

Meridian Planning and Zoning Meeting

February 5, 2015

Meeting of the Meridian Planning and Zoning Commission of February 5, 2015, was called to order at 6:00 p.m. by Chairman Steven Yearsley.

Present: Chairman Steven Yearsley, Commissioner Patrick Oliver and Commissioner Gregory Wilson.

Members Absent: Rhonda McCarvel and Ryan Fitzgerald.

Others Present: Machel Hill, Ted Baird, Sonya Watters, Bill Parsons and Dean Willis.

Item 1: Roll-Call Attendance:

Roll-call

<u> X </u> Gregory Wilson	<u> X </u> Patrick Oliver
<u> </u> Rhonda McCarvel	<u> </u> Ryan Patrick
<u> X </u> Steven Yearsley - Chairman	

Yearsley: Good afternoon. At this time we would like to open the Planning and Zoning. -- good afternoon. We would like to open the Planning and Zoning meeting for the hearing date of February 5th, 2005, Let's begin with roll call.

Item 2: Adoption of the Agenda

Yearsley: Thank you. Also just want to welcome Commissioner Wilson. First time here in the Planning and Zoning and welcome him and look forward to working with you. Next on the agenda is the adoption of the agenda. The only changes that we have are RZ 14-007 and PP 14-017 needs to be continued to the hearing date of March 5th, 2015. That is the only change that I have and at this time can I get a motion to adopt the agenda?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I move to adopt the agenda.

Wilson: 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 January 15, 2015 City Council Meeting**
- B. Findings of Fact and Conclusions of Law for Approval: MCU 14-006 Baltic Place by L.C. Development Located 82 S. Baltic Place Request: Modification to the Planned Development to Allow a Five-Foot Instead of Ten-Foot Wide Interior Side Setback for Lot 5, Block 1 and 15 Feet Instead of 20 Feet Between Buildings in a C-G Zoning District**

Yearsley: Excuse me. I just -- it's been a while since I have done this, so I -- next on the agenda is the Consent Agenda and that consists of the approval of minutes of the January 15th, 2015, City Council -- Planning and Zoning meeting. Correct?

Hill: Yes.

Yearsley: And Finding of Fact and Conclusion of Law for the approval of MCU 14-006, Baltic Place. Can I get a motion to approve the Consent Agenda?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: So moved.

Wilson: 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.

Item 4: Action Items

- E. Public Hearing Continued from January 15, 2015: RZ 14-007 Southridge Estates Subdivision by DBTV Southridge Farm, LLC Located South of W. Overland Road Between S. Linder Road and S. Ten Mile Road Request: Rezone of 3.05 Acres from R-15 to TN-R; 1.67 Acres from R-4 to R-8; and 0.83 of an acre from R-8 to R-4 Continue and Re-Notice for March 5, 2015 Planning and Zoning Commission Meeting**
- F. Public Hearing Continued from January 15, 2015: PP 14-017 Southridge Estates Subdivision by DBTV Southridge Farm, LLC Located South of W. Overland Road Between S. Linder**

**Road and S. Ten Mile Road Request: Preliminary Plat Approval
Consisting of 167 Single-Family Residential Building Lots and
329 Common/Other Lots on 48.56 Acres of Land in the R-4, R-8
and TN-R Zoning Districts**

Yearsley: At this time I'm going to open -- or we are going to skip down to Items E and F for the -- we are going to open the public hearings on RZ 14-007 and PP 14-017, Southridge Estates. Is there someone -- is the applicant here to talk about the request for continuance? Does staff have anything on that?

Watters: Chairman, staff just received a letter from the applicant requesting continuance to the March 5th Planning and Zoning Commission meeting. They are still working on their design guidelines for their future elevations.

Yearsley: Okay. With that is -- also we want to -- this is the third continuation of this and so we would like to -- in your motion have this to be renoticed as well. So, with that can I get a motion to continue?

Baird: Mr. Chair?

Yearsley: Yes.

Baird: If I could make one comment in aid of that motion. Usually when the extra continuances are at the request of the applicant and there is a renoticing, we require the applicant to pay a renotice fee.

