

Meridian Planning and Zoning Commission

March 20, 2014

Meeting of the Meridian Planning and Zoning Commission of March 20, 2014, was called to order at 6:07 p.m. by Steven Yearsley.

Present: Commissioner Steven Yearsley, Commissioner Patrick Oliver, and Commissioner Scott Freeman.

Members Absent: Commissioner Macy Miller and Commissioner Joe Marshall.

Others Present: Machel Hill, Ted Baird, Caleb Hood, Bill Parsons, Sonya Waters and Dean Willis.

Item 1: Roll-Call Attendance:

Roll-call

<u> X </u> Scott Freeman	<u> </u> Macy Miller
<u> X </u> Patrick Oliver	<u> X </u> Steven Yearsley
<u> </u> Joe Marshall - Chairman	

Yearsley: Good afternoon, ladies and gentlemen. At this time we would like to get started for the regularly scheduled meeting of the Meridian Planning and Zoning Commission on March 20th, 2014, and let's begin with roll call.

Item 2: Adoption of the Agenda

Yearsley: Thank you. Sorry about the delay. We had a little bit of computer issues that we were working through. At this time we would like to -- next item on the agenda is the adoption of the agenda. We have no further changes to the agenda, so if I could get a motion to adopt the agenda.

Freeman So moved.

Oliver: Second.

Yearsley: I have a motion and a second to adopt the agenda as presented. All in favor say aye. Motion carries.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Item 3: Consent Agenda

- A. Approve Minutes of March 6, 2014 Planning and Zoning Commission Meeting**

Yearsley: Next on the agenda is -- is the Consent Agenda and we have on that the approval of the minutes of the March 6th, 2014, Planning and Zoning Commission meeting. With that I would entertain a motion to approve the Consent Agenda.

Freeman: Mr. Chair, I move that we accept the Consent Agenda.

Oliver: Second.

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

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: All right. You guys are all here for the next item. Let me explain how this process is going to work. First we are going to have the staff present their staff report and how it -- the project adheres to the Comprehensive Plan and Uniform Development Code and they will have their recommendations and, then, the applicant will have an opportunity to come forward to present their case for -- for the project and hope for -- and request the -- approval and they will be given up to ten minutes. After that we will open it up to the public testimony and there -- there is a sign-up sheet at the back if anyone wanting to testify please sign up. Anyone wishing to testify will be given up three minutes and if they are speaking for a larger group and there is a show of hands and -- they will be given up to ten minutes. For those people who had the show of hands will not be allowed to get up and speak. So, we want to keep this down. So, if you're speaking for a larger group and those people who you're speaking for -- are not allowed to come up and speak. I hope that makes sense. After the testimony has been heard, the applicant has -- will have an opportunity to come back up to discuss or comment on the comments from the public and kind of do a rebut and they will be given up to ten minutes if they desire and after that we will close the public hearing and we won't allow anymore testimony and we will discuss and deliberate and, hopefully, make a recommendation to Council.

Item 4: Action Items

- A. Continued Public Hearing from February 6, 2014: AZ 14-001
Ten Mile Center by Treasure Valley Investments, LLC Located
South of W. Franklin Road on the East Side of S. Ten Mile
Road Request: Annexation and Zoning of 120.69 Acres of Land
with the R-8 (13.23 Acres), TN-C (26.11 Acres) and C-G (81.35
Acres) Zoning Districts**

Yearsley: So, with that I would like to open the public hearing of -- of Ten Mile -- excuse me. I'm going to open the public hearing of AZ 14-001, Ten Mile Center by Treasure Valley Investments and let's begin with the staff report.

Watters: Thank you, Chairman Yearsley, Members of the Commission. The request before you tonight is for an annexation and zoning. This site consists of 120.69 acres of land. It's currently zoned RUT in Ada County and is located south of West Franklin Road on the east side of South Ten Mile Road midway between Interstate 84 and Franklin Road. Adjacent land uses and zoning. To the north is vacant land that's in the development process approved as TM Creek, which is currently RUT in Ada County. To the south is vacant land in the development process, which is approved as TM Crossing, zoned C-G, and low density residential uses and the Primrose Subdivision, zoned R-1 in Ada County. To the east are single family residential properties and Peregrine Elementary School, zoned R-4. And to the west is Ten Mile Road and vacant agricultural property zoned C-C. The future land use map contained in the Ten Mile Interchange Specific Area Plan that you see here on the overhead currently designates 63.3 acres of the subject property and lifestyle center, the brown area you see there. Twenty point three acres as high density residential. The orange area. Five point one acres as medium high density residential. And 30.4 acres as medium density residential. The applicant is proposing to annex and zone 120.69 acres of land as follows: 81.35 acres located in the L-C designated area. High density residential, 15 acres, and medium high density residential, 1.5. Those are designated areas proposed to be zoned C-G. Fourteen and a half acres located in the high density residential. Five point five acres and medium high density residential, 3.8 acres, designated areas to C -- excuse me -- TN-C. Eleven point five acres located in the medium density residential designated area to TN-R, traditional neighborhood residential. And 13.23 acres located in the medium density residential designated area to R-8. The applicant has submitted a conceptual development plan as shown that depicts a future street layout for the site that is consistent with the transportation plan for this area. However, no building pads, parking, or future uses are shown on the plan. Residential uses at up to eight dwelling units per acre are proposed to develop in the R-8 district. A minimum of 95 residential uses are proposed in the TN-R district, in addition to other uses as allowed in the zone and a minimum of 300 residential units are proposed to develop in the C-G and/or the TN-C zoned areas combined. Conceptual building elevations were not submitted with this application. Future development of the site, including structures, should be consistent with the provisions of the Unified Development Code, the Meridian design manual and the design elements contained in the Ten Mile Interchange Specific Area Plan. Further details of these design elements are included in the proposed development agreement provisions listed in Exhibit A-6. A multi-use pathway is required across this site connecting Peregrine Elementary to Ten Mile and Franklin Roads in accord with the master pathways plan. It is the kind of orangish line here shown on the site. Peregrine Elementary is located right there where the arrow is. Business hours of operation in a C-G zoning district are limited from 6:00 a.m. to 11:00 p.m. when the property abuts a residential use or district per the UDC, unless otherwise approved through a conditional use permit. Written testimony has been received from Jim Wolf, Gary and Kay Fors. An e-mail submitted by Jeanette Ockerman, along with a petition signed by adjacent residents in opposition of the high level of residential density and the access to Waltman Lane. The applicant did not submit an official response to the staff report, but did ask for the following modifications to the development agreement provisions in Exhibit B of the staff report. Number 4.1.4 they are asking to

read as follows: The portion of the property to be zoned C-G to develop with a mix of uses, such as retail, professional services, offices, entertainment uses, civic services, housing and outdoor spaces in the common area of the project as anticipated for the lifestyle center designation in the Ten Mile Interchange Specific Area Plan and shall be developed in a manner that incorporates design concepts from the Ten Mile Interchange Specific Area Plan, such as, but not limited to the following -- and everything else is the same as written in the staff report on that one. Staff is okay with this change requested by the applicant. Development agreement provision 1.1.6. The applicant requests be modified as follows: Only residential uses shall be developed within the R-8 zone. In addition to allowed uses, a minimum of 95 residential uses shall be developed with the TN-R zone and a minimum of 300 residential uses shall be developed within the C-G and/or TN-C zones combined. Staff is okay with this change also. Staff is recommending approval of the proposed annexation with a development agreement for the provisions in Exhibit B of the staff report. Staff will stand for any question the Commission may have.

Yearsley: Are there any questions?

Freeman: Just one, because we went through that kind of fast. Could you tell me again the reference numbers for those two revisions that staff --

Watters: Yes. It is in your hearing outline. It's number 4.1.4 --

Freeman: Uh-huh.

Watters: -- and 1.1.6.

Freeman: Okay. Thank you.

Yearsley: Any other questions? Sonya -- and maybe the applicant maybe will help us with this. They are asking for 300 high density residential in the TN-C and the C-G or combined or -- I'm not quite understanding how that --

Watters: Chairman Yearsley, Commissioners, the C-G and/or TN-C district combined. So, it could be in -- just as long as there is 300 could be in those areas.

Yearsley: So, if they could fit 300 in the TN-C that could be a potential --

Watters: Yes.

Yearsley: Okay. All right. Any other questions? All right. Would the applicant like to come forward? Please state your name and address for the record.

Davis: Eric Davis. Retail West Properties. 199 North Capital Boulevard, Boise. Suite 300. And I'm just here quickly to introduce my team at the end, but maybe a little history of the Ten Mile plan and the unique opportunity that we have. Actually -- let me make

sure I know how to work this. How do I get to the -- anyway -- excuse all that. Just want a little introduction on who I am. I took an interest in the property with Mirazim Shakoori of Treasure Valley and that was just about a year ago. He couldn't be here tonight, he had eye surgery yesterday and he's in California recovering from that. His son is here. My past has all been about retail development. I was with Sears for about four years and, then, spent 13 years with Price Development Company and we built most of the malls here in Idaho, including Boise Towne Square and about '93 I moved here and we have been building -- we have built a portfolio of Albertson's centers around the west and sold those in 2000 and I went on my own in 2000 and started my company and this was one of my first projects. I don't know if you can see that, but this is -- this is when I was famous, you know. In 2003 we stood out there -- this is Mike Ballantyne. I hope you don't think any less of him for being with me, but -- and my hair isn't that color anymore, but I do have those shoes and we -- and, you know, we pretty much -- I was hired by a Canadian company that owned -- actually owned all the land that Brighton owns today and they came to town and needed help getting this interchange idea advanced. So, I spent two years pretty intimately with the city and we shared the cost of studies and particularly with the neighbors. Our whole approach was if we could raise five million dollars, which we thought was about half the cost of the interchange, that we would kick it off and get it going and, then, we would go back with the neighbors and maybe get reimbursed to the extent that we could, but I got familiar with -- with everybody and pretty much felt vested in this effort ten years ago. Eventually we sold to Brighton, because our -- one of our partners moved off, it was HDR and they built -- built what they did out at Garrity. So, they didn't have time to wait here and they moved on, but -- and so did we. But it was a great experience and, you know, after it was over I got a call from HDR and they asked me to -- about my ideas for the Ten Mile plan and I wholly endorsed that idea and, actually, I gave them guidance about how neat it was to have -- first combine the interest of the various property owners -- and there was a bunch of different ones and, then, raise the bar with quality -- which the plan does. Density. Sustainability. Mixed use. All of those kind of things that are good for the urban fabric and -- and it helps us -- this plan helps us, helps the neighbors -- these things I don't really need anymore, but -- I'm done with all this stuff. But, anyway, we can use this plan for whoever comes our way and, you know, I could tell you it could be anybody, but we -- retailers and other users can come in and we can -- this is our defense and we say, look, I know you have your prescribed prototypes, but you need to meet the concepts in this plan. It's higher standard, so, you know, we are here to be an ambassador. So, I think -- and on top of -- just to speak to our opportunity quickly. Right now have in this quadrant -- just the colored parts with Brighton and us, there are two owners and probably 250 acres and that's a pretty unique circumstance with CalNon it would be three owners and 300 -- over 300 acres and I haven't done all the research to know, but I think I'm pretty sure that this will be the largest contiguous, you know, commercially zoned -- at some level -- property on an interstate between Salt Lake and Portland today and probably Coeur d'Alene and Las Vegas and -- and I -- and it's remarkable -- it's a remarkable opportunity and this step is our first step and I know we don't have a plan, but we want to be part of the city. We want to be zoned appropriately as close as we can to the underlying plan and be able to tell the world that we think is watching that we have access, we have utilities, we are part of -- of this

vision. So, we are doing the best we can with meeting those -- you know, fitting ourselves into a puzzle here and feel like -- and I just would like to introduce you to the rest of our team. Becky McKay with Engineering Solutions will take it from here. We also Deb Nelson with Givens Pursley, our land use attorney, and Craig Slocum with CSHQA as our architect. So, that's -- thank you very much.

