

Meridian Planning and Zoning Meeting

December 18, 2014

Meeting of the Meridian Planning and Zoning Commission of December 18, 2014, was called to order at 6:00 p.m. by Chairman Joe Marshall.

Present: Chairman Joe Marshall, Commissioner, Commissioner Steven Yearsley, Commissioner Patrick Oliver and Commissioner Rhonda McCarvel.

Members Absent: Scott Freeman.

Others Present: Machel Hill, Ted Baird, Caleb Hood, and Bill Parsons.

Item 1: Roll-Call Attendance:

Roll-call

<u> X </u> Steven Yearsley	<u> X </u> Patrick Oliver
<u> X </u> Rhonda McCarvel	<u> </u> Scott Freeman
<u> X </u> Joe Marshall - Chairman	

Marshall: All right. Good evening, ladies and gentlemen. I'd like to welcome you to the regularly scheduled Planning and Zoning meeting for December 18th, 2014, and I'd like to begin with roll call, please.

Item 2: Adoption of the Agenda

Marshall: All right. First thing on the agenda is the adoption of the agenda and I do have two items to add. I would like to add Item 5, discussion of a special meeting to discuss -- since the next meeting falls on January 1st -- since it falls on a holiday we will have to have a meeting that next week to cover any items that we may move forward tonight. So, I would like to add that discussion as Item 5. And, then, Item 6 I would like to add election of officers for the year of 2015. Typically we -- I think by charter we are supposed to do that on the first meeting of December, but we seem to have missed that and so the second meeting in December will be the election of officers for 2015. All right. So, could I get a motion to approve the agenda -- adopt the agenda as -- to be continued? Okay. Also Action Items A and B, we are going to open those for the purpose of -- that's AZ 14-014 and CUP 14-019, we are going to open those for purpose of continuing those due to a noticing error. So, with those modifications, could I get a motion to adopt the agenda?

Oliver: So moved.

Yearsley: Second.

Marshall: I have a motion and a second to adopt the agenda as modified. All those in favor say aye. Opposed? That motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Item 3: Consent Agenda

- A. Approve Minutes of December 4, 2014 Planning and Zoning Commission Meeting**
- B. Findings of Fact and Conclusions of Law for Approval: CUP 14-016 ACNW Indoor Recreation Facility by ACNW Properties, LLC Located 1471 E. Commercial Drive Request: Conditional Use Permit to Operate an Indoor Recreation Facility in an I-L Zoning District**

Marshall: All right. Next thing on the agenda is the Consent Agenda and I have two items on there, the approval of the minutes for the December 4th meeting and the Finding of Fact and Conclusions of Law for approval of CUP 14-016, ACNW, indoor recreational facility. Any comments, Commissioners? No changes, corrections, or anything? Then could I get a motion to approve the Consent Agenda?

Oliver: Mr. Chairman?

Marshall: Commissioner Oliver.

Oliver: I move to approve the Consent Agenda for items A, approving the minutes, and Findings of Fact and Conclusions of Law for approval of CUP 14-016.

Yearsley: Second.

Marshall: I have a motion and a second to approve the Consent Agenda. All those in favor say aye. Opposed? That motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Marshall: All right. Now we are onto the Action Items and at this point in time I'm going to try to explain a little bit how this process works. First thing I'm going to do is I'm going to open each of these items and I'm going to ask for the staff report and staff is going to provide the rundown on how -- you know, what the background is on the application and how it meets city code and ordinance and any issues and, then, I'm going to ask the applicant to come up. The applicant will have 15 minutes to add any other additional information they think they'd like the Commission to consider. Then I'm going to start calling on the public to testify. Anybody that would like to testify I would appreciate if you could sign up in back. There is some sign-up sheets for each of the applications and I will start with people that have signed up and I will call each of them one at a time. You will have three minutes to address the Commission on any points that you would like us to consider and then -- well, also, if you are speaking for a large group, if you

would raise your hand -- if you would let us know when you come to the stand and by show of hands, everybody else giving up their time, you could have ten minutes to address the Commission. After that I will ask if there is anybody else that's reconsidered and didn't sign, is there anybody else that would like to address the project. After everybody has had an opportunity to address the project, I'm going to ask the applicant to come back up and address any issues that might have come up during public testimony. After that I'm hoping we are going to be able to close the public hearing on the application, deliberate, and render a decision.

Item 4: Action Items

- A. Public Hearing: AZ 14-014 Sulamita Church by Architecture Northwest Located Southwest Corner of W. Cherry Lane and N. Black Cat Road Request: Annexation and Zoning of 9.76 Acres of Land with an R-8 Zoning District Continued and Renotify for January 15, 2015**
- B. Public Hearing: CUP 14-019 Sulamita Church by Architecture Northwest Located Southwest Corner of W. Cherry Lane and N. Black Cat Road Request: Conditional Use Permit Approval to Develop a Church on Approximately 8.47 Acres in the Proposed R-8 Zoning District**

Marshall: All right. So, with that said I would like to start with the public hearing for AZ 14-014 and CUP 14-019 and we are opening these to discuss continuing this due to a noticing error. Did staff have anything they would like to address to that?

Parsons: Mr. Chairman, Members of the Commission, at this time I do not. I think the hearing outline represents what's occurred. We need that additional time so that the clerk can prepare the correct noticing and get those out to the adjacent property owners within 300 feet of this project. So, we are asking for that continuance to the next available hearing, which is January 15th.

Marshall: All right. Commissioners, any comments or thoughts? Well, then, while the public hearing is still open I am looking for a motion for continuance.

Yearsley: Mr. Chairman, I move that we continue the public hearing of AZ 14-014 and CUP 14-019 to the hearing date of January 15th, 2015.

McCarvel: Second.

Marshall: I have a motion and a second to continue AZ 14-014 and CUP 14-019 to January 15th for the purpose of renoticing. All those in favor say aye. Opposed? That motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

C. Public Hearing: CUP 14-017 Centrepointe Drive-Thru by The Land Group, Inc. Located 3421 N. Eagle Road Request: Conditional Use Permit Approval for a Drive-Thru Establishment in a C-G Zoning District Within 300 Feet of an Existing Drive-Thru

Marshall: All right. At this time I would like to open the public hearing for CUP 14-017, Centrepointe Drive-Thru and I'd like to ask for the staff report, please.

Parsons: Thank you, Mr. Chairman, Members of the Commission. The first item -- or I guess the second item on the agenda this evening is the CentrePointe Drive-Thru. The property consists of 1.22 acres of land and is zoned C-G within the city. In the aerial here you can see that the property is currently developed with a 6,400 square foot restaurant called Fuddruckers. This building will be removed to make way for the proposed development that I will be discussing with you this evening. The Comprehensive Plan for this property does designate this piece as mixed use regional. With that land use designation we do envision a mix of uses to occur within that boundary. Just recently the Planning and Zoning Commission and the Council acted on a conditional use permit for some multi-family adjacent to the backage road to Eagle Road along CentrePointe Way here, so although this is a commercial development and it is replacing an existing commercial, staff is comfortable or at least that this proposed development is consistent with the concept plan and also that mixed use designation with the addition of that residential in the future. The graphic before you now shows what's currently existing on the site on the left-hand portion of the graphic and, then, on the right-hand side is the proposed development. All the landscaping along Eagle Road and those access points that you see here were constructed and approved with the subdivision approval in 2006. Those will remain in place as part of the project approval -- or project moving forward. The building footprint has decreased slightly to make way for the drive-thru use. The only reason why this is before you is because the proposed drive-thru is within 300 feet of an existing drive-thru north of this proposed drive-thru. So, as the code reads anything within than 300 foot radius has to come before you for a conditional use permit. Staff has analyzed the site circulation for the proposed drive-thru and we find that it does comply with those specific use standards outlined in the UDC. In my staff report I did raise -- call to your concern -- raise the attention that cars could potentially stack within this area and block the drive aisle, but with the development of the commercial development and access into the parking lot there are two additional ways folks can enter and out if there is some minor stacking or conflicts with cars in this area. So, although that could occur and more than likely will if it is a popular drive-thru, staff is still confident that other cars can maneuver through the parking lot and still get access to the adjacent right of ways within the commercial development. Again, the parking lot and all of the landscaping here will remain with the development. As I pointed out in my staff report, there are some minor changes with the relocation of the trash location -- trash enclosure from the north side of the existing building to the south side boundary of this development and, then, a couple land -- or parking stalls are being replaced, so losing three on the south boundary, but gaining

those three here in the northeast corner. So, the parking ratio as approved in 2006 with the restaurant use had 58 parking stalls. The site plan that's presented to you this evening contains 58 parking stalls., So none of the parking ratio has changed from what was previously approved and will remain intact with this development as well. Staff did do a cursory review of building elevations, not only with the design standards in the UDC, but also with the recorded development agreement, and we are recommending two minor modifications to the elevations and I have pointed those out here. Basically the applicant is proposing a green wall for two of the facades. This would be the south facade and this is the Eagle Road or east facade. Staff felt in order to get a little bit more modulation, articulation to that facade that raising that trellis and incorporating the raised -- raised planters to the height of the proposed brick wainscot would add some more -- a more decorative element to that building and would closer align with our design standards currently in the UDC. Staff has received written testimony from the applicant. They have read through the staff report and they are in agreement with all conditions in -- contained in the staff report. To my knowledge there aren't any other outstanding -- or any outstanding issues before you this evening. This can conclude my presentation and I will stand for any questions you have.