Yearsley: Okay.

Baird: So, I want that to be clear, that if that's your motion with the renoticing who should be paying for it.

Yearsley: Okay. So, does that make sense? So, with that can I get a motion to continue Items E and F?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I move that we continue and renotice for the March 5th meeting for RZ 14-007 and PP 14-017 to the March 5th meeting, with the applicant paying the fee.

Wilson: Second.

Yearsley: I have a motion and a second to continue RZ 14-007 and PP 14-017 to March 15th. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: All right. Thank you very much. At this time I'd like to kind of go over the process of how this is going to work today for the rest of the items. We are going to open each one of these items one at a time. We are going to start off with the staff report and the staff will present their findings and items and how it adheres to the Comprehensive Plan and Uniform Development Code with staff recommendations. At that point the applicant will have a chance to come forward and explain his project and state his case for approval. He will be given up to 15 minutes to do so. After that we will open the hearing to the public testimony. There is a sign-up sheet in the back. Anybody wishing to testify can do so and we will also let others who have not signed up to come as well. If anyone wants to testify they will be given up to three minutes. If they are speaking for a larger group and there is a show of hands of those people who they are speaking for, they will be given up to ten minutes. After the public has had their opportunity to talk about the -- to talk about the project, we will have the applicant come back up and make comments to the applicant's comments -- or to the public's comments and have -- and he will have up to ten minutes and at that time we will close the public hearing and we will review the project and deliberate and, hopefully, make a decision.

- A. Public Hearing Continued and Renoticed from January 15, 2015: AZ 14-014 Sulamita Church by Architecture Northwest Located Southwest Corner of W. Cherry Lane and N. Black Cat Road: Annexation and Zoning of 9.76 Acres of Land with an R-8 Zoning District Recommend Approval to City Council**

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

Yearsley: So, with that I'm going to open the public hearing -- the continued public hearing of AZ 14-014 and CUP 14-019 and let's begin with the staff report.

Watters: Thank you, Chairman, Members of the Commission. The application before you tonight is the Sulamita Church. It's a request for annexation and zoning and conditional use permit. The site consists of 8.49 acres of land. It's currently zoned R-1 in Ada County and is located on the southwest of North Black Cat Road and West Cherry Lane. Adjacent land use and zoning. To the north is West Cherry Lane and rural residential properties, zoned RUT in Ada County. To the east is North Black Cat Road and single family residential properties, zoned R-4 and R-8. To the south is rural residential properties, zoned RUT in Ada County. And to the west the agricultural properties, zoned RUT in Ada County. Actually -- excuse me. Actually, the west is zoned R-8. The comp plan designation for this site is medium density residential. The

applicant is requesting annexation and zoning of 9.76 acres of land, with an R-8 zoning district, consistent with the future land use map designation of medium density residential for this site. A conditional use permit is also requested for a church use in an R-8 zoning district. There are a few existing homes on the site that are proposed to be removed. The existing outbuildings are proposed to remain as accessory structures and those are located down here on the south end of the property. These structures will be used for the -- by the church to store maintenance equipment. A site plan was submitted. As you see here it depicts the proposed project developing in two phases. The first phase will consist of a 28,457 square foot church facility, which will include a centralized foyer and main worship space, administrative office, nursery room, meeting rooms and fellowship gathering room. There will also be an unfinished gymnasium, kitchen, and meeting rooms. The second phase will include a 5,883 square foot addition to the south side of the building. And you can see that outlined right here. ACHD is requiring additional right of way to be dedicated for the Black Cat-Cherry Intersection project and there is an existing access via Cherry Lane that is proposed to be removed and relocated to the west property boundary here. This will be for shared access with the property to the west. There are two existing accesses via Black Cat Road. The northern access is proposed to be shifted to align with West Thorne Creek Street on the east side of Black Cat and southern access is proposed to be removed. A minimum 25 foot wide landscape street buffer and five foot wide detached sidewalk are required along Black Cat and Cherry Lane and internal parking lot landscaping is proposed as shown on the landscape plan. A ten foot wide multi-use pathway is required along the southern boundary of the site adjacent to the Ten Mile Creek. Ten Mile Creek runs right along this boundary here. Landscaping and bollard lighting is required along the pathway in accord with UDC requirements. Building elevations were submitted for the future church. Building materials are proposed to consist primarily of stucco with stone veneer wainscot. As a provision of annexation staff recommends a development agreement is required to tie future developments of the site to the terms as written in the staff report. Written says testimony has been received from Randy Haverfield, the applicant's representative, in agreement with the staff report. Staff is recommending approval with the conditions listed in Exhibit B of the staff report. Staff will stand for any questions Commission may have.