McKay: Mr. Chairman, Becky McKay. Engineering Solutions. 1029 North Rosario, Meridian. Business address. I'm representing the applicant on this particular project. I have been working on the -- on projects at the Ten Mile interchange for years now. I brought before this Commission annexation and rezone of properties to the west of Ten Mile that were embroiled in condemnation suits with ITD and we got with the city, we worked with ACHD and ITD and we came up with solutions to the transportation issues and land use problems that were associated with this particular area. Thirty-two million dollars was spent on this interchange. Obviously, this is an auto driven location and transportation was the key. I testified back in 2007 at the city when the Ten Mile Specific Area Plan came through and this area is unique, because this specific area plan was developed to create design standards, goals, guidelines for site planning and encouraging development above and beyond your standard commercial development and one of the key things that was part of this plan was mixed use and transportation. Unlike other areas where -- oh, oh. Unlike other areas of the city where the only guideline we have is the land use map. With this particular Ten Mile Specific Area Plan there is a transportation plan. HDR did an overall transportation study. They looked at what the interchange -- what impact it would have on this area, what the potential for development of this area would be and that this area could be unique in that it had a mixture of employment, commercial, office, residential, that it had single family components, multi-family components, townhome components, and one thing that was problematic with the original plan that I testified back in 2007 was the transportation system is all interrelated and these collectors that are designated in that transportation plan are shared with other properties. So, one property -- its development may be contingent on the dedication and construction of the right of ways that run through it for the adjoining property. Unlike other development within the City of Meridian that we will build -- we may build a collector, we place it at -- you know, as close to the half mile as we can, but they aren't necessarily at that half mile. This particular plan had a specific vision that collectors would go east and west, north and south. Rotaries would be utilized to move that traffic. The pedestrian corridors would be created along Ten Mile Creek, along the Kennedy Lateral, connecting elementary schools with space in these projects and that we would create a sense of place, that this would be above and beyond what -- what we typically see. Now, on the west side of Ten Mile it was very quickly realized that without dedication of those right of ways we could not all work together and you always have development -- they coordinate, but if one particular development controls the access, it may be at the disadvantage of the adjoining property. So, what we did on the west side is we came through the city and we annexed and we rezoned our properties based on the Ten Mile Specific Area Plan, subject to all those guidelines and, then, we established that transportation network by dedicating these right of ways and establishing the future transportation system, because that's what's critical and that's what we are doing here. We have 120 acres.

We are sandwiched between Ten Mile Creek development by Brighton and Ten Mile Crossing development south that's also a Brighton project. As you can see that these rotaries are centered on the properties and these parcels have to work together. My client kind of -- he sat back, he -- he was letting Brighton run ahead of him, but, then, it became very apparent that my client had to get involved, because these roadways -- they need dedicated. There are ACHD plans on these being built with -- in conjunction with the projects, however, there has to be some type of agreement with the highway district to share in the cost -- what they call cost sharing agreements. So, my client, obviously, had to take that step forward, because he did not want to be an impediment to development of this section. Looking at the Ten Mile Area Specific Plan, there was a lifestyle center that -- that was designated on our client's property. Now, the lifestyle center also went south on Brighton's property and, then, it was high density employment. Brighton came through the City of Meridian, they annexed, they zoned. They zoned all commercial. They also had some -- excuse me. They also had some residential component on their east side. The city basically gave them all commercial. Now, it's a little bit of a problem when you take a lifestyle center designation and you chop off a piece of it. So, we kind of had to look at that plan, work with the staff, to try to come up with, okay, this is what -- the vision, but now we have taken out the south half of that lifestyle center. So, what's that going to do. Now, it was quite obvious on the designations of the plan as you move eastward the uses -- intensity of those uses and the residential densities decrease. So, we needed to, basically, step it down as we moved eastward. So, in working with the staff we asked for a deferral from this body, so we could sit down with the staff, because they were a little bit uncomfortable with the amount of TN-C and C-G that we had. We came up with a solution. We have a C-G. We transition to a TN-C and, then, we transition to a TN-R, which satisfies that traditional neighborhood type component that's required in this area and, then, as we go east we transition to an R-8, a standard single family development. Now, what's before you here shows that transportation network that is designated in the plan. We comply with the plan. Our commitment to the Ten Mile Area Specific Plan is one hundred percent. We want to create a cohesive mixed use development. We want to, obviously, transition, because we recognize that we have residential, single family, kind of rural type development to our southwest -- or southeast boundary and so we want to make sure that -- oh, there you go. This -- this is the -- shows you designations on your Ten Mile Area Specific Plan and the red is the commercial that Brighton was zoned and annexed and you can see that on this Ten Mile plan there is a definite transition of uses and I have met with the neighbors and talked to them, e-mailed them information, sent e-mails to the highway district with their concerns. Went out, looked at some drainage issues, and we -- we are just in the first -- I will conclude. This is the first step in many steps and in order for this section to develop we have to take our first step. If you have any questions I will be glad to answer them.

Yearsley: Thank you. Are there any questions?

Freeman: No. Thank you.

Yearsley: Thank you. We have a few people here signed up. The first one is Jeanette Ockerman. Would you like to come forward? We will allow -- if they are not signed up we will still allow them to come forward.

Ockerman: I'm speaking for --

Yearsley: If you're speaking for a group, could we see a show of hands of those who she's speaking for?

Ockerman: Who don't want to speak?

Yearsley: Yes. Okay. Thank you. Ten minutes.

Ockerman: Okay. So, my name is Jeanette Ockerman and I live in a property adjacent to the annexed property on Waltman Road.

Yearsley: Can you give me the specific address?

Ockerman: 2070 West Waltman.

Yearsley: Thank you.

Ockerman: We feel that the zoning the applicant requested is not entirely consistent with the city's Comprehensive Plan. That your city planner Sonya Watters -- we may have a little different opinion about what's consistent and what's not. If you look at this map of the Ten Mile area you see in yellow medium density residential over 30 acres of it and to the west of the main roads going up to Franklin is a high density and the lifestyle centers, keeping all of that higher density and the business areas west of the rural neighborhoods west or north instead of coming into our rural neighborhoods. Go to the next one. This is the per zoning area and if you look at it closely they have only requested 13 acres of medium density residential, which creates a loss of over 17 acres to higher density TN-R and TN-C. In addition, they asked for 300 residential units in the TN-C and C-G zones without restrictions. If we could go to the next one. What I would like to know will those 300 residential units that are proposed be mostly in the TN-C zone and adjacent to our rural neighborhood? A TN-C is supposed to have an urban feel, be a downtown environment. When you think of something like that up against a rural R-1 -- rural R-1 neighborhood that's a huge discrepancy. A huge difference to put right up against a neighborhood. You can totally see this type of environment -- if you will go back. This type of environment. Or a lifestyle center closer to Ten Mile and closer to those main roads. Go ahead and go forward. This is the Primrose Subdivision immediately south of the annexed area. The medium density residential makes more sense next to our subdivision, with higher density residential commercial zones west of those main roads, encouraging traffic to flow north or west and away from our area. And this is all supported by that original Ten Mile plan. Go ahead. Low density residential, which is R-4 and R-8 are characterized by relatively low densities and a predominance of single family homes. Large apartment buildings and apartment

complexes are not compatible. Rural areas should be protected from encroachments of higher density or higher intensity uses. We feel like that is what is happening, that we are being encroached upon by these higher density TN-Rs and TN-Cs right up against our neighborhoods that should have been medium density residential. If you go to the next one. A TN-R is a medium high density residential. It went to R-15 and I got these pictures off of your Ten Mile website. This is what they had for an R-15, medium high density residential. When you consider something like this up against an R-1 it's not compatible. It is an encroachment. The next one. I wanted to talk a little bit about the area surrounding. This gives you a bigger picture and you can see that the area to the east almost entirely is an R-4 surrounding our Peregrine Elementary School and, then, just south at an R-1. So, to put an R-15 right there bumping up against Primrose Subdivision we feel like is too high of a density for our rural area and for the area surrounding the school to be compatible. I also wanted to point out -- I don't have access to the mouse, but if you notice the Hiner Canal up closer to Franklin Road, our roads stop at that canal in a cul-de-sac. There is no way out for all of these neighborhoods down below that canal, except to go up Linder Road. So, if we open up Waltman Road into this annexed property, we just allowed every resident on the east side of Linder to come down Waltman Road to get quick access to the Ten Mile interchange, which no doubt will happen, severely impacting our road and creating a safety hazard for us and for students in that area. Go ahead to the next one. So, road impact. I called ACHD and they did a study in 2011, three years ago. The average daily traffic on Waltman Road is 1,089. They told me that capacity for our road is 2,000 per day. You can imagine if we open it up so that the neighborhoods from the east can go down Waltman, that we are going to hit capacity above and beyond, not to mention the R-15 that's already connecting in and the TN-C that connects into the corner of Waltman and Linder. We have traffic problems right now due to Peregrine Elementary School, especially before and after school with cars and congestion down the street to our own homes. Go ahead. Waltman is a substandard rural road. We don't have curbs, gutters, or sidewalks, except directly in front of the school. ACHD needs to widen the road from 24 feet to at least 36 feet to accommodate the traffic. Our property owners would lose an estimated six feet or more of easement due to the widening the road. Some property owners may be required to move their wells, depending on how wide they would make our road. Road improvements would also affect existing canals and ditches in our subdivision and that's according to Jim Wolf of the Idaho Department of Transportation. Next one. This development will affect our schools. Peregrine Elementary has a current enrollment of 600 students. Half of those students are in the walking zone. Our capacity is 700. If development goes through as proposed with the zoning that's proposed, we could add 150 to 200 students to our school. According to the principal even though half of them are in the walking zone, the majority are driven, picked up, and dropped off. We have pathways that come from the east and from the north into the school grounds and parents still drive and pick up their children. So, even though we could have a pathway coming from the west, the pattern is to drive them. School children impact. If you look just above the zoned area you see the majority of it is high density and medium high density residential areas. If their goal -- if it is zoned in the future it will add another 300 to 400 children to Peregrine Elementary and increasing the traffic flow on Waltman significantly, whether they go down and go down Linder or