Marshall: Commissioners, any questions of staff?

Yearsley: Mr. Chairman?

Marshall: Commissioner Yearsley.

Yearsley: Bill, will you go back one? On the -- I guess the northern part of the property where that -- is that striping or is that going to be a raised curb for that exit lane -- wanting to make sure that they have appropriate escape lanes I guess.

Parsons: Mr. Chairman, chairman -- or Commissioner Yearsley, that is striping only. That has to remain open for the exit lane.

Yearsley: Okay. I just wanted to make sure. I knew that that had to be open, so I wanted to make sure that that was the case. So thank you.

Marshall: Think alike. I had the same question. Any other questions, Commissioners? All right. I'd like to ask the applicant to come forward, please. And I'm going to have to ask for your name and address for the record, please.

Lauerman: Denice Lauerman. 462 East Shore Drive, Eagle. Idaho.

Marshall: Thank you.

Lauerman: And representing the owner. We totally agree with the staff report. We don't have any issues, so I'm here for any questions that you might have for me.

Marshall: Commissioners, any questions of the applicant?

Yearsley: I don't have any.

Marshall: I don't either. It seems pretty straight forward. I have a question, but I don't -- I don't think it would probably be appropriate for this forum is to tearing down a brand new building to build another, but it's got to be valuable property, so I have answered my own question. All right. I guess that's it, so --

Lauerman: Okay.

Marshall: Thank you very much.

Lauerman: Thank you.

Marshall: And I have absolutely no one signed up to testify for CUP 14-017. Would anyone like to address this application? Seeing no one coming forward, I think it would probably be a waste of time to ask the applicant to come up and readdress her own comments. So, Commissioners, could I get maybe a motion?

McCarvel: Mr. Chairman?

Marshall: Commissioner McCarvel.

McCarvel: I move to approve file number CUP 14 --

Marshall: Just a second. The motion I'm looking for is to close the public hearing first.

McCarvel: So moved.

Oliver: Second.

Marshall: I have a motion and a second to close the public hearing on CUP 14-017. All those in favor say aye. Opposed? That motion carries.

MOTION CARRIED: FOUR EYES. ONE ABSENT.

Marshall: Okay. You know, I don't have any discussion. Nobody else? So, now, Commissioner McCarvel, I think it would be appropriate to make that motion.

McCarvel: Mr. Chairman, I move to approve file number 14 -- CUP 14-017 as presented in the staff report for the hearing date of December 18th, 2014.

Oliver: Second.

Marshall: I have a motion and a second to approve CUP 14-017. All those in favor say aye. Opposed? That motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

D. Public Hearing: CUP 14-018 Ada County Dispatch Center by Ada County Located South of E. Pine Avenue and West of N. Locust Grove Road Request: Conditional Use Permit Approval for a Public / Quasi Public Facility (911 Dispatch Center) and an 180-Foot Tall Wireless Communication Facility in an I-L Zoning District

Marshall: All right. Next on the agenda is CUP 14-018 for Ada County Dispatch Center and I'd like to open that and ask for the staff report, please.

Parsons: Thank you, Mr. Chairman, Members of the Commission. Next item on the agenda is the Ada County Dispatch Center conditional use permit. The subject property consists of 3.88 acres of land and it's currently zoned light industrial within the city limits. Currently this property is developed -- partially developed with a 4,100 square foot paramedic station, as you can see in the graphic here. This is probably the last and final phase proposed for the Ada County Weed and Pest Campus. This project was before you in 2005 and received subdivision approval for a three lots subdivision. Several of the lots have developed and, again, this is the last remaining portion that is to develop. Surrounding this property -- it's primarily industrial properties and undeveloped property to the west. The only single family residents in the area are adjacent or north side of Pine here as you can see in the zoning vicinity map. The Comprehensive Plan designates this property as mixed use community, which, again, like the last application, we envision a mix of uses within that area. As I have pointed out in my staff report, the weed and pest campus was always envisioned as a public/quasi-public use. If you look to the west of this campus you can certainly see there additional properties in the area that can develop -- that have the same land use designation that could also develop with a mix of commercial and residential uses. So, although this may be a single use, it was always envisioned for that use since 2005 or since the county bought the -- purchased the property and staff envisions additional uses developing on the western property boundaries in order to compliment this use. So, we envision something more than just a single use in the area and this is just one way we see we are going to get it. The applicant is here to discuss constructing a 25,000 square foot -- basically data center, a support office structure for the Ada County Dispatch Center. In conjunction with that application the applicant is also proposing to construct a 180 foot tall cellular tower wireless communication facility on the site. The main reason why they have to go through the conditional use on this site is because the public/quasi-public use requires conditional use permit approval in the I-L zone and the wireless communication facility is a principally permitted use in the industrial zone, but the applicant wants to deviate from the design standards in the UDC. Rather than constructing a mono pole design, they are here to discuss a steel lattice structure in order to get the height that they are seeking to support -- in order to get that height they need that structure to be that tall to support that 180 foot tall structure. A mono pole wouldn't do it. So, that's what they are -- that's the main reason why the wireless communication facility is wrapped in with this

approval as well. Before you is the site plan that they are proposing. This lower southwest corner, again, is where the existing paramedic station is and it has its own curb cut here. Access to this development will be provided from a private driveway. Although this is labeled as North Stonehenge Way, it is a private driveway that was constructed with the subdivision or with the Ada County Weed and Pest Campus and it does connect Pine Street here to the north and East Commercial Drive to the south. So, it does act as a de facto road, but it is more of a commercial driveway. Again, the building here -- the applicant is proposing a secured facility located around -- at least fencing around the campus. Decorative fencing is proposed along the Pine side and also the Commercial Drive side here that I noted in the staff report. One thing that I do want to bring to your attention, the depiction that we received with this application showed an eight foot -- or a six foot tall fence for the decorative wrought iron fence and I think the applicant submitted written testimony and requested an eight foot tall and, again, that is allowed within the I-L zone to have a fence that high. Probably the primary issue that I do want to raise with the Commission this evening is how we get cross-access to this property. The adjacent property to the east, when they built -- expanded their facility they were required to construct a driveway and grant cross-access to this property and I have deliberated that here in the graphic. Our recommendation this evening is that the Ada County -- or the applicant run -- construct a driveway -- right now they are showing landscaping and a parking lot. Our recommendation in the staff report is that they remove that parking or readjust that parking and make that driveway connection, but gate it off. So, we are not opposed to the secured facility, we just think that this could be better served as a secondary access or an emergency access if anything was to happen to the access -- commercial driveway access to Pine and East Commercial Drive. Again, the property owner to the east was also required to reciprocate cross-access to this piece. The main reason why staff feels it's appropriate, because, as I mentioned to you this is the last remaining portion of property that could redevelop. If we don't get the cross-access now there may not be another opportunity for it in the future, unless this property does redevelop. So, that's why staff is so supportive of having that -- or requesting to have that constructed. In meeting with the applicant and as my -- as I allude to with the adjacent properties to the west, there is quite a bit of vacant property and, again, this is a private driveway, so we have requested that they grant the properties to the west cross-access, too, so they can use the Commercial driveway here as well and the applicant is in agreement with granting cross-access to the western property. Here is the landscape plan that they are proposing. In general it does comply with the UDC standards for landscaping. The applicant will have to widen the buffer -- the buffer width along the north and the east boundary moving forward as they move through the CZC and design review process; but it should be a simple fix and shouldn't require too many modifications to the site plan before you this evening. If -- if it is -- if you are inclined to require the cross-access this evening without the gate, the applicant may and likely have -- would have to come and more than likely modify that concept plan and maybe bring back something for you showing how the adjacent property would have access to Stonehenge Way and not through a gated facility. Here are the proposed building elevations for you. One thing that I did want to mention to you, this is -- again, this is a campus feel. The proposed building elevations do match -- are consistent with the