Yearsley: Thank you. Are there any questions? At this point could the applicant come forward? Please state your name and address for the record, please.

Kazimir: Well, our architect is not here, actually. He thought it was going to be like at 6:30 and he's a little late. So, should I -- because I really --

Yearsley: You're more than welcome to respond. Can we have you -- just name and address for the record first and, then, we can talk.

Kazimir: My -- my home address?

Yearsley: Yes.

Kazimir: Eugene Kazimir. Address is 2076 North Uphill Avenue, Meridian, Idaho. 83646.

Yearsley: Okay. Can you talk onto the -- I mean there -- at this point you're in agreement with the staff report. Is there anything that you want to say? If not, we can, you know, open it to public hearing and, then, if the architect's here by then we can rebut at that point. If you're okay with that or --

Kazimir: We are okay? Can I have a word with him real quick?

Yearsley: Absolutely.

Kazimir: All we basically can say is that we -- we do want to build the church and it will consist of about 300 to 400 members at that property and I mean everything else seems fine.

Yearsley: Okay. Thank you very much. Is there any questions? All right. Thank you.

Kazimir: You're welcome.

Yearsley: I'm waiting for our sign-up sheets and so if you would just give us a few minutes. So, I have a whole bunch of people signed up for this. Is -- I'm sorry for the names. Vasily Shabura? Would you like to testify on this one? Please state your name and address for the record.

Shabura: I am Vasily Shabura. My address 2127 North Boulder Creek, Meridian, Idaho. 83646.

Yearsley: Thank you.

Shabura: We really like it to build this church and we appreciate for opportunity to build. I think we have nice plan and nice location and we wait for open the project.

Yearsley: All right. Thank you. Ilya Vasilchenko. Okay. So, you're just for it. Vlad Lcukomsky. So, you're for it? Okay. Vitaliy Kochebey. For it? Thank you. Igor Ivko. For it? Perfect. Thank you. Prudnincova Mariya. Are you for it? Thank you. For it. Vasilina Nikotyok. For it. Viktor Tsema. For it. Thank you. I do apologize for this. Boy, this is taxing my tongue.

Baird: Mr. Chair?

Yearsley: Yes.

Baird: The sign-up sheet will become a part of the record. It might just speed things along if you ask if there is anybody who is not in favor or if there is anybody who wants to testify.

Yearsley: Okay. I think that works out well. So, we have all your names here showing for it. Is there anybody that would like to come up and testify for that behalf? Please come forward.

Elikh: My name is Vadim Elikh. I live 2256 East Codin Street, Meridian, Idaho. I member of the church since 2005. I move to Idaho. I do now say thank you for help for us. We wait for the church and the building so long. Thank you so much.

Yearsley: Thank you. Anybody else? Please come forward. Please state your name and address for the record.

Pavel Struk. My name is Pavel Struk. I live in -- my address is 9542 West Front Drive, Boise, Idaho. I am a member of Sulamita Church and I am waiting for approval of this church, because we really need to build bigger church for our church members.

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

Vassin: Sergey Vassin. 4130 East English Drive in Meridian. 83642. And we have a very nice life -- nice congregation, which is really hard to see any rentals. We were searching, hardly couldn't find anything, so they have the plan and we really, really want to build the church and want your that we can enjoy and just welcome. Visit us at the Cloverdale and Fairview at this time until the April our ends, so we need some building real soon. Thank you.