they take the shortcut straight down on that collector and connect in on Lilac and Waltman, we are going to have so much traffic we will no longer be a rural neighborhood. Go ahead. So, our critical issues are -- we feel that the higher density residential -- it's too high for the medium density area that was designated on the Ten Mile map that's adjacent to our neighborhood. We feel that TN-C and TN-R lack compatibility with the existing neighborhood. The potential for accepted traffic on Waltman and Lilac are well above and beyond the capacity for our road and the impact that this development -- especially the fact that it accesses our neighborhood, is going to have on our rural lifestyle. Go ahead. In their application there were conditions governing the development. It said that property shall be developed in a manner that provides a transition in uses in residential properties. 4.1.2. We feel that the plan does not sufficiently address compatibility, safety, and traffic and the adjacent neighborhoods, roads, and schools. We recommend certain things before you approve this application that will maintain the land designated as medium density residential with an R-4 zone, not R-8, TN-C or TN-R. To maintain consistency with surrounding neighbors and to protect against higher density encroachment. We also request that you restrict access to Waltman and Lilac Roads, except for emergency use only due to the adverse effect that high level of traffic both current and future development will have on the rural neighborhood and to maintain the integrity of our neighborhood lifestyle and for safety reasons, including student safety. And I do just want to point out that Waltman currently does not go all the way east and connect into Meridian Road. It was stubbed and blocked and we feel that is a reasonable request to ask for our neighborhood. Last slide. Additional provisions. Our adjacent homes and neighborhoods should be transitioned into this development with an R-4 zone, limited to single family homes like neighborhoods that are surrounding the area, that you require a privacy buffer between existing homes and the new development, including fencing and/or green space. Require the developer to pay for any needed upgrades to Waltman Road, including sidewalks and relocation of wells if necessary, and to address all the ditch problems that are currently caused by the land or that we will have caused by this development and changes in the roadway pattern. So, currently we as neighbors would request that you turn down the current plan until it's been reevaluated and changed to some degree.

Yearsley: Thank you.

Ockerman: Thank you.

Yearsley: Next on the list --

Baird: Mr. Chair?

Yearsley: Yes.

Baird: If you could advise the audience to not show any displays of -- of any kind unless they have the microphone.

Yearsley: Thank you. So, if we could at least try to keep it -- keep it down during that. So, the next one on the list of Craig Downum. Well, come on forward. Okay. Do I need to read this?

Baird: Mr. Chair, I would indicate that you have received a letter from the individual and name him and his address and indicate whether he's in support.

Yearsley: Okay. Craig Downum gave me a letter. He lives at 1715 Waltman in Meridian and he is against the project.

Baird: And if you would distribute it to the other members -- or at least pass it to them and allow them to read it so they will have it -- they will know what's in it.

Yearsley: Thank you. Next on the list is Dawn Downum. Come to the microphone. State your name and address for the record and --

D.Downum: Dawn Downum. 1715 Waltman in Meridian and I am against the proposal and I do have a letter to submit.

Yearsley: Okay. Next on the list -- is it Cinde Atwood? Please state your name and address for the record.

Atwood: Cinde Atwood. 2290 Verbena Drive, Meridian, Idaho. And I just want to go on record saying that am definitely against this. We all purchased our properties, as she said, as rural. We do not want ten units per acre and even if we did want them, we don't have roads to support that. It's a nightmare now in the mornings, as has already been spoken, and if we put that many in it just is not feasible. It totally would ruin our way of life and I just want to go on record I'm definitely against it.

Yearsley: Thank you. Jay Atwood. Would you like to come forward. Okay. I will just put on here he is against as well. Dennis Gerosin. Okay. He doesn't want to testify, but he's against. Yolanda Gerosin is specific as against or would you like to testify? Okay. She doesn't want to testify. Sharon Osburn.

Osburn: Sharon Osburn. 2030 West Waltman. I just have a letter I would like to give you.

Yearsley: Thank you. Gary Osburn. Okay. He doesn't want to testify and he's against. Curtis Ockerman. He is just against. I have a Dennis Gerosin as well. Would he like to come forward or -- he's against. Ron Hohnstein. Hohnstein. Sorry for -- please state your name and address for the record.

Hohnstein: Ron Hohnstein. 1655 Waltman. I'm against and I have a letter here.

Yearsley: Thank you. Richard Telliho. Okay. He's against. Yes, you can send a letter -- well, actually --

Baird: Mr. Chair?

Yearsley: Yes.

Baird: Today is the date and time for the hearing. We would anticipate if the hearing is closed tonight it would be too late after the closing of the hearing for the Planning and Zoning Commission to receive any further evidence. All the letters that are being submitted tonight do become part of the record that will be forwarded on to the City Council. In the event that this is continued to another day for whatever reason, then, you could still accept -- accept letters.

Yearsley: Okay.

Baird: But tonight is sort of the deadline for getting those in.

Yearsley: Okay. So, hope that helps. Sandra Telliho. Okay. She is against. Is it Tanja Kromrei. Are you -- okay. She is against. Maggie Weekes.

Weekes: My name is Maggie Weekes. I live at 1010 Lilac Street in Meridian and I am against this as well. And I have a letter to submit.

Yearsley: Thank you.

Baird: Mr. Chair?

Yearsley: Yes.

Baird: If I may. There appears to be an unusual amount of letters being submitted tonight and I want to make sure that each member of the Commission is able to take the time to read them. I might suggest that at the end of the public testimony portion we take a short recess, have the letters photocopied so every commissioner can take that time, so that you're not reading something while someone else is speaking.

Yearsley: Okay.

Baird: It's the only way I can think of to make sure that you have taken into consideration what was submitted.

Yearsley: Okay.

Baird: But, again, that's in the discretion of the chair.

Yearsley: That makes sense. Stan and Laurie Guntley. Okay. So, they are against. Becca Smith. Okay. She is against as well. Keith Smith is against as well. Jake Wise is against. Jennifer Johnson is against. Would she like to --

Johnson: Good evening. My name is Jennifer Johnson. I live on 2035 Waltman Street with my husband Russ and our four children who attend Meridian schools. My parents bought our house when it was brand new in 1972. So, we have a long history in the neighborhood. Along with the other neighbors who have been part of the Meridian community as business owners, employers, community volunteers, we are understandably upset that our way of life is threatened by the proposed development. There are many things that concern all of us, but I will highlight a few. Livestock. Several homes in our community support livestock and are part of our livelihood. Some are for pleasure, some raise for consumption, some are raised for 4-H and Future Farmers of America projects. Those projects are school related. They also help children learn about agriculture. These projects helped put my daughter into college and helped her become the Meridian Dairy Princess just two years ago. We feel that higher traffic in auto-pedestrian would affect us in the following ways: Higher liability to the owners. Possibly animal harassments and possible trespassing. This would also hinder our ability to properly exercise and train our livestock. Increased traffic. The roads will not support the extreme traffic -- change in traffic. There will be more accidents. When accidents happen Meridian does not have jurisdiction in our subdivision, so the Ada County Sheriff is called. Now, the Ada County Sheriff Department do not have a deputy on hand close by. They come from outlying areas like Bogus Basin, Star, you know, so it's a response time for us. So, when there is a major concern, you know, we are kind of stuck with that time period. I talked to a deputy about this and he said that our neighborhood receives very -- a very small amount of calls at this time. If this goes through that will all change and I feel like it will change -- if we have access to Waltman Street -- if the development has access to Waltman Street we will have a lot more crimes and a lot more accidents. Access to Ten Mile. I feel that having access to Ten Mile could mean changes to our subdivision and the school. People would take the shortcut instead of using existing routes. Our street is a straight way. We don't want it turned into a drag racing track. Another danger pertains to child abduction. If there were to be an issue with a child walking home from school or a domestic dispute, having access to Ten Mile would make it harder in an Amber alert. Keeping the connection to Waltman closed could prevent a tragedy. In closing I'm asking for consideration for the great numbers of our community in our subdivision. I'm asking you to consider our livelihoods and our safety and also asking you to protect our subdivision from outside threats. Please do not allow access from the development to Waltman or vice-versa. Any questions?

Yearsley: No. Thank you. And Russ Johnson is against. Cindy Downer. Against. Peggy Moser.

Moser: I have a letter for you -- if I could read the letter.

Yearsley: Okay.

Moser: Gentlemen. My name is Margaret Moser and I live at 875 Lilac Street in the Primrose Subdivision. I have lived here for 30 years and enjoy the rural subdivision and

acre on which I live. I know there will always be growth around us here and that I can comfortably live with. However, there are a few things that could happen that would make things change a bit for the worst around here. These are the things I hope to address to you tonight. Waltman is an almost a half acre mile long -- and I use road. If you have ever driven on it you would call it that also and Lilac is a short little road and these two roads are approximately 24 feet wide. Part of Waltman has a sidewalk on the north side of it, but only up to the school. We all in the subdivision have comfortable -- and I use that almost sarcastically -- lived with these roads since this subdivision was built in early '70s. The addition of the grade school on Waltman has increased the vehicle traffic considerably to the point that in the mornings and afternoons when the children start and finish a school day the parents who come to pick up these -- their children cause a bit of traffic congestion, but fortunately that only lasts about a half hour in the mornings and again in the afternoons on these days. We are also accustomed to that. What I am somewhat protesting is extending Lilac Street north into the new development. With the building of more homes on the north side of Waltman I am sure there will be even more increased vehicle traffic when the parents deliver and pick up their children. Traffic from that area would have no reason to enter our subdivision, but, rather, go down Linder Street and Waltman Road up to the school as they do now to pick up their children. If a pedestrian walk channel were to be built from the new residential area -- I didn't know that there was going to be one in there before I wrote my letter, so -- but I'm still going to read this. If a pedestrian walk channel were to be built from the new residential area directly into the school yard on the west side of the school yard, the children in that new area would be safe going to and from school and would not even have to walk on Waltman at all. Also in the east end of these new subdivision areas the traffic would not be compounded with more vehicular traffic through the subdivisions on the east side of Linder Road headed to Ten Mile and Franklin Road. If there is -- if there is an all already established number of homes for these new areas perhaps you could place these residents to the north and east areas and allow businesses built along Waltman Road. Doing this you would not even have to improve Waltman Road at all. Oh. If you considered my suggestions in this letter perhaps a good solid privacy wall between the new construction and Waltman Road would be not only a good sound barrier, but also allow those of us in the Primrose Subdivision to maintain some of our 40 plus years of privacy. Thank you so much for listening and I do sincerely hope you will consider some of my suggestions.