proposed building materials. Adjacent -- with the adjacent buildings we are looking at stucco, split face block, and metal accents. So, again, this is consistent to what was proposed or consistent with the existing structures on the site. Moving forward the applicant will have to go through CZC and design review for that structure. If I can step back very quickly, I also wanted to mention to you that -- excuse me -- that -- I guess I lost my train of thought there. But, again, they are consistent -- oh. One item that I did want to point out, now that I got my train of thought here. When this subdivision came in there was quite a bit -- there is a large facility -- or irrigation easement that runs across the north boundary and the east boundary as well. My staff report I did bring to your attention that the applicant will have to coordinate with the irrigation district on these improvements with the landscaping, the parking, and, then, the fencing as well. So, certainly that could have a direct impact on the amount of planning or the landscaping that happens within those areas. Typically the irrigation district does not like trees with -- over their irrigation districts or their piped facilities, so moving forward the applicant will have to provide some documentation that they did work with the irrigation district on their site plan and those improvements within that easement area. One other item. This particular property is located within the flood plain, so they will have to coordinate with our flood plain development -- obtain a flood plain development permit to -- prior to construction on the site. Staff did receive written testimony on this application. The first came in form of a written testimony and that should be in your packet this evening from Bryan and Merilee Turner. They did raise some concerns with the height of the cell tower and impacts to their property. They live in the adjacent subdivision to the north. I believe in my staff report I have made some analysis in there that under the comp plan that we felt it was adequately screened from the adjacent roadways and adequate separation from the adjacent residences. Before I came to the hearing this evening I did kind of scale out where the nearest residence would be in conjunction with the proposed cell tower and the nearest residence is approximately 500 feet from the proposed cell tower or the wireless communication tower, just to go on record for you, and, then, staff also received written testimony from the applicant. As I alluded to in my presentation, there are several items that they would like you to take under consideration this evening and those are in your hearing outline this evening. So, the first being specifically the painting or the powder coating of the wireless tower itself, the pole structure. Our ordinance requires that it be painted or powder coated to compliment the development. They are asking that it just remain galvanized metal. Again, this is under your purview. They are -- they do have a conditional use and are requesting you to take action on something other than what's allowed in the code or at least deviate from the design and color is one the design elements. So, that is within your purview under the conditional use permit to either allow it or require them to comply with the condition as staff has it in the staff report. The second item would be 1.1.3, item number two. Typically with wireless communication facilities staff requires that other providers be able to co-locate that tower. The applicant has stated in their narrative that they are open to that. They just want to have the ability to say who locates on that tower and certainly as property owners they have the right to choose who co-locates on that. So, I don't think there is a conflict with that condition. I think they just want to make it clear that they want to reserve the right that they make the final decision and so certainly when they come in with their CZC and design review for the

site they will have that opportunity to, yes, we will allow co-location at the discretion of the property owner. So, no issues there. The other issue -- or other concern they want to bring up, too, is the most important one, which is that cross-access to the eastern property -- eastern property. As I stated in my staff report, staff feels it should be connected and the driveway should be constructed and cross-access should be granted to that property owner. As we envision this piece -- although it needs to be secured, we can -- we sympathize with that request, but we feel it could still be gated and still be connected to facilitate some form of cross-access, maybe not now, but maybe if the -- if they outgrow this facility and want to sell it off in the future, the new owner would have some ability to do that as well. The last item would be the construction of the perimeter fencing as I alluded to. Again, they erred on their schematic. They showed a six foot tall fence and as I alluded to they are requesting that to be eight foot and, again, we can work that out at CZC and design review. I think they just want to go on record and staff wants to go on record that eight foot is allowed and it is permissible and, again, we can work that out with design review. As the condition is written in the staff report it merely states comply with the fencing as proposed. So, as long as we all understand it's eight foot, staff is amenable to that. Other than those -- that written testimony, staff is not aware of any other outstanding issues before you this evening. This will conclude my presentation and I would stand for any questions you have.

Marshall: Commissioners, any questions of staff?

Yearsley: Mr. Chairman?

Marshall: Commissioner Yearsley.

Yearsley: Bill, so the tower is supposed to be 180 feet. What's -- what's the standard tower heights that we have for other cells or do they vary? I mean what are we -- just kind of -- as a comparison. Do we know?

Parsons: In my review of cell towers with the city I have seen anywhere from 80 to 125 feet as a typical height.

Yearsley: Okay.

Parsons: So, this is certainly outside of the realm of what we typically see, but currently under the UDC -- and I think I pointed that out in the staff report -- cell towers are exempt from the height requirements under the UDC. So, there really is no height limit per se. But it is again -- my discussions with the applicant I asked them to explain how this is to operate and how it is to function, so that the community knows that it really is meant to serve -- be for the public benefit, not be a detriment on the surrounding development. So, I think they are -- they are more familiar why they need that height. I think in the staff report I said it was so they could -- they could talk -- or at least this facility could talk with all the other towers throughout the county. So, it is -- it is a pretty important wireless communication facility.

Yearsley: Okay. I was just more of -- just trying to get a comparison on heights at that point. The other one that I have is on the driveway access between the two, the other adjacent owner, he does need this access, we are just looking for -- down the road for a future project if they ever decide to leave, that there is some cross-access. Is that my understanding?

Parsons: Mr. Chairman, Members of the Commission, Commissioner Yearsley, I believe at the time that staff required that access, if my memory serves me right -- we always envision that he may lose his access to Pine and this was going to be his access through this property and that's why we were so adamant when he came in to have him grant and construct that driveway. So, at the time that he came in we envisioned another access for his property and Pine -- his Pine access would close -- would be closed and that's what we envisioned between these two properties and so in our minds there is -- again, it comes down to ACHD and what they do in the future with Pine, but there is certainly -- if this doesn't happen, then, yes, he would certainly be allowed to keep his access to Pine, because he would have no other access to his property.

Yearsley: But if ACHD does come through and widen it, he has that access -- I mean he's going to have to go through gated fences to get to his property, is that not what I understand? I'm just trying to understand the nuances of that.

Parsons: You're right. We are -- we are trying to be sensitive to the county, but also don't want to close the door on not ever getting access.

Yearsley: Okay.

Parsons: And that's -- that's the purpose of that condition.

Yearsley: Okay.

Parsons: I'm sure this facility is meant to be here for 50 to 100 years and we certainly want it to be secure, but we just don't want to close the door on no access forever, because we may not ever get another bite at the apple, unless the property redevelops.

Yearsley: Okay.

Parsons: I think there is probably some ways that they could redesign their parking a little bit and facilitate another access and still keep the campus secure. I certainly -- we are not here to design the project for them, we are just here to bring forth the issues and talk to you about the code.

Marshall: I just want to clarify a little bit, Bill. If I heard you right, if ACHD -- if and when -- it probably will happen some day in the next three or four centuries -- they go through and widen Pine. If this facility were here and it's a secured facility, gated, he's going to be granted the access that he has currently, but as we foresaw that access going away,

now we -- if this were approved as is that access would not go away and he would retain what is there, even with a widened Pine.

Yearsley: Okay.

Parsons: That's the way I would understand it, because how could -- ACHD couldn't take away his access, he doesn't have it from any other adjacent properties.

Yearsley: Correct. I have one last question really quickly and I know you have done your analysis, but this is a 24,000 square foot building. Are we adequately parked? Because I'm assuming that this facility is going to operate 24/7. Do we have enough overlapping parking to make sure that people can get in and out and stuff like that. I just want to make sure that that's understood.

Parsons: Chairman, Commissioner Yearsley, in my staff report I called out what the minimums would be required by code and this site plan before you has 110 parking stalls. So, I think in my opinion it's adequately parked for what they are proposing to do here. The code only requires 13 stalls based on the -- or ordinance is set up based off of zoning, not use.

Yearsley: Right.

Parsons: So, it's under our -- under the zoning it's only required to have 13. One stall for every 2,000 gross floor area.

Yearsley: Okay.

Parsons: So, this facility -- this site plan before you has 110 parking stalls, plus there is other -- like, again, there is another -- it's a campus, so there is other parking throughout the area, but, yeah, I believe it's adequately parked based on my analysis and the staff report.

Yearsley: Okay. I think that's all I have.