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

Bartosh: I'm Mike Bartosh. 3440 North Weston Way, Meridian, Idaho. 83646. I am member of the church for more than ten years, you know, and I just want to thank you for the opportunity -- to give us opportunity to build this church, you know, for the youth, for all the people -- for everybody who want to serve and worship God and it's a nice place for, you know, you can give our youth, you know, to be close to God, you know, to keep them away from the -- all the crimes, you know, it's -- it's a nice place, you know, to up there and I think if it's the only ones that are going to be saved out there it's in order to build the church and, please, give us opportunity to build this building and you are all welcome to come visit us, you know, to worship God with us. Thank you so much.

Yearsley: Thank you.

Bartosh: God bless you.

Yearsley: Anybody else?

Boyarchuk: Hi. My name is Anton Boyarchuk. I live on 4481 North Beeham Avenue, Meridian, Idaho. Been a member this church for over five, maybe six years. Been a member of different churches, but I have stuck my roots over here. Got married and I want to move on with this project. This project means a lot to us for one reason is we have a whole bunch of youth and we don't want to lose them and one of the equations of this is we are going to be putting them to work and also it's going to be a place for them to grow and also is going to be a place for them to stay out of trouble. You know how hard it is to keep children out of trouble right now and since I'm a -- I'm a father, I have a child, later on in life I will be facing some consequences, but so far I am in the right path. So, as the other people with me, what we are trying to do here is accomplish a goal for Meridian for everybody in here, so we could have a good passionate life serving God, serving the community, working together. This is my testimony.

Yearsley: Thank you.

Oliver: Mr. Chairman?

Yearsley: Yes.

Oliver: May I ask this gentleman a couple questions?

Yearsley: Excuse me, sir. Can you come --

Oliver: You just mentioned something I would like to ask you about. You said put your members of the church to work. Do you have a construction company when you build this or are the members going to be building this church?

Boyarchuk: We have many construction companies in our church.

Oliver: So, members within the church will be building it?

Boyarchuk: Will be working with us as well.

Oliver: Thank you.

Boyarchuk: You're welcome.

Yearsley: Is there anybody else? Please.

Muzafarov: My name is Timur Muzafarov. I live in Meridian. 461 West Crystal Drive. So, me and my family we would be really happy to be with the new building for this church. Actually I guess church going to be good life -- good life for this city, because I really do like -- I do love Meridian. Thank you.

Yearsley: Thank you. Is there anybody else? Please state your name and address for the record.

Lukomsky: My name is Vladimir Lukomsky and I live 2906 West Torana Drive, Meridian. And so what I want to say is that my family came here in 1989, so over 25 years ago and we as Christians just rented and so having this opportunity to build our own church we are so excited to -- for this country and to these people that allowed us to do that, because it's completely different, but we have it, so -- thank you.

Yearsley: Thank you. Is there anybody else? With that would the applicant like to come forward? Or do you have anything to say beyond what's already been said? Okay. With that I would entertain a motion to close the public hearing on AZ 14-014 and CUP 14-019.

Oliver: Mr. Chairman?

Yearsley: Yes, Commissioner Oliver.

Oliver: I move that we close the public hearing on AZ 14-014 and CUP 14-019.

Wilson: 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: So, any comments? Who would like to -- anyone like to go first or --

Oliver: I will start.

Yearsley: Commissioner Oliver.

Oliver: I think there is a tremendous amount of people out there that are wanting this church built yesterday and appreciate that. However, I still feel like it's important that we hear from the architect and I feel like we have not.

Yearsley: At that point I guess we could -- do we need a motion to reopen the public hearing?

Baird: Yes.

Yearsley: Can I get a motion to reopen the public hearing?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I move that we reopen AZ 14-014 and CUP 14-018.

Wilson: Second.

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

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: Would the architect, please, come forward.

Haverfield: Good evening. I'm Randy Haverfield with Architecture Northwest. We are out of Nampa, Idaho. 224 16th Avenue South. I apologize for being late. I had on my calendar 6:30 and, then, the traffic didn't help me. I was going to be early, but ended up being late anyway. So, I apologize for that. But I'm here to answer any questions you might have. I think the staff report was pretty comprehensive and we have no issues at all with the findings at this point. So, is there anything I can answer for you?