Yearsley: Thank you.

Moser: Thank you.

Yearsley: Dave and Lucy Dansereau. Please state your name and address for the record.

Dansereau: Dave Dansereau. 1095 Larkspur Court and I also have a letter for you.

Yearsley: Thank you.

Dansereau: And I am opposed.

Yearsley: And Lucy Dansereau is opposed as well. Jim Wolf is against. Or do you want to -- he's against. Debra Severiey -- sorry. Against. Rita Dash is against. And Gene Dash is against. Chris Lambing is against. Christine Lambing is against. Or she wants to speak as well.

Lambing: Hi. My name is Christine Lambing and I live at 860 Lilac Street. I live right on the corner of Waltman and Lilac, which is where the proposed outlet for this new subdivision and property improvement is going to take place. A phrase that the developer -- I am against. A phrase that the developer said -- they want to create a sense of place. That's going to be at the expense of the current residents of the Primrose Subdivision and the outlying area in that area by taking land and we have already paid for and we worked hard to establish and maintain in a rural atmosphere. We want to maintain what we have worked hard for and keep the integrity of that neighborhood solid and not allow more traffic, more dangers, and everything that comes with it. Thank you.

Yearsley: Thank you. Kay Fors says she's against.. Gary Fors is against. Carole Cenderse. Sorry. Carole is against. Yvette Anderson is against. And Mike Anderson is against. Terry Zanders is against. Tamara Thomason is against. Andrew Gowans is again. Catherine Gowans is against. Joel Kromrei is against. And Steve Osburn is against. Okay.

Osburn: My name is Steve Osburn and my parents live at 2030 West Waltman. I have been a real estate broker here in Ada County for 20 years and participated previously in the past as president of the Ada County Association of Realtors in many meetings that took place regarding future planning and zoning. I think the comprehensive Ten Mile plan was extremely well thought out. Many years went into that. As the applicant has indicated, I think the designations, however, are appropriate and more appropriate than what is being proposed now. I simply would request a denial based upon -- excuse me -- the high density -- the amount of the density there, but also as noted the traffic concerns with the connection between the two communities at Waltman and Lilac is really a huge issue that has to be considered. I understand this is not an ACHD hearing. However, this is something that has to be addressed. It would dramatically impact the safety of that street and the children of the school especially. I think the comprehensive plan was well done. I think what is being proposed is good for -- for the general area, but the density up against the existing neighborhood is what is the problem. Thank you.

Yearsley: Thank you. That is all I have signed up for this sheet. I am a little concerned -- we have another sign-up sheet for Reardon Subdivision. Did anybody sign up on that one that wanted to be for this one? With that I will take that as a no. Is there anybody else that would like to come up and testify? Please come forward. Please state your name and address for the record.

Mabbutt: My name is John Mabbutt. I live at 1135 Laurel Court. Have been there since the late '70s. We are probably not as directly impacted as some of the residents in our vision, but we have noticed a great increase in traffic by the -- caused by the school and are concerned that the traffic will continue to increase if free access is granted through our subdivision into this proposed development. The road as built when the subdivision was platted met the requirements at that time, but they are no longer sufficient for the high density traffic and the way that the traffic is using that road. I raised these same objections when they put the school program in place and got stepped on at that time, too. So, I don't expect that you will listen to our comments this time, but I did feel the only chance I'm going to have to object to the rough shod way that Meridian runs over their neighbors. Thank you.

Yearsley: Thank you. Anybody else? pjf@msbtlaw.com Please come forward.

Thompson: Mr. Chairman, Commissioners, I'm Doug Thompson. I live at 1846 West Greenhead Drive in the Whitestone Subdivision. I would like to go on record as being opposed to this, because I think, as the realtor friend here addressed, the initial plan was very well thought out and very well planned and when we start to make changes to the zoning that was allowed for in that plan I think we create problems that were foreseen and talked about at that time and that by adherence to the plan as it was laid out many of those problems will be eliminated and not have to be discussed further. So, I would go on record as saying we are opposed to it, because it sets a precedence for areas that are currently not being discussed that will eventually impact the rest of the residential there. We in Whitestone have a stub into that field and when the property just north of what's being discussed now is opened up any zoning changes that you allow now will affect that other property and that will also affect traffic going into Whitestone Subdivision and create many of the same problems that are being talked about here at this time, as will population in that school district be increased significantly by your changes. So, I go on record as being opposed.

Yearsley: Thank you. Please come forward.

Weekes: I'm Sarah Weekes and I live at 1010 Lilac. I have never lived in a different household than the one that I previously stated, so this area has definitely become part of me, the livestock, as previously stated, I definitely had many animals growing up and I know that not all of them do and not every household in this neighborhood has children, but we do have a school which has a big part of it where children come into play. Whether it was a high school -- okay, many of them drive, but they are little children with having such a high volume of traffic coming through you never know if or when an accident can happen. I know that there is a lot of people that exercise from the surrounding neighborhoods that like to come to our neighborhood, because it is lower populated, less dense traffic, so they like to take their evening strolls and there is another problem if there was higher traffic at that time. I think we have all known for many years that this wasn't going to stay it's own little town -- little place for a very long time. We all knew something was going to happen one day and today is the day. But does it really have to have that road coming straight into the neighborhood that can

connect all of that high population? And even with having us backed up to an R-8, that high density of people -- it's just not necessary for that type of a road. I do currently live in downtown Boise, I did move out, and I can say moving from the neighborhood that we are talking about to downtown Boise, at Boise and Protest, very very busy. It is not the place -- they are two different places. They should not have the same type of residential living area around it, because they are not similar. I don't think that many of us are against it, we just wish for a different type of a change asked for the pathway for people to walk and emergency vehicles, so not an every day pathway for cars from other subdivisions on the opposite side of Linder to cross over. I think that's all I have. Thank you for your time and you guys have a great one.

Yearsley: Thank you. Please come forward. Again, please state your name and address for the record.

McNulty: My name is Angie McNulty. I live at 2070 West Waltman and I am opposed to the proposed changes. I think plenty of us have said quite a bit about student safety. I am an elementary teacher in Meridian at the Meridian School District and I would just like to note my concern for students. I don't want to be in tears here, but I am a huge advocate for my students and I am at one of those schools that will be impacted by this change. It will impact my classroom size, which inhibits my ability to teach my students and it will impact their learning, which is most needed at this time with the changes in Common Core standards. This is why I come forward and suggest you consider these proposals and perhaps a different proposal from the developer. Thank you for your time.

Yearsley: Thank you. Anybody else? Sure.

Gerosin: My name is Dennis Gerosin. I'm at 2090 Verbena Drive and I just kind of -- everybody is kicking around the traffic and stuff and we are not expansion fobes over there and don't want our own little Idaho, but, really, I can't stress enough about the traffic situation over there. With the school it's chaos over there. There is cars going all over the place and like somebody earlier, it's brief -- it's for a brief amount of time, but it's a reality. The other thing is is that that road goes from Waltman and, you know, out to Ten Mile, everybody that goes -- uses the Ten Mile exit and you can say that they don't, but they will, is going to be coming down our subdivision, which is going to cause, you know, more stress on the roads. The other thing is when -- when Waltman went through they were having construction -- Waltman went through from Linder to -- so you could get on the freeway for access and I was one of the ones that's in a hurry taking a shortcut and I was going down there one day and with a lot of other people with the same things in mind and a guy kind of -- you know, I was stopped there and a guy says, you know, you guys really are screwing us all up that live down here, you know, the traffic was improving, that's going to happen in reverse. You could take that area south of the shopping center over where Sportsman's is. Everybody used to cut around the back of the -- the shopping center. They put big signs up there. I got a friend that lives on Congressional, now what everybody does to get to Walmart, rather than go down Eagle, which is a nightmare, they go through that subdivision even to get over to

Walmart or Sportsman's, because, you know, you get a ticket for going behind the subdivision -- or the shopping center now. It's just human nature and that's changed their lifestyle really -- and I'm all for growth and I'm all for, you know, things becoming better and all that, but it's got to be done the right way and just with a lot of thought given into it. I would suggest you maybe -- you guys go down there and look and see what's going on. It's just -- it's going to really be rough. That's all I have.

Yearsley: Thank you. Anybody else? I think with that I'd like to take about a ten minute break and so we have a chance to read all the letters that we got and, then, we can kind of go from there before we close the public hearing. So, with that we could take a ten minute break.

Recess: (7:15 p.m. to 7:33 p.m.)

Yearsley: All right. At this time we'd like to call the meeting back to order. Just for the record I wanted to state that I did have a chance to read all the letters and I appreciate the letters. If I could, I could get the Commissioners to also state that they have had a chance to read those letters as well.

Freeman: Mr. Chair, I have had a chance to read all of the -- all of the letters.

Yearsley: Thank you.

Oliver: Mr. Chairman, I did as well.

Yearsley: Okay. I did have one other gentleman ask in the break if he -- he has not spoken yet and he would like to come up. Is he here? So, just so everyone knows, is there anybody else that would like to testify? Because after this we are going to -- okay. So, with that, Becky, are you ready to come forward?

McKay: Yes, sir, Mr. Chairman, Members of the Commission. Becky McKay. 1029 North Rosario, Meridian.

Yearsley: If you would just also at least identify that you have had a chance to read those letters as well.

McKay: Yes, sir, Mr. Chairman, we did review the letters.

Yearsley: Okay.