Marshall: Bill, I did have another question. The property to the west, when you say they have cross-access, they are willing -- the applicant is willing to grant cross-access, are we talking just on the private drive to Pine or clear across the property to the other property? And we are talking -- we are looking for a cross-access easement on the property on the east, we are talking clear across the property to Stonehenge, isn't it? Stonehenge? Which is a private drive. And, then, out to Pine. So, is that cross-access for the property to the left, the applicant said we are fine with the cross-access. Are they referring to just Stonehenge out to Pine or all the way across to the other property?

Parsons: The way that -- Mr. Chairman, Members of the Commission, the intent for that condition is for this western property owner to have access across the entire Commercial Drive to the -- adjacent to Pine Streets. Both Pine and Commercial.

Marshall: Got you.

Parsons: So, when they -- you're right, when they draft -- when they draft -- or draft their cross-access agreement or record it, we envision them saying this property here has the right to -- and those have an exhibit that depicts where they can drive, how much of that area -- how much they have granted through that easement and, typically, we are -- envision it being the entire driveway. Not across their property -- well, it's their property, but, basically, this 25 foot drive aisle.

Marshall: So, the cross-access that the city is asking for for the property to the west would be from the west over to Stonehenge?

Parsons: Yes. And, then, ultimately let them cross going north or south to the adjacent roadways.

Marshall: But we are also saying that the applicant will be allowed to gate it, so technically they really wouldn't have access, but the access is there in case this property ever changed --

Parsons: Are you talking about this -- this one here on the --

Marshall: The property -- oh. Excuse me. To the east.

Parsons: Yeah. Correct. It's --

Marshall: We want to grant -- the city's requesting that we grant cross-access all the way to the west to Stonehenge.

Parsons: Yeah. From east to west. Correct.

Marshall: But when it actually comes down to it they are not going to have cross-access. They will have the easement, but they won't be able to use it, because it's going to be a gated, fenced off, secured facility. Anytime that becomes a usable cross-access is if the facility changed hands or redeveloped somehow?

Parsons: The way the condition is structured now, yes.

Marshall: All right. I'm just trying to get that clear in my head before talking to the applicant there. Commissioners, any other questions? All right. Thank you, Bill. I'd like to ask the applicant to come forward now and I'm going to have to ask for your name and address for the record, please.

Krisko: Bruce Krisko with Ada County. Address is 200 West Front Street, Boise.

Marshall: Thank you.

Hallowell: Bryan Hallowell with CTA Architects. Address is 800 West Main Street, Boise, Idaho.

Marshall: All right. Thank you.

Baird: Gentlemen, if our transcriber were here he would be yelling at you to speak closer into the mike. We want to make sure we get this recorded, because he's not here right now, he's going to have to transcribe it off the tape, so get a little closer.

Marshall: Thank you, gentlemen.

Krisko: Mr. Chairman, Commissioners, good evening. A clarification on the taller height. It's not a cell tower, it's a radio tower, which is a different animal totally and we have to make communications with different radio towers throughout the county and particularly the communication tower with the state, so we wanted to make sure we had proper clearance and we contacted a consultant to make -- with Motorola to make sure that that tower height was -- obviously we want the minimum height we can possibly utilize, but 180 foot was about the smallest that we could use at the site for that purpose. The second issue on cross-access, we are hoping that our case would be made for public safety and security, that we don't want to have any cross-access coming into our property and the second issue is if we do have to put a gate in during our plan review and the fire marshal review, we will be probably looking at a power gate with an opticom device, because the fire department will want to use that for emergency access and we are already providing two access points on the site and that would add significant cost to the project. Our budget -- it's very, very tight on this project and I don't think we could afford to even consider that issue. Want to add anything to that, Bryan? I mean the electric gate with an opticom device could easily approach 40,000 dollars and the budget just will not allow that at this point. In addition, we don't want to even have the consideration -- whatever ACHD does for the neighboring property it's not our issue for this project. Our main mission right now is for the public safety and to get this new facility for all to use, including your fire departments and police departments to utilize and it's needed and we are hoping to go forward as proposed.

Marshall: Anything else you would like to add?

Hallowell: No. That sounds good to me.

Marshall: Okay. Commissioners, do you have any questions of the applicant?
Commissioner Oliver?

Oliver: Chairman. Gentlemen, I just have a question -- a couple questions. On that diagram that shows call center on paid for work it is a dispatch center. Is there a difference?

Hallowell: It is a dispatch center. They receive phone calls for emergencies.

Oliver: And this is open 24/7?

Krisko: Correct.

Oliver: So, you will have quite a few employees going back and forth during -- day and night switching off shifts?

Krisko: Yes. It's shift work.

Marshall: All right. And I have to ask for your name and address also.

Ealey: Hi. My name is Ben Ealey. 7200 Barrister Drive. Good evening, Mr. Chair and Commissioner. This is actually the 911 dispatch center for the county. We provide all emergency response from citizens. When they call 911 they are calling this facility, so we provide all of those responses from this facility to all fire and law and EMS in the valley, which is about 3,500 responders here. So, our concern with the fencing is with the gate -- as Bruce said, the budget is tight, but also it's from a security issue. You know, the county has been planning this and trying to build a new 911 facility for quite some time. We were able to get that approved this year. Looking at having that away from the sheriff's office campus took quite a bit of convincing with the sheriff and the board of county commissioners, because of the safety issue. Again, this is our lifeline. We answer roughly 10,000 911 calls per month and 29,000 nonemergency calls. So, that's why security around this building, because we are not going to have law enforcement there on premises is very, very keen and that's why it's asked for. Not having this -- an access through our investment into this property is going to be for the next 25 to 30 years. So, there is no intent on the moving. It is a long-term investment, but it's an investment for citizens of Meridian, but also the 403,000 residents of Ada County. The reason for the size is making sure that we do plan well for the future, because as we look at it and look at the Department of Labor statistics, we are 403,000 now, we have had roughly 38 percent growth in the last ten years, but when we look at the next 15 we are going to be north of 600,000 people. So, that's why making sure that we have room to grow, that we are spending citizens' dollars wisely for the future, to be prepared for that.

Oliver: If I --

Marshall: Commissioner Oliver.

Oliver: -- could continue? So, knowing that it is a 24/7 operation, you have quite a few people moving in and out of that main entrance there onto Stonehenge? Where do you predict that that would be?

Ealey: Roughly on our shifts we are going to have between 15 to 20 people per shift.

Oliver: Okay. Okay. And one other comment you made was you had already two existing entrances and exits?

Ealey: Yeah. We are proposing two access points off of Stonehenge. One to the south off Stonehenge and one to the north off Stonehenge. If you go back to the -- if you go back to the site plan you will have -- let's see. You have got the one where your arrow is currently and then -- yes. If you go straight across the bottom of the page you will see that actually -- yeah, right there. If you go straight -- half the driveway is already existing.

Oliver: This is where the paramedics --

Ealey: Correct. It's just to the south of the paramedic station we will have another complete access to the -- to the site.

Oliver: Okay. Thank you.

Yearsley: I --

Marshall: Commissioner Yearsley.

Ealey: If I may I have one other issue about painting the tower. It is an extremely high tower and if we start painting it that's maintenance we will have into perpetuity and we hope you consider our request for galvanization, rather than painting.

Yearsley: I have a couple.

Marshall: Commissioner Yearsley.

Yearsley: Sorry. On that tower at 180 feet are you going to be required to do any guy wires to hold that in place or is it just a freestanding structure? Okay. I think that's all I have. Oh. You did mention the 180 feet was required, just because to hit all the other towers in the valley; is that correct?

Krisko: Yes. That's correct, Commissioner Yearsley. When we talk about the radio communication, this is the radios that fire, law, and the EMS use to talk with dispatch, so when they are on scene working a fire or if they are on a barricaded subject, that's their critical lifeline for not only that communication with each other, but also with dispatch if they need help. When we look at that type of infrastructure and the reason for that height, we have to be able to not only connect our other radio sights into the dispatch center, so we have that continuous coverage in the county for fire, law, and EMS, but we also have to connect over to the site at ISP, which has our tie-in to the statewide radio system, which we are administrators for. So, we tried to get away with less height, but when they looked at the design and engineering criteria, they just couldn't do it for anything other than 180 feet. So, if I were to give you a practical example, if I'm standing on 180 feet, I can see you perfectly. If we get down we don't

have that connection to be able to see the other towers and that's the reason for the request.

Yearsley: Okay. And, then, the other one I had was the frequency. Is it very similar to like a cell phone frequency or is it safety wise on this frequency, is it -- is there any potential issue with that?