Yearsley: Commissioner Oliver, do you have anything?

Oliver: Not at this point.

Wilson: I do not, no.

Yearsley: And I don't either. Thank you very much.

Haverfield: Okay.

Oliver: Thank you.

Haverfield: Thank you.

Yearsley: So, with that -- do I have to open it up to the public again if I need to?

Baird: Mr. Chair, nothing of substance was added, but just -- I would give anybody an opportunity, who hasn't already spoke, who would have anything to specifically address what the architect said, I would give them that opportunity now.

Yearsley: So, is there anybody else that would like to testify on regards to what the architect said? With that being said -- thank you. Can I get a motion to close the public hearing on AZ 14-014 and CUP 14-019?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: One more time. Move to close the hearing on public hearing AZ 14-014 and CUP 14-019.

Wilson: 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: If you don't mind I'd like to go first. It's great to see the support for this building out here come to the meeting today and I appreciate you guys for coming and testifying. I like the looks. I like the layout. I think it will be a good building and a good place to worship and I'm in favor of the project, so --

Wilson: I'd also like to concur. I'm glad to see the turnout and the community support. I, too, am impressed with the layout and I will be approving it also.

Oliver: I as well like it. I think it is a nice layout and I think the additions, once they become finished, will add to the corner and the esthetics look really nice as well. So, I am in favor.

Yearsley: All right. Thank you. So, with that I would entertain a motion.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: After careful consideration of all staff, applicant, and public testimony, I move to recommend approval to the City Council of file numbers AZ 14-014 and CUP 14-019 as presented in the staff report for the hearing date of February 5th, 2015, with no modifications.

Wilson: Mr. Chair, I second that motion.

Yearsley: I have a motion and a second to approve file number AZ 14-014 and CUP 14-019. All in favor say aye. Opposed? Motion carries. Congratulations.

MOTION CARRIED: THREE AYES. TWO ABSENT.

- C. Public Hearing Continued from January 15, 2015: AZ 14-016 Nesting Swan Ranch by Blossom 1, LLC Located 4617 and 4620 S. Martinel Lane Request: Annexation and Zoning of 27.75 Acres of Land with an R-8 Zoning District**

D. Public Hearing Continued from January 15, 2015: PP 14-018 Nesting Swan Ranch by Blossom 1, LLC Located 4617 and 4620 S. Martinel Lane Request: Preliminary Plat Approval Consisting of Thirty-One (31) Building Lots and Seven (7) Common / Other Lots on 10.37 Acres of Land in a Proposed R-8 Zoning District

Yearsley: Next on the agenda is the continued public hearing from January 15th of AZ 14-016 --

Luke: I'd like to say something before this guy says something about this project.

Yearsley: That's not --

Luke: Only because last month --

Yearsley: Well, I can't hear that right now. At least let us start and you can have your objections when we open the public hearing. So, let me start over. I'd like open the continued public hearing of -- from January 15, 2015, of AZ 14-016 and PP 14-018, Nesting Swan Ranch and let's begin with the staff report.

Watters: Thank you, Chairman Yearsley, Members of the Commission. The next applications before you are a request for annexation and zoning and preliminary plat. The annexation area for this site is shown on the map on your left. The site consists of 27.75 acres of land. It's currently zoned RUT in Ada County and is located at 4617 and 4620 South Martinel Lane and 3570 East Amity Road. Adjacent land use and zoning. To the north are rural residential and agricultural properties, zone RUT in Ada County, and urban density residential properties in Napoli Subdivision, zoned R-2. To the east is agricultural property zoned RUT in Ada County. To the south is Amity Road and agricultural property zoned RUT in Ada County. And to the west is south Eagle Road and rural residential and agricultural properties, zoned RUT in Ada County. A little history on this property. The property at the southwest corner and northeast corner of this site are existing lots in Martinel Subdivision. The property at the southeast corner received a conditional use permit in the county to operate an assisted living facility. This property is currently receiving city water service. This entire property is designated for medium density residential uses on the city's future land use map contained in the Comprehensive Plan. The applicant requests annexation and zoning at 27.75 acres of land, with an R-8 zoning district consistent with the medium density residential future land use map designation. The property at the southeast corner of the site will remain an assisted living facility. The property at southwest corner of the site is proposed to be subdivided as shown on the map there on your right and the property at the northeast corner of the site will remain a rural residential property until redeveloped in the future. A conceptual -- this is an aerial view of the -- the site. You can see here the existing home here, here, and the assisted living facility. The applicant submitted a conceptual development plan as shown, showing how the rural residential property on the north may redeveloped in the future through a separate preliminary plat. The proposed

