City of Meridian and making it something presentable. Thank you.

Seal: Thank you. Appreciate it. Okay. Anybody else? Anybody raising their hand online?

Lomeli: Yes. There is a Sean MJ raising his hand.

Seal: Well, bring him in. Thanks, Sean. Can you hear us?

Thompson: I sure can. Can you hear me?

Seal: Yes, we can. If you will give us your name and address and you can then address the Commission.

Thompson: Yeah. My name is Sean Thompson. I live at 1519 Venture Place, Meridian, Idaho. 83646.

Seal: Go ahead, sir.

Thompson: So, to start with, one of the issues I have had with a lot of the developments going up in The Village is that the road there is only 36 feet wide. Venture Street is 39 feet wide and you are going to be forcing a lot of traffic that's already detrimental to our little subdivision and also unsafe, because when people are traveling down Elden Gray

they are flying at 40, 50, 60 miles an hour thinking that's a little thoroughfare that they can race their little cars and we have had a ton of people driving down that road with cars parked on both sides and you can barely get through that street. So, what I'm afraid of is that this development is going to come in, which I wasn't even told about, I just saw the sign as well and, then, you are going to be having -- you can't even get two cars through there if two cars are parked on either side and CarMax will leave -- went to their development sessions -- they weren't supposed to park any of their trucks on Elden Gray because they said that wasn't going to be any parking. But there is trucks parked there all the time, dumping cars off, they are sitting there for the next time they have to dump cars off or whatever and it is really difficult to get down that street when there is a lot of traffic. If you have an event at The Village there is two lanes of cars down that street, you can barely get through, so my -- my concern is -- is that we have already got safety issues on that street as it is and, then, you are going to put in a 500 unit -- and I'm -- obviously it has been approved, but I'm kind of late to the party, but, honestly, at least widen that road to 39 feet, so that at least if you are going to allow people to park on that street when you have no parking signs and people do it anyway, that they would at least have enough room to get through there and that's going to happen with -- you have got this development, there is going to be visitors and they are going to park on the street and we are not going to have a very small window to drive through there to get out and it's already become very tough to get through that roundabout at 4:00 o'clock in the morning -- or 4:00 or 5:00 o'clock, because, like Scott said, it's all backed up -- I saw it during Christmas backed up all the way to almost -- almost to Ustick. We were just like blown away going how do we get home, so -- and we ended up having to turn around, get on Ustick, go up to Cloverdale and come back on Fairview and drive into the subdivision. So, I know that none of these things were addressed, because they are still a problem. They can put bumper curbs down the middle of our street to solve a problem that should have never been there in the first place. So, that's my concern. And that's my comments and I wanted them on the record, because I don't think anyone cares about this stuff.

Seal: Thank you, Sean. Appreciate the testimony. And, for the record, I was one of the people that were probably in that line coming off of Ustick.

Thompson: Yeah.

Seal: Around Christmas.

Thompson: It's very dangerous the way people are driving there. Thank you.

Seal: Thank you. There is nobody else online. Is there anybody else in the audience that would like to testify? All right. Would the applicant like to come back up?

Wardle: Mr. Chair, for the record Jon Wardle with Brighton. 2929 West Navigator, Suite 400, Meridian, Idaho. 83642. Just wanted to acknowledge that The Village had a transportation plan that had been reviewed and adopted a long time ago and these things are -- while we are here in 2024, improvements are continuing to occur. We are not deaf

to those, but at the same time we do have a roadway agency that does review these things. Going to Fairview is not an option. If it was that would be great. But it's -- it's not an option. Records is a collector roadway and it has been intended to take traffic and provide an alternative to Eagle Road as well and getting access into The Village, Venture and Elden Gray, they are existing public roads as well and I do know that they are both local streets. If there is a parking problem with those that might be an opportunity for the neighbors and ourselves all talked to ACHD about no parking signs, if they are not existing today, or if they do exist today and people are parking there, then, that's a Meridian city enforcement element as well. We are working within one what is there, trying to make improvements. I don't disagree that people will do things to try to simplify their life without thinking about the impact on other people. That goes for all of us. We are going to try to be good neighbors. We -- we intend to continue to add to the value of -- of The Village, which has a great asset there, which is a regional park, which does bring a lot of people there. It is a natural draw, as well as The Village as well and bringing people to live there was a goal of the city's. So, again, not deaf to the comments made tonight, but we have discussed these with the highway district and we have worked with them to come up with solutions and this is -- these are the solutions. So I stand for any questions you might have or follow up that you might have based on the project, but as I mentioned before we do request your affirmation and forwarding this to the Council for their review as well.

Seal: Commissioners, anything further? Commissioner Grace. Commissioner Lorcher?

Lorcher: No, thank you.