Krisko: There is -- there is no interference problems with cellular carriers. Right now we are on a dedicated band, 700 megahertz dedicated to public safety. Generally your wireless carriers are up in 1,900. So, they are quite a bit away on the frequency spectrum.

Yearsley: Okay.

Oliver: Mr. Chairman?

Marshall: Commissioner Oliver.

Oliver: So, continuing on that same thought with the tower, if I understood correctly from what Bill said, that you are open to allowing others to be included on that tower as well; is that right?

Krisko: Yes. We are open to co-location. We are not saying that we are -- we not, we just have to be very careful of who those people are, because if they are going to build the radio equipment next to the tower -- again, this is our 911 public safety dispatch center, we are very sensitive about security of our facility, security of our people, because of -- that is the first first responders. When anybody calls for help if those who answer can't answer and get the help, then, fire, law, and EMS can't show up to the citizens in time. So, that's why we are very cognizant of who goes on there and that's why we request that we were able to review who they are, to have those discussions and make that final decision.

Oliver: And it has to be on the same frequency or is it a different frequency that --

Krisko: They can be on different frequencies, but we would require a frequency study just to make sure that we don't cause problems with each other. It's just, you know, a safety factor.

Oliver: Thank you.

Krisko: Uh-huh.

Yearsley: Okay. That's all I have.

Marshall: Thank you, gentlemen. All right. At this time I would like to call Nathan Fast -- you're going to have to correct me up here if you would. Give me your name and your address if you would, please.

Fastabend: Hi. I'm Nathan Fastabend at 1101 Shreveport .

Marshall: Thank you.

Fastabend: I live in the subdivision that's just across Pine and I only had one question for the applicant. With this new facility how would that affect traffic on Pine? Living in this -- in the next subdivision I frequently have to travel on Pine and I want to know how it's going to affect travel time or traffic on the street?

Marshall: Well, Nathan, I'm not going to be able to answer your question, but, I will tell you what, when I have the applicant come back up I will ask them to address that. All right?

Fastabend: Okay.

Marshall: Thank you. Commissioners, did you have any questions for Nathan?

Yearsley: No.

Marshall: All right. Thank you. All right. I have Bryan Turner. And, Bryan, I'm going to have to ask for your name and address for the record, please.

Turner: My name is Bryan Turner and I live at 1345 East Shellbrook Drive in Danbury Faire Subdivision, just north of the proposed site. Appreciate the opportunity to come and just voice my thoughts and concerns about the project. I did submit -- me and my wife submitted the -- the letter to kind of summarize and gather our thoughts about it. Our concerns are listed in order. Concerns over adverse, you know, risk and possible health effects of the radio frequency radiation from the tower. Number two, the decrease in property value and salability of property values in the neighborhood and, of course, the unsightly visual effects of the property being such -- so close to the neighborhood and also future expansion of communication devices. You know, there is -- we may just be putting in emergency communication devices and I heard them say it was in the 700 megahertz range, but, you know, who knows -- it's a lucrative business to lease space on a tower. I could see that being a potential motivator to lease in the future and expand that without public input or concern. Going to some questions, I really, you know, wonder about the location. There seems to be potential -- other better locations, not close to subdivisions. I heard even mention of the Idaho state facility seems like a -- there would be a primary location, a higher elevation requiring a tower of less height. I think with cell towers it is unfortunate the public is not informed on the technology used and I appreciate them sharing a little bit, but I think the public should be in full -- you know, it should be an open disclosure when towers are built, they should know exactly what the tower is doing and what communication frequency it's operating

at and, you know, when it's in operation and things like that and, again, the private expansion concerns and I just -- you know, that's a question, you know, would you -- would anyone like a tower like this built right, you know, next to the neighborhood that you live. It's just -- it's just something, you know, we are not in favor of and I think that summarizes my thoughts. I don't know if I left any open-ended thoughts that you had questions for.

Marshall: Commissioners, do you have any questions of Bryan?

Yearsley: I don't.

Marshall: No? I don't either. Thank you very much. Appreciate that. So, I don't have anyone else signed up. Would anyone else like to address this application? Please come forward. Yes, please. I'm going to have to ask for your name and address for the record, please.

Welsh: Certainly. My name is Preston Welsh. I live at 1458 East Buckman, which is also in proximity just north of this proposal. I'd like to somewhat second the previous gentleman's concerns of property value, detrimental to that. The esthetics of the area. As well the tower, the wave length it operates at. Are there any known or suspected health risks? I don't know. Additionally, with whatever wave length that tower operates at, given its height, are there any known or suspected problems with interference with over the air television broadcast signals, radio signals, home wireless internet, things like that. Are there any other problems that could be with it? Additionally, in the paperwork that I saw when I was on the City of Meridian Planning and Zoning website, it made mention of the construction of drainage ponds. I was wondering how many of those are there going to be, where they are located on the property, and about the structure of them and security of them and that's really all I had.

Marshall: I tell you we can ask the applicant when they come back up. Commissioners, do you have any questions?

Yearsley: No.

Marshall: Thank you very much, sir.

Welsh: Thank you.

Marshall: So, is there anyone else that would like to address the Commission? No? Then I would like to ask the applicant to come back up and, again, before each one of you speaks I will have to have your name and address for the record again.

Krisko: Bruce Krisko. Ada County. 200 West Front Street, Boise.

Hallowell: Bryan Hallowell. CTA Architects. 800 West Main Street, Boise.

Ealey: Ben Ealey. Ada County Sheriff's Office. 7200 West Barrister Drive, Boise.

Marshall: Thank you, gentlemen. So, I believe there were a couple questions that came up and would you like to address those and anything else you would like to address at this time?

Hallowell: Sure, Commissioner Marshall. To speak to Nathan's concern about the impact in traffic on Pine Street, we will have a completed impact study -- or we have engaged ACHD, but we do not have that with me right now. The essential use of the parking -- we are providing 110 stalls and that is 25 overlap stalls, because the dispatch center to allow people to switch shifts, they will have to park, prepare for their shift and, then, the people that are on shift can leave. So, we are also providing visit stalls that are not currently -- they are accessory stalls that will be used if needed, but they are not programmed into the building usage per se and so we are seeing the actual count of stalls -- if you take out the -- the visitor stalls and the shift change stalls in the neighborhood of 100 minus 25, so about 75 facility -- or facility use stalls at a typical time. And that concludes that concern.

Krisko: Mr. Chair, Commissioners, if I could address Nathan's concern as well. And thank you for bringing it up. We want to do the right thing for our citizens and community here. So, when we talk about the people that we have on shift, generally we have around ten, fifteenish, depending on if it's a weekend. The way we do the shifts is that people come and go every two hours, so you're not going to have all 15 change at once on traffic coming out and into the building. It's going to be staggered again every two hours you're going to have a couple people come. So, I believe from a practical application the amount of traffic is probably going to be fairly negligible. It's just the amount of people to be able to come in and out and switch shifts during work. Again, if it was a standard shift where everybody came in, all fifteen, and, then, fifteen left, you know, that's a different story. But, again, because we do stagger those shifts every two hours it does lessen that as far as the traffic on the streets.

Hallowell: And there was a question also about the ponds for runoff. They are not a pond, they are a seepage bed, they are designed to immediately capture the water and have it penetrate it back into the water table, so there shouldn't be any standing water and if there is it would only be a few inches at any one time. It's got a sand bed and it's engineered to -- to drain, so --

Marshall: All right. Commissioners, any questions of the applicant?

Yearsley: There were --

Marshall: Commissioner Yearsley.

Yearsley: Sorry. There were a couple of other things about the frequency interference and potentially frequency radiation. Can you guys address any of that -- those comments?

Krisko: I will try to, Mr. -- Commissioner Yearsley. So, when you look at the FCC studies when you talk about radiation and the impacts on people, that's probably a good reference for our citizens to check out. When you look at the affects on people with radiation of cellular phones or radio communication, I think you have a greater worry about TV broadcast, because they broadcast at a much, much higher rate as far as power versus what standard cellular or radio communications -- I know we had this debate in the industry I did come from, the cellular industry, spending 20 plus years in engineering and operations there. So, when it comes to affects on people, again, I think there has been studies that have shown that, you know, it's negligible based on the power outputs of that. I think you'd probably have more challenges with other types of high power communication, whether that's TV, whether it's military. To try to answer that -- I believe the second question was on property values and having that -- the 911 dispatch center location where it is and with the tower, I know in -- in the cellular industry we have built a lot of towers across the nation and when you look at towers when they go into neighborhoods and try to make sure that they meet zoning requirements, they do the things to where they are not an eye sore -- I don't have any personal data on that, but, you know, we really -- in the neighborhoods I lived in in the past in Arizona and California and Colorado, didn't have an impact on property values when we sold our properties, just from a personal experience, and, yes, we could see a radio tower within eye sight's distance. And I think there is a third question I want to make sure we try to address those.