preliminary plat as shown consists of 31 single family residential building lots, which includes a lot for the existing home, and seven common lots on 10.37 acres of land in an R-8 zoning district. The gross density for the subdivision is 2.99 dwelling units per acre, with an average lot size of 6,926 square feet. Access is proposed via south Martinel Avenue via East Amity Road here. Private streets are proposed internally for access to the new residential homes with a gated entrance off of Martinel Avenue. So, it will be approximately in this location right here. Martinel Avenue stubs to the north property boundary for future extension. Public street frontage is provided to the assisted living facility at the southeast corner and a cross-access easement is required to be provided to the outparcel at the southwest corner of the site for access to the private street. This is the outparcel right here. ACHD is requiring additional right of way to be dedicated along Eagle Road and the pavement widened along Eagle and Amity Roads. A 25 foot wide landscaped street buffer is required along Eagle and Amity Roads, with a five foot wide detached sidewalk. A minimum of ten percent or 1.03 acres of qualified open space and one site amenity is required to be provided within the development. The applicant is proposing 1.03 acres of open space and a picnic area as an amenity. Staff recommends the landscape plan is revised to include qualified open space as set forth in the Unified Development Code. Staff also recommends a pathway connection is provided to the west to the sidewalk along Eagle Road and that would be in this location right here where my pointer is. And to the north for future interconnectivity in this location here. A five foot tall vinyl privacy fence is proposed to be constructed by the developer around the perimeter of the subdivision. Three pictures of typical sample building elevations for future homes in this development, as well as the future development to the north were submitted by the applicant. Building materials consist of a mix of horizontal and vertical siding and stucco with stone accents. Because homes and lots that back up to Eagle and Amity Roads will be highly visible, staff is recommending the rear of structures on that that face the street incorporate articulation through changes in materials, color, modulation and architectural elements. Horizontal and vertical to break up monotonous wall plains and roof lines. Written testimony was received on this application from several folks here and I will just say who it's from and, then, just, basically, a brief summary of what their concerns are. Phillip and Judy De Angeli, they would like more of a transition in property sizes at the north boundary adjacent to their rural residential property as shown on the concept plan. This is the concept plan for this northern portion of the site and the De Angeli's property is right here where my pointer is. Written testimony was also received from Roger and Theresa Taylor. They live on this parcel right here. They would like larger lot sizes more comparable with Kingsbridge and Napoli Subdivisions to the north, which have approximately a third acre lots at their perimeter boundaries. They do have questions on the irrigation system, pumping station, and the tiling of the ditches for the applicant. Another letter was received from Louis Uranga on behalf of Frank and Sue Shoemaker. Shoemakers live here at the north boundary of the concept plan area where my pointer is. They object to the location of the stub street shown on the concept plan at the north boundary of the site. That would be this road right here. And, finally, written testimony was received from Tamara Thompson, the applicant's representative, in response to the staff report. The staff is recommending approval with

the conditions in Exhibit B of the staff report. Staff will stand for any questions the Commission may have.

Yearsley: Any questions at this time? Sonya, I have one. For that future phase two will he have to come forward with a public hearing for platting those lots or -- or how does that work?

Watters: Chairman Yearsley, Commissioners, yes, that -- that second -- what they are calling a second phase will require a new preliminary plat and public hearings before the Commission and Council, as this is.

Yearsley: Okay. So, commenting on that -- that's kind of a conceptual one, but it's not set in stone, so --

Watters: It is a conceptual plan. Now is the time to comment on it, though, as it will be included as an exhibit in the development agreement. So if there are any changes the Commission wishes to make to it now is the time to request those.