McKay: And so we have prepared responses in rebuttal to that. I guess I'd like to start out that, you know, the -- the Ten Mile Interchange Specific Area Plan land use map clearly anticipated that there would be mixed use on this property. As you can see there, this property is unique in that it has four designations of lifestyle center, high density residential, which was about 19.5 acres, which is 16 to 25 dwelling units per acre. Adjacent to the rural -- a portion of that rural subdivision was medium high

density, which was eight to 15 units and, then, we have about 30 acres of medium density residential, four to eight dwelling units. Now, when we met with the neighbors I sent my neighborhood notice out, I had R-8, I had R-15 as the two residential components, along with the C-G, the TN-C. The neighbors were very alarmed about the R-15 and said, you know, we don't want multi-story apartments next to us and we agree. We don't disagree with that. So, we totally disregarded the R-15 as even a viable option and we went with the R-8 option and I think we are embracing the transition. We respect the integrity of their neighborhood and we are playing a balancing act with densities, because we have on one hand the neighborhood who they have been there a long time, they have an Ada County rural type subdivision and they just had a 32 million dollar interchange built. Ten Mile upgraded to five lanes. ACHD's upgraded Franklin and Ten Mile. They have the intersections at Franklin Road on -- targeted for upgrade all along that corridor and this area is changing and I will not disagree that there will not be impact to the existing residential. However, this is the first step in getting this transportation system established for development of this particular area. Before you is the transportation plan that's part of the Ten Mile plan. I -- I don't think that the neighborhood understands that there is going to be a signal at Ten Mile. There will be two signals at Franklin. There will be east-west and north-south collectors. Two collectors going north-south funneling traffic to Franklin and two collectors going westward funneling traffic out to Ten Mile. There is an underpass that will go under the Ten Mile interchange. I mean this whole area -- transportation is one of the number one considerations. Now, as far as connection to their neighborhood, it's shown on the plan. There is a vehicular connection to their neighborhood. Now, I'm not proposing to make a direct connection. Right now we are in the first step, the infancy of this project to create -- or establish this transportation system. When a detailed site plan is done, when a traffic study is done, it will be determined how that connection is made to their neighborhood. Consideration for cut-through traffic is always a primary concern of mine, of the district's, but the district recognizes that they are not going to rule out any vehicular connection to the neighborhood. I have an Ada County Highway District staff report. I e-mailed them every transportation concern that the neighborhood had and I cc'd Mrs. Ockerman and they said the proposed connection to Waltman slash Lilac Street is an important connection in that it will allow residents in this area to access future services planned within the site and providing necessary secondary access. There is one way in from Linder and, then, Linder dead ends into Interstate I-84 and so the highway district -- they told me no connection is not a viable option, but how that connection is made has yet to be determined. I can't in good conscience rule it out, because I don't control it. Ada County Highway District does. Safely moving traffic out to the arterials is the number one goal. Now, we are establishing this foundation and there will be a lengthy process. I'm going to have to go back to those neighbors at some point or CSHQA, the architect, and we will give them a detailed site plan. We will be back with a plat. I cannot do anything without a preliminary plat and a final plat and at that time all those interconnections with the transportation system that is existing will be evaluated. There is traffic signals planned. They put in the -- the infrastructure out here in order to accommodate the future growth. Where rural and urban boundaries meet is always a challenge for the city, for ACHD, for us as the private sector. We work with the neighborhoods, we work with the city and ACHD to try to mitigate that impact

and I have been doing this almost 25 years and we transition by creating open space, we transition -- we utilize traffic calming measures, transitional densities, and there are multiple options to transitioning from these lots and I would not even propose to put apartments next to them. We will utilize single family dwellings. That's why we embraced the R-8. We have this overall plan that, like I said, we are doing a balancing act to meet the plan as far as -- there are multi-family components that must be incorporated in our plan. Retail components. Office components. Single family components. This is a complex area. It will take years to develop exactly what is going to take place on this property and we will be back before everyone again. I did go out to the site, I did observe the traffic on Waltman. It is a substandard road. There is sidewalks in front of the school. I was out there. I drove around the neighborhood and looped through and I watched as the parents backed up along Waltman as the kids were crossing Linder Road and they had the crossing guards and so it's not like we are trying to do this in a bubble, we do look at that area and there is a thousand vehicle trips -- or a little over a thousand on Waltman, that's acceptable. Local street volumes are up to 2,000 trips per day. ACHD -- we are going to have to take that in consideration in our site design that we don't send our traffic eastward, but yet provide options for them to go north to Franklin, west to Ten Mile. I don't think that we have made the investment that this the community has made in this interchange area to just do rural densities. That doesn't even make any sense. I mean this area has potential to be a real jewel in the City of Meridian and this is just the first step in reaching that and this is no different than what we did to the west of Ten Mile. If we can't get these right -- get annexed, get zoned, and get these right of ways and rotaries established and the signals built, the properties aren't going to develop. One thing I also wanted to mention was the fact that in the conditions of approval that will be including in our development agreed under 4.1.2 it clearly states the property shall be developed in a manner that provides a transition in uses to adjacent residential properties. So, it clearly recognizes that and I have had other properties that we did R-8, but adjoining a rural development we had R-4 lot sizes and, then, we transitioned to the R-8. I mean there are multiple ways to accomplish this and we feel that we have done it and we have worked with staff diligently and spent a lot of time and this is in compliance with this plan. Thank you.

Yearsley: Thank you. Are there any questions at this time, just before she leaves?

Freeman: Of Becky, no. No.

Yearsley: All right. Thank you. With that could I get a motion to close the public hearing on AZ 14-001.

Freeman: So moved.

Oliver: Second.

Yearsley: I have a motion and a second to close the public hearing on AZ 14-001. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Freeman: Mr. Chair, are you looking to one of us to start these deliberations?

Yearsley: Yes.

Freeman: Okay. I will start and you guys can finish whatever I --

Yearsley: All right.

Freeman: Okay. I will try to put this together as I go. This is -- this is a difficult one. Obviously, we have an existing, longstanding neighborhood that enjoys the benefits of being isolated from development on at least two sides of you and in some cases three and, then, the Ten Mile interchange was developed and I was glad to hear that most of the residents who -- who testified did recognize that the TMSAP plan seemed to be a good plan and that -- and that development is going to happen here, because of the nature of the Ten Mile interchange and its relationship to the rest of the City of Meridian. There is going to be a high level of commercial development here and there is going to be a high level of residential development here and the question is going to be how do we best accommodate that around a neighborhood that has been there and hasn't had to share the area like this in this way ever before. The Ten Mile interchange plan does anticipate this kind of development. I think everybody here, as far as I have heard, understands that. The major concerns that I'm hearing are -- there are several. Let me just recognize that first. But the ones that come up over and over again are incompatible uses adjacent to the residential neighborhood and the increases in traffic. So, I wanted to address those primarily. Maybe I won't get to the others, maybe some of the other commissioners will address some of the others. But I heard some comments that somewhat confused me and I think perhaps it's just perhaps that -- maybe it's just a misunderstanding that we should go back to the TMSAP plan and not do this new zoning and it really isn't the new zoning. This really isn't a change in density. Nobody's saying we want to go more dense than what the Ten Mile interchange plan said we wanted to do. That's not happening. We are taking the densities that were always part of that plan and trying to move them around in such a way that they are ideal. You know, the risk here is that everybody who came -- and there are a lot of you that came and that's -- that's impressive. I understand. This is your home. I forgot where I was going to go with that thought. Oh, I remember. The danger is that people are going to walk away from here feeling like the city doesn't care, that -- that you're being ignored. Some of you even thought that we had made up our decision, I suppose, that this was already going to happen and I have said this before in hearings, none of us have our minds made up when we come in here. We really don't. We look at the staff recommendations, we look at you, we listen to the force of the arguments, we have to look at the UDC, we have to look at all of those things and, then, we make our decision really on the fly, as we are here we make the best decisions that we can. I want to emphasize the fact -- I am in favor of this plan. I will say that. I'm in favor of it. I think it has a lot of good things going for it. I think it does meet the intention of what this area was designed for. I also want to emphasize when I say that that you

are -- you are definitely not being ignored. We know you're there. ACHD knows you're there. The developer knows you're there. We also all know that this development in some way is going to happen in accordance with the Ten Mile interchange plan. Both things are there. Nobody's ignoring you. You're not at the expense of this new plan. Everybody's interest is to make these two things come together in the most compatible way they possibly can. And I -- you know, the connection of Waltman, I just want to look at that for a minute. You know, ACHD wants that to go through and I know in many of your minds what you envision is Waltman going zip right through to Ten Mile and you're going to have this major connection. They are going to be connected, but not in that way. You are still a local street and the design of all these collectors, like Becky pointed out, the design of these collectors that go north and south, the intention of those designs is to collect the density, the traffic and take them out through there. I could even see -- and you might think that I am crazy to say this, but I'm going to say it anyway -- you may actually see your traffic improve as a result of this if ACHD and we all do this correctly. The reason I say that -- and I want to say why. I was looking at this during the break. You guys have one way in and out of your neighborhood right now. It's my turn to talk. Please. We need order in the -- okay. You're going to have two ways out and a primary way for the other people in this neighborhood to get out of there is not through your neighborhood. Yeah, there is a connection there. There is. But it's not going to be the favored one. It's not going to be designed to be their favorite one. There are collector streets that are going to be designed to take on that traffic. I also want to address the density. You know, I -- again, I think you have visions -- again, they are probably -- I understand the fear -- there is a lot of fear when this kind of stuff goes on and I understand visions of a five story apartment house just breathing down your backyard. And, again, I want to say that is not what any of us are interested in. But this is not the city's last say in this. There are going to be many iterations. There is a lot more that needs to happen here. And those are things that we are always looking for. We are looking for those extreme incompatibilities. And I will tell you that a five or six story apartment house in your backyard to me is not compatible. But I can also say that the way this is zoned, the way this is laid out with the commercial and different densities, I think it's very compatible. I think it gives us the basis from which we can do this all the right way and, you know, this is going to come before us again, possibly. It's certainly going to go before City Council again. Even this decision is going to go before City Council and you will probably all show up and voice your opinions. But they are being heard. I just want to assure you they are being heard. This is a good plan. This plan can be made to work for the neighborhood. This plan can be made to work with your lifestyle, but I will say this, it's going to change. There are going to be changes. Change is the nature of development and we are at a major intersection in the Treasure Valley and there is going to be a lot of change here. Nobody is asking you to pick up and move out and nobody is putting an apartment building right smack in the middle of your neighborhood. Everything is going to be done to maintain your neighborhood to the greatest extent possible. But it does have to connect with the rest of the city. We all live here. We all need developments like this. Developments like this need to happen at intersections like this, but they need to be done with respect for the existing neighbors, too. But that doesn't mean we can't do anything. We still need to do these kinds of developments. I'm going to be in favor of the project. I think the developer has

done a very good job so far of taking what the TMSAP gave in generalities and had taken that next step to work out some zones that I think have a potential to work out really well. I'm going to leave it with -- with that. I have said enough and let you guys take the floor.

Yearsley: Commissioner Oliver, do you have --

Oliver: I just have a couple things to ask. If I could ask staff two quick questions if I could, Mr. Chairman.

Yearsley: Certainly.

Oliver: Just out of curiosity -- I'm not familiar with that area really well, but Primrose is not annexed into the city right now?

Watters: Chairman, Commissioner Oliver, Primrose is in the county -- Ada County.

Oliver: Is there any plans for it to be annexed into Meridian?

Watters: The City of Meridian does not force annex property. They would have to apply for annexation.

Oliver: Okay. So, if I could go on -- just go from there?

Yearsley: Absolutely.

Oliver: Angie McNulty, is she still here? She spoke earlier about being a teacher at Peregrine. I, myself, am an educator in Kuna and I know for a fact that getting more students in the school is really difficult, especially when you're looking at about 600 students, which the school I teach at has that. We have a new subdivision that's developing right now that will give us over a hundred more students to our school, but somehow we manage to get through it. We manage to accept those children and move on. So, I do empathize with her and I understand what she's saying as far as having more students in school. It's very very difficult to get to a -- when you have 35, 40 kids in the class it's very difficult. I'm overwhelmed with the number of people that came and spoke tonight. I'm just overwhelmed with the number of people that are against this. But I do have to agree with Commissioner Freeman, what he's saying, it is going to happen and we have to find some way to work together. Becky McKay, in reference to the letters that she was speaking to, I think she alluded to the R-8 dwellings and I think that's something that could be worked versus the 15. So, I think that I -- and, again, I have to go with the fact that it's going to happen and we just have to find some way to keep as much traffic from entering off of -- I just lost it.