Yearsley: I think it was addressed to interference with the other communications.

Krisko: So, on the interference item, there are FCC requirements for frequency separations, so when we talk about WiFi it could be 2.4 megahertz, you have 700 megahertz on the radio. The FCC designates frequencies and specific -- what they call guard bands to make sure that they don't interfere with each other. So, the impact of that having an interference problem in a neighborhood because of a tower I would say is probably next to nothing, because of the rules that we have to abide by from the Federal Communications Commission and their rules around -- it's their frequency plans that we have to abide by and that's what their engineers do to make sure that there isn't a problem.

Yearsley: Okay.

Marshall: Commissioners, any other questions?

McCarvel: Mr. Chairman?

Marshall: Commissioner McCarvel.

McCarvel: I have -- while we have the applicant here if I could possibly ask here on the secondary access, how does that other property owner feel about not a gate there to get through? How does he feel about that?

Parsons: Mr. Chairman, Members of the Commission, Commissioner McCarvel, the applicant did have a neighborhood meeting and that gentleman did attend that meeting he did provide written comments with the application submittal and I believe it was his intent -- he wanted -- we made him provide a cross-access, so it was his intent that he would receive cross-access and I spoke with him on the phone, too, and he was -- he asked me about where the city's stance would be on this and I told him based on what we have in the ordinance and based on what we have required of him that the city would more than likely ask for at least a gate and the driveway to be constructed with the hope that cross-access could be facilitated at some future date, whether it's now or however the county structures that agreement with him, reciprocating access to them, certainly they could say it's going to be gated access unless there is an emergency or there is ways to -- to describe how that access is to function. It doesn't have to just say you got a blanket cross-access to go across my property. In their agreement they can structure or condition how that access is to be used and that's why I encouraged the county just to work with that property owner and see what he would like to do. It could be a win-win for all of us. We could still maintain that, keep the facility secured -- I know it's a gate. Going back to Mr. -- to Bruce's comment regarding the fire department, when we had our comments meeting the fire department alluded that they would not require any kind of gated access or security gate to that and, again, that is hearsay. I mean I'm going on the record saying that's what we heard from Perry at our comments meeting, but certainly I would ask them to even work with Perry Palmer, our fire marshal, to see if he really would require any of those things, because we certainly don't want to add cost or burden to the project either. We realize it's important to the community, we want them here in the community, because we are central to the valley, but I think getting some of those pieces in place and working with our emergency responders from the city and even working with that adjacent property owner, I think we could probably come up with a compromise. But from what I saw as part of the record, that gentleman did want a cross-access.

McCarvel: But we were -- if I heard this right -- and correct me if I'm wrong -- that really only becomes an issue that it would be a usable access if Pine expands in the future. Is that --

Parsons: Mr. Chairman, Members of the Commission, that is not correct. I mean that was the intent for his property, that it would be useful, but now that things change -- I mean at the time that he came in there was nothing proposed for this site, it was vacant, and typically as staff and as a city we require -- we try to restrict access to an arterial roadway and I think in the applicant's rebuttal to the condition I think he argued very well. He stated they aren't asking for access to an arterial roadway, they already have a private drive. They are only taking access off their private drive already. So, I think they have stated that very eloquently. There -- technically they are not in violation of the code. We are basically wanting them to reciprocate something that will be received by somebody else. We see that there is a public benefit to have that, whether it be in the form of an emergency access or something that could be maintained or even used in the future if this is no longer a dispatch center and becomes just support -- or offices in

the future. But just to close the door on it I don't think staff is amenable to that. We need to -- we'd like to keep some kind of flexibility there, so if and when the use changes or the county may -- may or may not outgrow the facility, we have to have that ability to go back and at least make that it's protected for future redevelopment or future changes on this property. We won't get another bite at the apple if we don't get it now. It's going to be developed out. There is -- unless the site's scraped and it's redeveloped, this is the last -- correct me if I'm wrong, but this is the last piece of the property to develop as part of the campus.

Krisko: There is one lot in the rear of our campus that may or may not be developed, but as far as the frontage along Pine, this is the last piece.

McCarvel: So, it's -- if they don't have the money now to do it, it's not something you could say we will do that in three years or five years or something when there are more funds available. If you let it go forward --

Baird: Mr. Chair? Mr. Chair? Over here.

Marshall: Yes, Ted. Thank you.

Baird: When these conditions need to be fulfilled the task usually comes to me to negotiate the actual wording of the cross-access easement with the applicant's attorneys. In listening to this I'd like to make a suggestion and maybe seek the -- some input from the applicant whether this would be acceptable. It appears that an emergency gated access isn't necessary at this time, so I would be looking at a word -- wording in a cross-access easement that lies dormant, basically, until such time that this is no longer used as a dispatch facility requiring security and Ada County would make that determination that security is no longer required. It could be fenced just like any other parking lot. It doesn't need to have a special driveway, nothing constructed, just whoever takes possession of that property in the future would know that that's on the books and once your use ceases and something else comes in they are going to have to deal with it. That's kind of what I'm thinking to get -- to get this on the record. For practical purposes the adjacent property owner is probably never going to see it in use, but when all of us are gone and something else goes in there, at least the opportunity to consider it will be there. So, that's my thinking on it, to try to get past that.

Marshall: Mr. Baird, I think we are saying 50 years down the road we do want some -- because we have had a few of these issues come up in the past and so this has been something we have been trying to do over and over. So, it would not -- what we are saying is you could write that up so that it doesn't actually facilitate a true and honest access, but it's there in case this ever does change from what it actually is at this time?

Baird: Yes.

Marshall: All right. And so I think Mr. Baird would like a little input to see if that would be acceptable, looking to the applicant.

Krisko: Well, at this time it's certainly a reasonable solution. However, I am not empowered at this time to make that decision and I would like that proposal to be forwarded to our legal and we could certainly entertain that. That's -- it's a move in the right direction. I think that might be acceptable.

Marshall: Okay.

Yearsley: Okay. I did have -- Mr. Chairman?

Marshall: Commissioner Yearsley.

Yearsley: I did have one other question. The one gentleman brought up -- and I think I knew the answer, but I at least would like to have you guys -- can you explain why you chose this site versus like near the Idaho state facility there on Watertower or ISP's facility? I mean just kind of give me a brief why that -- why this location?

Krisko: Well, we have been developing the campus for a few years now and this just seemed like a perfect place for this facility. It's the -- it's where the population center is moving. It's where a lot of our calls come in and it's an ideal site for a tower location for our other towers to radiate from and, Ben, you probably --

Ealey: Sure. I can answer that. So, Commissioner Yearsley and Commissioners, we actually did look at ISP and we had talked to them about that a few years ago about having a joint dispatch center and that combined application. When we looked at -- went back and relooked at that just a few years ago really took a good look just to make sure -- it was a different architect, we wanted to make sure we didn't miss anything visual going to ask for the funds to build this and it was very early on, when we had that looked at, based on the population growth, ISP didn't have enough land to accommodate both of us. They couldn't afford to give up some of their training buildings and parking facilities. That was a concern that ISP had. The other thing is when we looked at the facilities, when you talk about the electricity, it was cost prohibitive to try to upgrade the electrical facility, to upgrade above -- to support their building and our new center to the point where the cost of the electric was almost three-quarters of the cost of the building. So, that's one of the things that -- we did look at it and we were really trying to -- to vet all options when we -- before we decided on this piece of ground. We actually looked at some other existing buildings here in Meridian to see what we could retrofit, but it just wasn't cost effective from a retrofit perspective or modifying utilities to come in, because of the cost. And the other thing was just space for growth, to be able to -- to get the adequate security around the facility for our 911 dispatchers so the sheriff and the county commissioners to feel comfort with, we couldn't find a lot that was big enough within existing structures, ISP couldn't afford to give us that much land, so based on this it seemed to fit the needs of the community to be able to grow in future years. So, that way as we invest in building this that was our plan, 25 to 30 years to have that for that next generation of public safety communications. Our current facility -- we have been there 36 years. It's really lasted us awhile. But this is one of the

reasons that we are starting early now, because we know that we are coming to a critical point. We are running out of facilities, we are out of room, we can't expand. As right now we don't have enough positions on a Friday and Saturday to bring enough dispatchers to answer some of the call volume when it gets really high. So, that's why that the facility is critical that -- you know, we plan ahead and make sure that we do have room for growth. So, this is -- it met all the criteria that we were looking for. It was cost effective, since we already own the land, and to be able to take the funds that we have and get the most out of it and that's the reason we hired CTA is to make sure that we created a nice architectural presence. So, it isn't an eye sore to the community, because we definitely understand that impact.