Seal: Okay. I -- this one is a tough one for me, so I kind of think of The Village -- you know, I'm old enough to have been a mall rat when I was young and visited the mall area in Boise when I was younger and soon grew up to avoid it like the plague. So, fortunately or unfortunately, this area is kind of becoming the same way where there is enough other alternatives for folks to go elsewhere except for those that live there, which is, you know, fortunate or unfortunate, depending on how you look at it. So, I -- I know several people that live right in the area that are extremely happy with what they have there, because they have access to everything that they would want to. You know, movies, shops, you know, haircuts, stylists, hamburgers and, you know, a fantastic park with -- with a lot of activities. So, for some people that moved in and they have their, you know, one acre lot or something that's right next to that, probably not the lifestyle that they wanted, but that is the growth of the city and where it's going, so -- and, again, in my mind this is kind of the mall of the modern day where it's built to and meant to be populated and busy. That's basically the whole idea behind it, so, you know, we have -- we have spent a lot of time on the applications for this and a lot of -- a lot of testimony, a lot of late nights already, so I don't want to rehash too much, so -- you stole my thunder a little bit on the code enforcement. I mean if those -- if that street truly is something that's supposed to be no parking, then, code enforcement is the way to go. I mean there is -- you can call city code enforcement, you can call police officers, you know, there is only so much that they are going to be able to do about it, but if they are constantly vigilant with that, then, eventually people will stop doing it. You know, you can't get people to quit running across the road and so, you know, you know, what to say for those folks, other than, you know, I have

read Darwin's works, too. So it takes -- it takes all kinds, so, that's -- that's just going to be part of it. I think it's a wise decision to not have anything that's going to cross Records. I mean it makes sense from a make-your-life-easier standpoint to get from the development over into The Village, but at the same time that would take something that's already extremely busy and congested and, you know, further congested for everybody around there, so -- I mean, you know, folks are just going to have to learn to walk a little bit further on that one. And, then, you know, as far as the entrance into Fairview, really, that's -- I mean it's like the applicant said I mean I wish, you know, we as the Commission or city staff or anybody else can wave a magic wand and get ACHD to change their mind. They won't. So, this is one of the sticking points of this application for sure, because it is that and we have deliberated about it endlessly. I think -- you know, I think most of us would rather see that open to Fairview one way or the other. So, what it eliminates all the problems? No. Would it alleviate some of the problems? Yes. But, again, ACHD as a - they own the roads, so there is -- there is a lot that ACHD does that I don't personally -- you know, I personally don't agree with, so -- and they make some applications like this even harder than they need to be, but they own the roads. So, I would definitely recommend that if you have an avenue of ACHD to let them know. I mean just like this hearing they have mechanisms for the public to reach out. So, I mean I would imagine everybody in that -- in the subdivision that you are in would be more than willing to sign something, call somebody, take some kind of action that may or not -- may or may not be helpful in the long run. So, any of that feedback is always helpful, so -- I have had several people -- individuals come in here and change my mind. So, I recommend that do whatever you can do for your subdivision, for your community that you feel helpful please do that. With that I will quit rambling and let somebody make a motion on this. Oh. Wait a minute. Yep. You are right. I was going to say almost got out -- to turn the -- I'm getting rusty at this, so -- does the applicant have anything further for us?

Wardle: I do not.

Okay. Didn't know if you want to rebut my rebut.

Thompson: No.

Seal: Good. All right. Well, thank you very much. Appreciate the time tonight. With that I will take a motion to close the public hearing for File No. H-2023-0059.

Rivera: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2023-0059. All in favor, please, say aye. Opposed same? The public hearing is closed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Does anybody have anything further that they would like to add?

Grace: Mr. Chairman, yeah, I think you said it well. A lot of -- some of the sentiments I had. The one thing I would say that hopefully might be some consolation to the folks in the Venture Subdivision is I'm hoping that folks might use that roundabout as a better way to get back on to Fairview, particularly anybody who comes out of the new -- out of this new multi-family on Elden Gray and even if you come out on Records it's a quick -- it's a quick, you know, 180 on that roundabout to go west on Fairview -- or on Fairview and if you are going to go north you just keep going on Records. I am hoping that there is not a lot of people who want to come out on Ventura and go left to go east on Fairview at busy moments, because that could be a long wait. So, again, I -- I sympathize like you, you know, especially for homes that predate what -- what's called -- what's been put in this area, but I hope they see some relief in that in that fashion. So, that's all I wanted to say, Mr. Chairman. Thank you.

Seal: Commissioner Lorcher, anything to add?

Lorcher: No, not really. Everything has been said.

Simison: Okay. Thank you much. All right. With that I will I will take a motion.

Wheeler: Yeah. Mr. Chair?

Seal: Go right ahead.

Wheeler: Yeah. I wish we were a one stop shop where we could take care of all the road, jurisdictions, everything like that, because it -- because we do seem to hear more of those -- of those things and the conditions when they call up with the plats and stuff, but, unfortunately, you know, we have our limits on what we can do and so there is other bodies there and do give you're a voice, because ACHD does have it. Have as its traffic plan during this construction site and they -- they have a tendency that -- or at least they -- whether they listen or do that or not, at least it's been said. So that's good. And with that I would like to make a motion for approval. After considering all staff, application, public testimony and move to recommend approval of the City Council -- to the City Council of File No. H-2023-0059 as presented in the staff report for the hearing date of January 4th, 2004, with no modifications.

Seal: Two thousand and when?

Wheeler: 2024. 2024. Sorry. Went back a decade -- or a couple.

Grace: Mr. Chairman, I will second that.

Seal: It's been moved and seconded to recommend approval of File No. H-2023-0059 as presented in the staff report. All in favor say aye. Opposed nay? Motion carries.

MOTION