Freeman: Waltman.

Oliver: Waltman. As much as possible.

Yearsley: Thank you. You know, I came into this thinking it was a good project and I still think for the most part it's still good. I did hear your comments about the TN-R and TN-C and am a little concerned about the densities, but as Becky McKay said that this is just a zoning, it's not, you know, what -- how it's going to layout and we will be here to help protect your assets with this. This is a tough one. I do have to admit that trying to balance the rural nature of the residents with the proposed development is a tough one. I will start with traffic. You know, I'm an engineer and I deal with traffic all the time and I have come to decide that traffic is like flowing water. It likes to find the path of least resistance and with that being said I think with the way they have got it is the path of least resistance is going to be going towards Linder -- is going to be going towards Franklin and to Ten Mile and not to try to do cut throughs. So, I think traffic may increase, but I don't think it's going to be to the levels that you're thinking that it might increase. With regards to the school. You know, there will be an impact and depending on how that property to the north develops and other properties, my guess we are looking at potentially another elementary school in the near future, you know, given the size that this development may bring in, plus other developments around the area. So, there may be a short time with some -- some crowding, but I think it will be alleviated as that growth happens. And, then, also as Becky states, they are going to probably most likely build from Ten Mile in and so -- and they will do it in phases as the economy supports it and so, you know, it could be a fairly long time before you start to see those roads attach to Whitman and -- Waltman and these other areas expand, you know. If we continue to increase -- you know, economy continues to improve it may happen sooner. If it goes less it may be less. I have to admit I'm a little concerned about the -- the wording about the 300 dwelling units in the TN-C or C-G. I would prefer to have a break out between the two, because we can potentially put everything into the TN-C, which is not what I would like to see personally. So, I will put the -- the owners on notice for that wording. I don't feel it's appropriate to change it, because I want to give them some -- some diversities of how they want to develop the site, so -- but I think with that I do have some concerns, but I think as this process goes forward I think the layout is good and we will be watching to make sure that these next stages, as they come in for preliminary plat, meet the designations of the site and -- and of this area, so -- so that's all I have. So, with that I would entertain a motion.

Freeman: Mr. Chair?

Yearsley: Commissioner Freeman.

Freeman: After considering all staff, applicant and public testimony, I move to approve file number AZ 14-001 as presented in the staff report for the hearing date of March 20th, 2014, with the following modifications: That the language in the DA, specifically Paragraph 4.14 and 1.1.6 be revised as staff testified and as agreed with the applicant.

Oliver: Second.

Yearsley: I have a motion and a second to approve the file number AZ 14-001. All in favor say aye. Opposed? Motion carries. Thank you.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: With that I'd like to take a five minute break to allow the audience to leave if they would like.

Recess: (8:03 p.m. to 8:08 p.m.)

- B. Public Hearing: RZ 14-002 Reardon Subdivision by CS2, LLC
Located Southwest Corner of W. Cherry Lane and N.
Summertree Way Request: Rezone Approximately 2.20 Acres
from the R-4 (Medium-Low Density Residential) Zoning District
to the R-8 (Medium-Density Residential) Zoning District**
- C. Public Hearing: PP 14-003 Reardon Subdivision by CS2, LLC
Located Southwest Corner of W. Cherry Lane and N.
Summertree Way Request: Preliminary Plat Approval of Ten
(10) Single Family Residential Lots and Four (4)
Common/Other Lots on Approximately 1.96 Acres in a
Proposed R-8 Zoning District**

Yearsley: We would like to call this meeting back to order. At this time we would like to open the public hearing on RZ 14-002 and PP 14-003, Reardon Subdivision, and let's begin with the staff report.

Parsons: Thank you, Mr. Chairman, Members of the Commission. Next item on the agenda this evening is the Reardon Subdivision. It's located near the intersection of West Cherry Lane and North Summertree Way. The project -- property consists of 1.96 acres of land and is currently zoned R-4 within the city limits. In 2001 this property was approved by the city to -- with a combined preliminary and final plat and consisted of the existing home currently here and, then, also this parcel. At the time that this property was annexed and zoned and platted in the city, city services were not available to this property. In 2007 a new plat came before you, it was called the Moose Creek Subdivision. It consisted of six buildable lots in the R-4 district and that plat never moved forward, because the developer at that time never commenced with the final plat and got the subdivision recorded and so as recently as several months ago the applicant was moving forward to bring forth another rezone and a preliminary plat application on this property. Prior to you taking action on that application the applicant did withdraw their application and now we have a new developer. Currently this property is bank owned and so we do have a new developer that is proposing a different layout than what you would have seen several months back. As I mentioned to you -- or this site currently is vacant property. On the west boundary, as you can see in the arrow here, there is an existing private road that is constructed on this property and it's meant to serve -- provide access to this property to the south and that private road -- or

that easement was created through a separate document and is not part of your purview this evening, even though our recommendation is to close out that access and relinquishment of that easement and removal of that private street will be between the developer and the owners of that parcel to the south. So, here is their proposed preliminary plat. The applicant is also proposing to rezone this from the R-4 district to the R-8 district consistent with the medium density residential land use designation on the property. This preliminary plat consists of ten residential lots and four common lots at a density of approximately a little less than six units to the acre, so it falls within that density range of the MDR designation of three and eight units to the acre. Access to this development will be provided by the extension of one local street that runs west and east through the development as West Aspen Creek Drive. As I mentioned to you and as you see on this plat here you can currently see where that location of that 30 foot private street is and where it intersects Cherry Lane here. My recommendation in the staff report and because there is a rezone associated with this application this evening staff's recommendation is that that access be closed off, a portion of that street removed and that the landscape buffer to be extended to the west boundary insuring the closure of that right of way. And, again, as I mentioned to you, one of the other provisions in the development agreement is that the applicant relinquish that easement and show proof of that prior to submitting the final plat application. The landscape plan for the subdivision currently, because the site is under ten acres in size, the only required landscape buffer is the 25 foot landscape buffer along Chinden -- or, excuse me, Cherry Lane. This landscape plan does not reflect that change for the extension of the buffer, but the preliminary plat that was before you just a few minutes ago does show that change as recommended in the staff report. The applicant is also proposing a small landscape buffer along the north side of West Aspen Creek Drive as well and they have also depicted a cross-access easement across that common lot for the benefit of this property to the north. As I mentioned to you earlier in my presentation, that existing home that is north and is not part of this subdivision is actually -- is not hooked up to city services at this time, but it is annexed and zoned within the city. As part of -- as this project moves forward to the City Council the applicant will be requesting vacation from -- will be requesting from City Council action on the vacation application to vacate the private sewer easement that's currently located on this property as well. So, it's not highlighted very well here, but if you can see my cursor here I'm outlining the drain field easement that serves this existing residence to the east. The current property owner of this lot here or this home has consented to the relinquishment of that easement, so staff anticipates -- so, one of the conditions -- recommended conditions in my staff report this evening is that prior to the city engineer's signature on the final plat the applicant will hook up that home to city sewer and water as originally intended back in 2001. With approval of that project it was a requirement once services were available this home would be connected. The applicant did provide sample elevations for you this evening to depict the style of homes. You can see most of the homes will be in the two story variety, include a mix of building materials. A recommended provision of the DA is requiring compliance with these submitted elevations as well. I would mention to you that staff has not received ACHD's comments on this application. We have met with them prior -- on closure of that access point, as I mentioned to you to Cherry Lane and ACHD has also indicated that they would be recommending closure of that access point

moving forward. Keep in mind that the applicant does have the ability to ask for City Council waiver at their level at that hearing, but at this point both applicant and city staff will be recommending -- have recommended closure of that access point. Staff did receive written testimony from the applicant. They are in agreement with all the conditions in the staff report. Other than that I have not -- I have no other outstanding issue for you this evening and I'd stand for any questions you may have.

Yearsley: Are there any questions?

Freeman: I have one, Bill. Well, I will venture to ask it. I understand that the closure of that private street is not part of our -- our consideration as the Commission and that City Council might grant a waiver, but both ACHD and staff is recommending closure of it, I was just curious what the reason was for that.

Parsons: Sure. Mr. Chairman, Members of the Commission, currently the way the UDC is structured, as you know and you hear it many times at these hearings, is the UDC, when there is access to an arterial street and local street -- and local street is being provided it is our policy and our ordinance to require the closure of that access to an arterial street. So, because this plat is proposing another local street access to this property and this common lot or access lot here in the southwest corner of the development will continue to provide access to that property to the south, staff believes that that access should be closed and that there is adequate access for meeting -- for the ordinance -- as required by the ordinance, so, therefore, we feel it's an important safety measure to do that. I guess if I can go back to the aerial as well, if you look at the -- the intersections here and how many intersecting streets are in the general vicinity in Cherry Lane, ACHD said they could not support, because of the proximity of that curb, gutter and driveway, too, they could not support that access remaining as well. So, there is a lot of factors that go into it, but, basically, it's -- from our standpoint it's a UDC measure. When access is being provided from another means we usually are asked to research that unless waived by City Council.

Freeman: I suspected so, I just wanted to confirm my suspicion. Thank you.

Yearsley: Any other? Bill, I have one question and I didn't see it in the staff report. It doesn't show a provision for a hammerhead or a turnaround or anything like that. Has the fire department made any comments associated with that or what's -- what's the long term of that?

Parsons: Mr. Chairman, Members of the Commission, our discussions with ACHD would be that they are going to require a turnaround -- a temporary turnaround. My commitment in the staff report and in discussions with ACHD is I have placed a condition in here that they need to provide a temporary turnaround --

Yearsley: Okay.

Parsons: -- in accordance with ACHD standards. The applicant has yet to work out the details of what they want to do as far as providing that turnaround, but they are aware of that condition, they were at the table as well, and they are working through some options with ACHD on how to provide that.

Yearsley: Okay.

Parsons: They are conditioned to provide one.

Yearsley: All right. With that could we have the applicant come forward. Please state your name and address for the record.