Yearsley: Okay. Thanks.

Oliver: Mr. Chairman?

Marshall: Commissioner Oliver.

Oliver: Sorry. If I could ask just one more question. So, the existing dispatch is currently off of Cole Road in Boise?

Krisko: Yes. The existing dispatch is at the sheriff's office. It's actually in the basement at 7200 Barrister.

Oliver: Which is approximately how many square feet, do you know? Do you know what approximately that is?

Ealey: Five thousand.

Krisko: Five thousand.

Oliver: And employs how many people right now?

Krisko: Right now on the campus 653.

Oliver: And the plan is to employ about -- those employees will come over to this new one?

Krisko: Part of those employees will come over. So, the Emergency Communications Bureau, which I head up, has the technical support team that will support all of these systems and the 911 dispatchers. So, when you look at the -- the total group, if everybody were to show up at one time, we are probably around 80 people, but because we work shifts -- a typical shift during the day will have the support team there and a shift of dispatchers, so you're probably going to be around 25 to 30 people.

Oliver: So, with the shift it won't be bringing new employees -- possible new employees to this, but just transferring from one position to another location?

Krisko: Right. We will be leaving -- moving from the Barrister location and this would be the new permanent home for 911 dispatch here in Ada County.

Oliver: Okay. Thank you.

Krisko: And it will be, if I may add, a state of the art facility. It's going to be a very, very beautiful facility inside and out and Ben's -- what Ben's been doing for so long with so little he can do anything with nothing now, so --

Ealey: I don't know if that's a true statement.

Krisko: He -- they have really pushed the current facility to its limits and this facility is desperately needed.

Oliver: Does that bring with it a possibility that you could employ down the road new employees -- more employees?

Krisko: A few more.

Ealey: You know, as we plan for the future we know we are going to have to hire more dispatchers, especially as the population continues to grow. I would say that as we looked at the growth the place that had the most growth was actually here in Meridian. So, that's our plan is to be able to grow how many dispatchers that we have on the floor in time to be able to support that continuing call volume. So, again, when we look at it -- it's jobs for our local folks here.

Oliver: Thank you very much.

Yearsley: I don't have anymore.

Marshall: Thank you, gentlemen. Well, Commissioners, since we have heard from the public, I think it might be appropriate to close the public hearing at this time before we start deliberations, unless anybody has any last minute questions?

Yearsley: Mr. Chairman, I move that we close the public hearing on CUP 14-018.

Oliver: Second.

Marshall: I have a motion and a second to close the public hearing on CUP 14-018. All those in favor say aye. Opposed? That motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Marshall: I'm going to take a little bit of time. I only get -- last time or two here to address anything. I appreciate the public testimony. But I -- this is a vital, important

thing for our community and everybody has already got cell phones -- and, I'm sorry, the radios have been around since before I was born that the police have been using them. The FCC has dictated exactly what frequency they will use and if it were a severe public hazard that we'd have to go to something else. I mean that's nationwide. Everybody is using these frequencies and it's dictated to them what they will use. So, we have to have the facilities to do this. Now, I think it was a very appropriate question. Would I want one of these next to my house? Well, I have had to ask myself many times would I be willing to put a cell phone tower next to my house and I'm going to say, yes, I will. In fact, I have approved a couple fairly close to my house and I think it's very appropriate, because, well, I carry a cell phone. It's part of being a part of the community. I like my technology and, therefore, there is a down side to that, because we have -- I personally really appreciate 911 and the ability to have them come and help me if I have a need. I hope I don't anytime soon, but I really appreciate that and I think we absolutely need the facilities to be able to do that. I kind of like the idea that it's here in Meridian. This facility is proposed to be on a piece of land that's indicated for industrial and there are a lot of very -- I would think less desirable items that could go in there automatically without any even asking for a conditional use permit, because we zoned this industrial some time ago and that's through the public hearing process. Over the years it's got to be thousands of people. That's where Mayor de Weerd started out in some of those committees trying to say how are we going to plan our community. So, this piece of property was identified as an industrial -- this is, to me, considerably more desirable than many of the things that could go in there without even asking for permission, because we have already identified it as an industrial use area. The traffic is -- they have to go through ACHD and get approval for the loads. If it provides too much traffic, then, they say if you're going to do it, then, we are going to require you to put funds down to expand the roadway system. That's with any development they have to do a traffic study, somebody has to approve it. We know Pine is getting very overloaded and ACHD is identifying that and it is on the books to eventually be widened and this will probably move it up on the books just a little touch more. A little bit sooner. To me I think it's a fairly attractive building and I appreciate the wrought iron fence, rather than razor wire and Concertina, to be honest. I wouldn't want to be living next to that. But a wrought iron fence -- you know, if a wrought iron fence, it absolutely needs to be secure. You know, I really -- somebody wanting to do damage in town, they could easily take out 911 before they went on a spree or something and I like the fact that it's going to be secure. It's part of -- being a part of the community and I -- I would like to see the cross-access easement granted, because, I'm sorry, I know you guys are planning on using this probably for the next hundred years, but we have had some old time stuff come back up and, gosh, why didn't we do this back then. Well, we didn't have a plan in place. I'd like to see that granted personally for future use if this were to change. The idea being that that cross-access, then, we can take off access points off of Pine and improve the traffic flow. That's -- I mean that's part of the reason I was on the Commission, because Eagle Road, the accesses there, and I'm hoping in the future you will keep that in mind, especially out on Chinden, please, no accesses, other than at the half mile points. Minimize the accesses, please. I will be in occasionally as a citizen to testify against any additional accesses, but that's the rationale behind the cross-access. I also understand the unique situation where this needs to be a secure facility.

It absolutely needs to. And I am for the facility. I'm absolutely for it. To be honest, the galvanized metal, I know it's a little more expensive, but -- and I see it with elsewhere, but powder coating does last an awful long time and it does reduce the glare. I'm sorry, galvanized is not an attractive color out there. It's just not. And I would be against galvanized. Would be for powder coating. Painting is hectic and you have to do it constantly. But the powder coating process lasts just about forever and I know some good powder coaters around that would like some jobs. But I am pretty sure you can purchase this material -- I know for a fact you can purchase the material powder coated to be assembled. It is more expensive. They are saying that they don't have a lot of budget for this, but, again, this is a modern state of the art facility going to be here for a long, long time and I do believe that you will see power poles and things like that either powder coated or treated in a manner that allowed them to blend into the environment a little better than a bright shiny galvanized metal. Those are my thoughts. Commissioner Oliver.

Oliver: I have a couple things. First of all, I truly believe that through legal channels that the -- the driveway fix -- the connection to be fixed through legal channels, I think that's very possible there. I do -- looking at this I believe it is a state of the -- state of the art facility. I think it looks wonderful. As a retired firefighter I know how important -- just how important it is to have a state of the art facility for our county and I think it's important that we have it in Meridian and as far as jobs, looking down the road, I think it's a great addition for future growth in Meridian that they have a chance to live and work in their community and it's nice to see that we have that opportunity here for us.

Yearsley: Chairman Marshall?

Marshall: Commissioner Yearsley.

Yearsley: You know, I look at this facility, I understand the neighborhoods, with the tall tower. You know, 180 feet is awful tall and I kind of waffled back and forth with galvanizing versus powder coating or some other color and -- and I think your comment is it's going to be there a long time and I think -- I have a tendency to agree to at least allow some sort of a color that blends however they would like to do that. I think that does make sense to at least provide some concessions to the neighbors. Again, with what Marshall said is, you know, I do put myself in these situations and what I would -- would I like to live next to this and, you know, it's far enough away that I don't think I would really notice it, to be honest with you. I understand the inconvenience that it might have. I like the idea that the -- the way they cycle their employees through there, the traffic is not going to be increased a significant amount. I also like the -- I guess the analysis of where do we put this facility and for me as a taxpayer putting it on a piece of property that fits and that they already own saves us all money in a lot of ways. So, I like that option as well. So, I think it's a good fit, I think it's a good option, and I don't think there will be as big an impact to the adjacent neighbors as possible. I do like the idea that legal has come up with and I was thinking something on the similar lines to have if the use does change to -- that the easement will come into effect or it will be --

you know, that they will provide some -- an access across there. So, I think that makes sense, so -- and that's all I have.