Unger: Mr. Chair and Commissioners, my name is Bob Unger. I'm with ULC Management. Our address is 6104 North Gary Lane, Boise, Idaho. 83714. It's getting so late. I really don't want to reiterate everything Bill has said. As always Bill -- Bill and I work together well whenever we bring a project in. I think Bill has done a great job of reviewing the project. Just a couple of points that I think -- I just want to make sure that you understand. The existing house in the northwest corner, we have reached an agreement with those folks and we do have a signed agreement with those folks that they will vacate their septic drain field in exchange for our connecting them to sewer and water at our cost and everything to that effect. And, in fact, I believe the agreement states that we need to do that within 30 days after the hearing this evening and also there is the property to the west of this project and I believe it's owned by a Sarah Cartwright and in our neighborhood meeting we discussed that she is not receiving her irrigation water and as such in our plan we have a -- we have our plans designed to once again connect her back up to her gravity irrigation water and provide that water to her. So, those were just a couple points that I thought that were important. We realize the requirement by the city and ACHD that the access to Cherry Lane be -- be closed and also that the turnaround be provided on our proposed street and between now and the time we get to Council we anticipate having all of that resolved, but we are aware of it and we are in agreement with it and having said that I will stand for any questions you might have.

Yearsley: Thank you. Are there any questions?

Freeman: No.

Yearsley: Thank you.

Unger: Thank you.

Yearsley: I have a couple of people signed up. Marjorie Lane. Please state your name and address for the record.

Lane: Marjorie Lane. 1538 North Wintertree Avenue. Mr. Chairman, Commissioners, I'm here to ask that you reject the application and of rezone this parcel and if you do

that, then, you reject the preliminary plat as it's presented. I think that R-4, which is what dominates the surrounding area, is simply the best fit for that parcel, not R-8. I have lived on Wintertree Avenue since 2006 and there have been four neighborhood meetings associated with this parcel just in the last eight years. Since we have no guarantee that developer number four will complete their proposed work, I just use that as another reason, basically, for saying I think R-4 is the best fit. Thank you.

Yearsley: Thank you.

Freeman: I have a question before you go. You mentioned not having a guarantee. Was it implied in that that you actually would be okay with the plan at it is and your fear is if he doesn't develop it it could get more dense, is that --

Lane: Well, the previous proposal was for something much more dense in R-15, as opposed to an R-8, and, like I say, there -- there are issues sometimes associated with a higher density development. I live in an R-8 development, I see some of those issues, I'm a homeowner association president, I have to deal with some of those issues and many of those issues having to do with a higher density just simply don't exist in an R-4 development and I don't see them in the R-4 developments around this and that's why I personally prefer R-4.

Freeman: Okay. Thank you.

Yearsley: Thank you. Arlene Russell. Okay. She's against. Tammy Turpin.

Turpin: Hi. I'm Tammy Turpin and I'm the new owner at 1490 North Jump Creek, so I'm the house that's behind the south -- I'm sorry. And we absolutely want to keep a straightaway. We have big rigs and we are going to have our -- our property is still R-4 and it's county property and we have got -- we are going to have horses back there, we are going to have a barn and everything back there and we -- having to have our rigs have to go through ten houses that are right on top of each other to turn right onto the same road that goes right up towards our shop is -- and that road is deeded in our --

Yearsley: Okay. Oh, sorry.

Freeman: A question for her before she goes.

Turpin: Okay.

Freeman: I just want to make sure you heard and understand we don't have the authority to change that, but City Council does. You can go talk to them about getting a waiver if this moves toward them. Just wanted to make sure you understood.

Turpin: I talked to the county and I didn't -- they don't all talk together, but the county says they can't change it, but --

Freeman: Okay.

Turpin: -- I'm new to the neighborhood.

Freeman: Okay. All right. Thank you.

Yearsley: Thank you. Is it Sarah Durrant? Or -- oh. Sorry. Oh, that's a C. Wow. It looks like a D. Sorry.

Cartwright: Sorry. My handwriting is a little sloppy. Mr. Chair and Members of the Commission, my name is Sarah Cartwright and I live at 4365 West Cherry Lane in Meridian. My property is the acreage to the west of the proposed subdivision that is currently still in the county. My concerns for this project are, one, currently I am able to access the southern end of my property through a gate that is available on Jones Creek Lane. The city planners requested that CS2, LLC, provide a way for Tammy, the new owner of the Jones property, to access her property through the new subdivision. I am still unaware of how that access would be completely allowed, except that it looks like maybe she would go through the second common lot. Is that correct? Okay. And so I'm concerned that if that access is only allowed for Tammy that I will be unable to access the southern gate on my property. My second concern is that, yes, I do have surface irrigation water rights through Nampa-Meridian Irrigation District and, unfortunately, when Cherry Lane was extended, George Davis, the then owner Lot 1, Block 1, of Harkstone Subdivision, did not want the covered irrigation line brought in front of his house as he felt that might kill the trees he had planted along Cherry Lane. As a result the water was reverted down the east and south sides of his property to, then, come uphill on the west side to dump into covered irrigation that comes along Cherry Lane to my access point. My concern is that Mr. Unger's resolution to continue my water rights is still to have the water run via gravity back uphill. And, finally, my current access point stub into sewer is on the southeast corner of the proposed Reardon Subdivision. With previous developers in discussions with them, they believe my property sits too low to be able to stub sewer to my property. So, I'm not sure how Mr. Unger plans to address this, but without access to the sewer I will not be able to ever be annexed into the City of Meridian. Thank you.

Yearsley: Thank you. Ray Race. Okay. John Dirk. Okay. Steven Owens. Is there anybody else that would like to testify? With that would the applicant like to come forward.

Unger: Mr. Chair, Commission, Bob Unger. Just a couple of quick points here. The first lady that spoke -- her name is Ms. Lane? Is that correct? Just concerned about the R-8 and concerns about the -- the previous application that was withdrawn wanted the R-15. The area around there -- the area directly to the east of this project is R-8. We do have some other R-8s in the area. If we were to go to an R-4 with the acreage we have we could get seven units to the acre. With the R-8 we could get 15 units to the acre and we are only proposing ten units to the acre. I think what we are proposing is very compatible with the surrounding area. But I just wanted to point that out. Ms.

Turpin's access out to Cherry Lane, we are in hopes to be able to sit down with her and her husband and see if we can work something out on a revised easement and access to our proposed street. Ms. Cartwright to the west -- although she -- she is using the -- the existing easement and private lane to get back to that back corner of her property, the only easement that has been granted across this property is for the property to the south. I don't think it's been an issue for anybody and it certainly isn't an issue to us and she would still have access coming in our street and, then, going south on the existing easement just like she does today. So, really, she's not going to lose that access to that -- to that -- it would be the south -- per south corner there. We will engineer the irrigation to get to her, so that she once again has her irrigation. I'm not an engineer, but I'm sure my engineer can figure it out and so we will work through that and as far as the sewer stub, we are required by city to stub the sewer to the end of the street and we will put a manhole right there. That's -- we are required to do that. Future sewerage of the property -- her property which is to the west of this, I don't know if that's -- if that's possible, because I know it does get kind of shallow, but there is always the possibility of some sort of a lift station or a grinder pump system that could be installed to -- to service what's possible -- the possible four to five lots that could be developed on her property. So, I think -- I hope I have clarified everything. And, once again, I think staff has done a great job. We agree with the conditions of approval and we would ask for recommendation of approval.

Yearsley: Thank you. Any other questions before --

Freeman: No.

Yearsley: Thank you.

Unger: Thank you very much.

Yearsley: With that can I get a motion to close the public hearing on RZ 14-002 and PP 14-003.

Freeman: So moved.

Oliver: Second.

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

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: Who would like to go first?

Freeman: I have a question for Public Works. Caleb?

Hood: Okay. I will speak for Public Works.

Freeman: I know you're not Public Works, but is Public Works aware of any issues with the western property being able to tie into the sewer that comes down this road? Bill? He's sitting closer to the seat where Public Works is supposed to be.

Parsons: Mr. Chairman, Members of the Commission, the homeowner did state that correctly. The sewer does get shallow there, so we can't, unfortunately, say it can't be sewerred, it just makes -- takes additional work to help it be sewerred I guess. So, at this point we are aware of the depth there. Yes, it would be shallow, but to say that she would never be annexed into the city, I wouldn't say that was accurately stated.

Freeman: Okay. That was all. Thanks.

Yearsley: Thank you. Commissioner Oliver?

Oliver: No. That was my only concern was the same question.

Yearsley: Okay. Any comment?

Freeman: Sure. Comment wise, I think I already clarified for one of the ladies that testified that was -- I won't even venture, because I can't remember which name goes to which face -- clarified the closure of that street. That's not something we get to make a decision on, but City Council will hear that. As far as the R-8 density in this region and -- and the density that you're proposing, I -- I think it's perfectly compatible with the surrounding area. A little higher density than an R-4, but R-8 is certainly compatible with neighboring density and there is nothing about this particular development proposed that I think does not fit the surrounding context and one of the things we are supposed to do is provide for a variety of housing, compatible of course -- you're not going to have a six story apartment building in your backyard either, but this is certainly compatible by the standards we judge compatibility. I am for this project.

Yearsley: Okay. Thank you. Do you have any comments?

Oliver: No.

Yearsley: All right. You know, I have to agree, you know, there is a standard set that there is R-8 subdivisions near by and round about, you know, it's kind of hard of us to say to one that you can have it and the other one you can't. So, I think the R-8 is -- is compatible for the usage. I hope that the issues on the easements get worked out on everything which is not our purview. As for the sewer, you know, it can be done. You know, we have done it before in the past and so it just takes a little bit more effort to get it there. So -- so, with that I don't see any major issues with this subdivision, so --

Freeman: And we didn't directly address the gates or irrigation rights of that property to the west, but I thought that the applicant actually addressed those well. I hope you will

continue to work with the neighboring owner to make sure those things occur as we discussed in the hearing today. You need a motion?

Yearsley: I would like a motion if I could.

Freeman: Mr. Chair, after considering all staff, applicant and public testimony, I move to recommend approval to the City Council of file numbers RZ 14-002 and PP 14-003 as presented in the staff report for the hearing date of March 20th, 2014, with no modifications.

Oliver: Second.

Yearsley: I have a motion and a second to approve public -- file number RZ 14-002 and PP 14-003. All in favor say aye. Opposed? Motion carries. Thank you.

MOTION CARRIED: THREE AYES. TWO ABSENT.

- D. Continued Public Hearing from March 6, 2014: AZ 14-004
Amberwave Subdivision by The Land Group, Inc. Located
Southwest Corner of W. McMillan Road and N. Meridian Road
Request: Annexation of Approximately 5.56 Acres from RUT in
Ada County to the R-15 (Medium High Density Residential)
Zoning District Recommend**
- E. Continued Public Hearing from March 6, 2014: PP 14-002
Amberwave Subdivision by The Land Group, Inc. Located
Southwest Corner of W. McMillan Road and N. Meridian Road
Request: Preliminary Plat Approval of Twenty-Seven (27)
Single Family Residential Lots and Three (3) Common Lots on
Approximately 4.70 Acres in the Proposed R-15 Zoning District**

Yearsley: Last, but not least, we have the public hearing for AZ 14-004 and PP 14-002 Amberwave Subdivision and let's begin with the staff report.

Parsons: Thank you, Mr. Chairman, Members of the Commission. Last item on the agenda this evening is the Amberwave Subdivision. This project was continued from the March 16th hearing. The applicant is here this evening to discuss annexation of approximately 5.6 acres of land from the RUT zoning district in Ada County to the R-15 zoning district in the city and preliminary platting of 27 residential lots on approximately 4.7 acres of land. The property is located on the southwest corner of West McMillan Road and North Meridian Road. In 2008 a development proposal was before this Commission for a comp plan change and an annexation to an L-O district for the postal annexation. The city did deny that application and no other application history has been provided since that time. As you can see in the aerial here the property is -- was originally developed with some outbuildings and a single family home. I have driven past that site this week and it looks like those structures have been removed. When I

went out there we had a condition that they would remove those structures, as I mentioned, and so it looks like those are gone for now and they will continue to have to be so in the future. If you look at the surrounding developments in the area, it is surrounded by -- primarily by single family developments, except for the commercial property to the north, which is zoned C-G and is part of the Paramount Subdivision. The applicant is primarily requesting the R-15 zone so, one, if you can look how narrow this lot is, the R-15 zone gives them the flexibility to do an R-8 density, but meet the dimensional standards -- a little more flexibility with the R-15 zone as far as dimensional standards go under the typical R-8 scenario. So, here is, again, the proposed preliminary plat and, again, it does consist of 27 residential lots. Average lot size is roughly 4,600 square feet. Proposed density for this subdivision is 5.74 dwelling units to the acre, which is consistent with the NPR designation of this property. All of the lots -- two of the lots will take access -- or three of the lots I guess will take access from a common drive here, which is platted as a common lot. Primary access to here, just to get you oriented towards this development, north is actually to the west, so it's not Meridian Road, it's actually McMillan Road and currently there is an existing approach or local street that's off of North Meridian Road that is stubbed to this property and will be extended with this development and ultimately stubbed to the property to the west in the Amber Creek Subdivision as well. If I can go back to the aerial, you can see how this -- the proposed preliminary plat for Amber Creek and how it's -- it's compatible with the existing subdivision as well, this one and Also Amber Creek. Landscaping for this site, again, because it is under five acres in size, the applicant is only required to provide the required landscape buffer along the arterial streets, McMillan and North Meridian Road. The applicant is required to provide a landscape buffer between the common drive and the adjacent lot to the south, if it doesn't take access from the common drive. And, then, to blend in with the subdivision to the west, which is Amber Creek, the applicant is providing basically a landscape buffer as well. The reason why we have such a discrepancy along McMillan Road is that there is currently a 50 foot wide Lemp Canal easement and a 65 foot Idaho Power easement in place for this property and it primarily exists all the way down that corridor if you have ever driven down that and so the applicant is still providing a 25 foot wide landscape buffer and the required trees. Originally my staff report indicated that they needed to add trees along the buffer. This afternoon the applicant did provide the revised landscape plan to show those trees. So, tonight I will be asking you to strike that condition from the staff report as I get closer to the end of my presentation, but the landscaping as presented to you this evening does comply with the UDC ordinance as well and all of the lots also comply with the R-15 zoning district. The applicant did provide three sample photos of this development -- of the home elevations. As you can see here there is a mix of materials on those elevations. The elevations that are presented to you this evening are compatible with the existing residential in the area as well. A recommended provision of the DA, because there is an annexation associated with this, we are requiring compliance with not only the landscape plan, the preliminary plat, but also the elevations -- compliance with these elevations as well moving forward. I did not receive any written testimony on this application before you, but I did have a chance to speak with the applicant and so in my discussions with her we are recommending again that you strike -- strike the one condition and modify another. So, the first condition that I'm

asking that you strike this evening would be under condition number 1.2.2B, bullet number one and bullet number two. Bullet number one references adding the seven additional trees along the McMillan Road buffer and that has been complied with in the submitted landscape plan -- a revised landscape plan and the other requirement -- in my staff report I did call out -- as I had mentioned to you there is currently an existing water -- irrigation facility, the Lemp Canal along McMillan Road. The applicant will be seeking a Council waiver to keep that waterway open due to the size of that facility and that's been a pretty typical theme along that corridor. One of our concerns was currently the detached sidewalk is constructed along the portion of this development, but there is also between the top of bank of the ditch and the front edge of that sidewalk is gravel and staff wanted to insure that if it could be landscaped we wanted to see landscaping in that area to beautify that area. In speaking with the applicant, the irrigation district wants to maintain their access road through there. So, by virtue of default the irrigation district won't allow landscaping there, so, therefore, they can't comply with that condition and we are asking you to strike that one. The one condition -- the other condition that we are requesting you to modify -- and I'm putting on my Public Works hat again -- is condition -- site specific condition 2.1.1. Originally Public Works had requested -- had required that the applicant provide a secondary water connection to -- via Meridian Road through this common lot to loop to this. As I mentioned to you this project is adjacent to Amber Creek Subdivision to the west and they are required to actually extend the water main through their development. So, in working with the Public Works we have come up with an either/or scenario, so we will keep it in that condition that says provide an extension from Meridian Road. If that's not viable or not doable, then, we have to work the adjacent developer to the west, extend our eight inch mains through the Amber Creek Subdivision and tie into the main at McMillan Road. I have discussed this condition with the applicant and they are in agreement with that language as well moving forward and so we would ask that you would make that change as well. This application is pretty straight forward tonight. We find that it does comply with the UDC standards and the Comprehensive Plan and we ask for -- staff is recommending approval as conditioned in the staff report. This concludes my presentation and I will stand for any questions you have.

Yearsley: Thank you. Are there any questions?

Freeman: No.

Yearsley: Bill, I have a couple. In the landscape plan on that -- the Lemp Canal easement, is that landscaping in that easement?

Parsons: Mr. Chair, Members of the Commission, it will be. It will be in both the Lemp Canal easement and the Idaho Power easement.

Yearsley: Now, will Idaho Power have issues with the trees in that easement, given that the power lines and trees don't mix?

Parsons: Mr. Chairman, Members of the Commission, that was one of the items that the applicant was tasked to coordinate with them and they would, in fact, allow the class one trees to be placed within their easement, so that's why they have added it to the plan.

Yearsley: Okay.

Parsons: And we do have a condition in the staff report that they coordinate with both utility providers to insure that they can basically enter into a license agreement to do those improvements within those easements.

Yearsley: Okay. And this one I don't know if you actually can answer or not. The Amber Creek Subdivision, you know, it shows those future lots, is that one moving forward at all or is that -- do we know what the status of that project is?

Parsons: Mr. Chairman, Members of the Commission, we do. They have an active preliminary plat. I have worked on the last four time extensions for this subdivision, so it has stalled out over the years due to the economy, but next month I will be acting on another time extension for this plat and also the applicant has submitted a revised final plat for this development as well. So, we can anticipate the second phase coming in in conjunction with this one as well. So, there is an opportunity for them to work with that developer on the timing of those utility connections.

Yearsley: Okay.

Parsons: And that's why we felt comfortable recommending that change before you this evening.

Yearsley: Okay. That's -- that's what I wanted to know. Cool. Would the applicant like to come forward. Please state your name and address for the record.

Thompson: Mr. Chairman, Members of the Commission, my name is Tamara Thompson with The Land Group. We are at 462 East Shore Drive in Eagle. 83616. Bill, as always, has done an excellent job giving you the staff report, so I'm not going to hash through all the -- all the details, since he pretty much covered everything on my list that I was going to tell you. I guess one of the -- the main things that I will point out is that other than -- I know the property on the east side of the road, this is kind of a little doughnut hole in the rest of the area that hasn't yet been annexed and so we are -- we have the road coming in from the south and the road coming in from the west with -- with public rights of way on both the north and east, so we are just kind of -- kind of just have just a little bit to work with here. We have -- we are asking for the R-15 for the exact reasons that Bill said, that because of the dimensional standards that we are -- in the development agreement would -- would limit that to -- to the density that we have, which is less than six per unit. As far as the changes to the staff report, we are in agreement with those. We did contact the Settlers Canal District and they did not want the landscaping where the original condition was. Idaho Power is fine with the class

one trees in the location that we have shown them on the plan. They wouldn't just agree to them everywhere, but they are pushed as far to the south as possible, so they are in agreement with this. So, we comply with the comp plan and the zoning regulations. City services are available and we can -- we have two different choices for sewer, which is great, and we have read and -- the staff report and we agree with staff's conditions, including the modifications and we respectfully request your approval tonight and I will stand for questions.

Yearsley: Thank you. Are there any questions?

Freeman: No.

Yearsley: Thank you. I don't have anybody signed up. Is there anybody wanting to testify? Apparently we don't have anybody. With that the applicant doesn't need to come forward and I would entertain a motion to close the public hearing.

Freeman: Mr. Chair, I move we close the public hearing on AZ 14-004 and -- I think I have the right one -- PP 14-002.

Oliver: Second.

Rountree: I have a motion and a second to close the public hearing on AZ 14-004 and PP 14-002. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: In fact, I think I will go first on this one.

Freeman: Okay. What a change.

Yearsley: Take the easy one to do it. You know, I think this is a good in-fill project. It matches the existing area. If you look at the -- the map of these units on the proposed Amber Creek, it looks like it's very similar to that, so I think it's a good fit, a good feel, and I'm in favor of it.

Freeman: Mr. Chair, I agree with your assessment.

Yearsley: So, with no further comments, I would entertain a motion.

Freeman: Mr. Chair, after considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file numbers AZ 14-004 and PP 14-002, as presented in the staff report for the hearing date of March 20th, 2014, with the following modifications: That the condition 1.2.2B and both bullet points under that, be stricken from the conditions and that condition 2.1.1 be modified to add the option to work with the adjacent developer to the west to tie into the McMillan Road sewer main. Is it sewer or water? Water main.

Yearsley: It's the Amber Creek Subdivision connection.

Freeman: Yes. What you said.

Yearsley: Okay.

Oliver: Second.

Yearsley: I have a motion and a second to approve file number AZ 14-004 and PP 14-002. All in favor say aye. Opposed? Motion carries. Thank you.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: Sorry for making you wait through all that for such an easy proposal -- or application. We have nothing left on the agenda, I would entertain one last motion -- one last motion.

Freeman: Mr. Chair, I move we adjourn.

Oliver: I second.

Yearsley: I have a motion and a second to adjourn. All in favor say aye. Opposed?

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: We stand adjourned. Thank you.

MEETING ADJOURNED AT 8:50 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED



STEVE YEARSLEY - VICE-CHAIRMAN
Joe Marshall

4 | 3 | 14
DATE APPROVED

ATTEST:



MACHELE HILL, DEPUTY CLERK FOR
JAYCEE HOLMAN, CITY CLERK