Marshall: Commissioner McCarvel.

McCarvel: Mr. Chairman, I agree. I'm thinking the powder coat is probably a good idea, the same -- but I like the idea of powder coating the tower, but the access -- also the access I think is going to be that much money to keep it secure, I think the primary thing is to keep it secure and just allow for that easement and whatever legal might be put in there that that is a consideration for the future when it needs to be there.

Marshall: Okay.

McCarvel: I think there is a resolution in there somewhere.

Marshall: All right, Commissioners. So, in there somewhere in all of that, now that we have all got our thoughts out on the table, do I hear a motion somewhere?

Yearsley: Mr. Chairman?

Marshall: Commissioner Yearsley.

Yearsley: After considering all staff, applicant, and public testimony, I move to approve file number CUP 14-018 as presented in the staff report for the hearing date of December 18th, 2014, with the following modifications: That 1.1.3, item number two, that the applicant has the ability to -- to discern who they want -- allow to connect to the tower. That item number 1.1.4, item number two, that staff legal, county, and the adjacent neighbor work together on a suitable easement requirement -- cross-access easement that's suitable for all and that 1.1.7, that -- to allow the eight foot tall ornamental fence.

Oliver: I second.

Marshall: I have a motion and a second. Mr. Baird, I'd like to ask you to address a little bit on this, if you would, sir.

Baird: Well, before we -- I'm sure -- you're probably wanting me to clarify on the easement issue, but I heard everybody say that they were in agreement with some sort of a treatment to the galvanized, but was that in the motion?

Yearsley: Well, they already required in the --

Baird: Okay. You're right. There you go. So, that's already in there. It hasn't been affected. All right. With regard to the easement, what I was recommending is that the specific condition be that it will be -- the applicant will grant the cross-access easement, but the easement will not become effective until the facility is no longer used as a

dispatch center and that security is no longer required in the opinion -- in the sole opinion of Ada County. So, they would control when that opens up. I know they have said that they need approval for it, but right now you're in the driver's seat to require it and we can -- we can work together on something -- like I said, that's mutually acceptable.

Marshall: So, Ted, are you saying that, then, if the property were to change hands at any point in time it would automatically be granted?

Baird: Yes.

Marshall: All right.

Yearsley: So, I do I need to modify my motion to, basically, state what Ted said?

Baird: I don't think you do. I think it's in -- it's all in there and specifically when you say to include all staff comments, because those comments have been made more than once on the record.

Yearsley: Okay. Thank you.

Marshall: So, your motion, then, includes all staff comments?

Yearsley: Yes.

Marshall: I have a motion and a second. Okay. That's been seconded. All right. So, all those in favor of approving CUP 14-018 as modified say aye. Opposed? That motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Item 5: Amended onto agenda:

A. Schedule Special Meeting for Tuesday, January 6, 2015 at 11:30, City Council Chambers – Consent Items Only

Marshall: All right. Thank you very much. Next on the agenda is the special meeting to approve the Findings of Fact and Conclusions of Law for CUP 14-017 and CUP 14-018 as we just heard them. As pointed out in our guidelines that we must have a meeting on the week of January 5th. Since our next meeting lands on a holiday, so the next meeting -- any discussion on what day of the week would be appropriate? I think we could probably just have a quick phone call, because it would simply be -- it would simply be -- we have got January 5th is a Monday. Tuesday, the 6th. Wednesday, the 7th. Thursday, the 8th. I would recommend either the Monday, Tuesday, Thursday, something like that, to be able to get that done and approved. If we wait any longer we

may as well hold off to the next meeting. So, let's say Monday, the 4th, could we do that at a noon --

Yearsley: Mr. Chairman, I could not make Monday, the 5th. I could do the Tuesday, the 6th, so -- at noon if --

Marshall: All right. Tuesday, the 6th. Would that work for anyone? It would be noon.

McCarvel: Are you saying a phone call or an actual meeting?

Marshall: Well, it's an actual meeting, but they have allowed people to call in, as long as they have at least one person down here, I believe, then, a minimum of two more would have to call in for a quorum.

Yearsley: And I could actually physically be here on Tuesday.

Marshall: Mr. Oliver is saying no.

Oliver: I could do it by phone, depending on what the time is. I'm back in school, so --

Marshall: Got you. Got you.

Yearsley: So, is a noon time -- are you at lunchtime during that time or --

Oliver: 11:00 to 12:00.

Yearsley: 11:00 to 12:00. We could do 11:30.

Oliver: 11:30 would work.

Marshall: Would 11:30 work? Staff?

Hill: Is it available? I don't know -- I could make it available I'm sure.

Hood: Mr. Chair, we are good with any date. I was just checking with the clerk to make sure this room is available. So, just something else to -- I think Machel is going to look and --

Marshall: I appreciate that.

Hood: Once you figure out a time, so --

Marshall: Well, I think we were discussing Tuesday, January 6th, at 11:30 a.m.

Hill: Yes, Mr. Chair, we should be available.

Marshall: So, seeing how everybody seems to be okay with that, but maybe a phone call from a couple of -- I hope to be able to make it down here or make it by phone on January the 6th. I should be able to, hopefully, physically, actually be down here. Commissioner Yearsley has already said that he would be able to physically be down here?

Yearsley: Yes.

Marshall: And, then, if Commissioner McCarvel and Commissioner Oliver, if you guys can make it by phone, we would definitely have a quorum and we could approve these Findings of Fact and Conclusions of Law very quickly.

Oliver: How long would it take?

Hill: Five minutes.

Marshall: Five minutes. Yeah.

Oliver: Oh. I could take my lunch hour and do that then. So --

McCarvel: I can --

Oliver: Yeah.

Marshall: So, could I get a motion, then, to make the -- I set the meeting date for 11:30 a.m., January 6th -- Tuesday, January 6th at 11:30 a.m. right here or by phone for the next meeting.

McCarvel: Mr. Chairman?

Marshall: Commissioner McCarvel.

McCarvel: I move that we meet again on Tuesday, January 6th, at 11:30 to replace our January 1st meeting.

Yearsley: Second.

Marshall: I have a motion and a second to set the next meeting. All those in favor say aye. That motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

B. Election of Officers for 2015

Marshall: All right. Our last item on the agenda. Election of officers. And, guess what, I am not involved with this one. So, I'm going to ask for -- we need a chair and a vice-chair. So, I'm going to ask for any -- a motion if you could, please.

Oliver: Mr. Chairman?

Marshall: Commissioner Oliver.

Oliver: I would move to nominate Mr. Yearsley as our new chairman of the city for Planning and Zoning.

Marshall: I have a motion --

McCarvel: Second.

Marshall: I have a nomination and a second. Any other nominations? Commissioner Yearsley, would you be willing to accept that position if approved?

Yearsley: Yes, I would.

Marshall: Then I would ask for a vote at this time. All those in favor of Commissioner Yearsley becoming the new chair for the year 2015 say aye. Opposed? That motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Marshall: All right. So, now I need nominations for a vice-chair.

McCarvel: Mr. Chairman?

Marshall: Commissioner McCarvel.

McCarvel: I nominate Patrick Oliver as vice-chair for 2015.

Yearsley: I second that.

Marshall: I have a nomination and a second. Commissioner Oliver, would you be willing to accept that position?

Oliver: Yes, I would.

Marshall: So, not hearing anything else, I would ask for approval of Commissioner Oliver as vice-chair for the year 2015. All those in favor say aye. Opposed. We have a chair and a vice-chair.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Marshall: And I -- you know, you guys are awesome on here. You're going to have a lot of fun next year. We have a couple new people. It's going to be neat. You guys are going to do a good job. I know you will. And I will be in occasionally to bother you. So, I have one more meeting. I will be here on the 15th, so -- guys, we have one more motion. I'm saying all this on the record and I shouldn't be.

Oliver: Mr. Chairman?

Marshall: Commissioner Oliver.

Oliver: I move that we close our meeting.

McCarvel: Second.

Marshall: I have a motion and a second to adjourn.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

MEETING ADJOURNED AT 7:37 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED


JOE MARSHALL - CHAIRMAN

1 | 6 | 15
DATE APPROVED

ATTEST:


JAYCEE HOLMAN, CITY CLERK