Yearsley: Okay. Thank you. Is the applicant here? Please state your name and address for the record.

Thompson: Mr. Chairman, Members of the Commission, my name is Tamara Thompson. I'm with The Land Group at 462 East Shore Drive in Eagle. I'm here tonight representing the developer of the property. Sonya did a great job of presenting the project, so I won't bore you with reiterating everything, I will just give you a few highlights. The project is proposing to annex and zone approximately 27.75 acres. Of that just the southern portion is before you tonight for the preliminary plat. I do want to point out that we fully comply with the Uniform Development Code and the Comprehensive Plan. Comprehensive Plan for this area is medium density residential, which UDC defines as R-8. The properties will obtain sewer and water from the City of Meridian, so we get connected to the municipal water system and sewer system. The preliminary plat includes 31 single family residential lots. Of that there is seven common lots. We will comply with the UDC as far as the ten percent open space. The project is proposing gated private streets. This is an amenity for the -- the neighbors that live there. It provides a sense of security and of community and I do want to point out, though, that connectivity for pedestrians and for bicycles are still maintained, that it doesn't put -- you know, it's not a fortress around it, totally gated off, but there is -- there is connectivity that way. We are including a public spine, however, that goes to the north that will be stubbed to the north and, Sonya, if you would do that full -- yeah. There. So, the road in off of Amity, Martinel Avenue, that is a public road that goes up to the north and, basically, we have two -- we are proposing two pods, if you will, of -- of gated communities within there. The high school is -- a new high school is slated just to the east of this. Those gated communities will also help with reducing through traffic and having maybe high school kids driving through the neighborhood. We have read and agree with the conditions of approval, with the exception of Condition 1.1.2F and 1.1.3G. Both of these deal with the same issue and that is a pedestrian connectivity --

well, the creation of a common lot and the pedestrian connectivity to Eagle Road and the staff report states that there is a sewer easement at that location and there isn't. There is a 12 foot easement that is from the original Martinel plat. It's not -- it was -- it's there currently and that -- so, we would like relief from that condition, that we will provide the pedestrian connectivity to the north and to Eagle Road north of the Lot 24. So, that's the top -- I don't have a pointer to point for you. I don't know if you can see Lot 24. It's -- it's just the north one there. Sonya, can you point to --

Watters: Is it that one or --

Thompson: Yeah.

Watters: -- this one?

Thompson: It's clear up at the very top where the emergency access comes in.

Oliver: So, is that a second pod?

Thompson: Is that a what?

Oliver: Is the second pod your -- the second --

Thompson: No. This is all the southern pod. The southern --

Oliver: Okay.

Thompson: What we are platting. But instead of having the access down -- and I don't -- there is not a street there and, I'm sorry, I can't --

Watters: Tamara, you can press one of the colors at the top --

Thompson: Okay.

Watters: -- and then use the pen.

Thompson: And, then, I can draw?

Watters: Uh-huh.

Thompson: Okay. Awesome. Thank you. So, I have -- is that working? Sorry, I'm not familiar with this system.

Yearsley: Press one of the colors up top.

Thompson: I did. I pressed red. So, it isn't doing anything, is it?

Yearsley: Huh-uh.

Watters: Sorry, Tamara. Bill is going to help you.

Thompson: Okay. So, not at the location where she currently has the pointer, but, instead, pedestrian connectivity would go to the north and to Eagle Road at that location. So, we'd like to change those two conditions to state that. Otherwise, we agree with the conditions of approval. Again, we comply with the UDC and the Comprehensive Plan and we respectfully request your approval tonight and I will stand for questions.

Yearsley: Are there any questions?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: Could you go back to the other map that we showed with both. There. So, looking at that up at the top -- where you have the stub at the top, is that there because of -- is that for fire or is that for eventual development or why is that street being stubbed there at the very top?

Thompson: Mr. Commissioner and Commissioner Oliver, the -- ACHD requires us to put stub roads so, that's a requirement from ACHD to stub the road to the north and that is a public street, so from Amity up to the north that is a public street that will be built according to ACHD standards.

Oliver: Okay.

Yearsley: Any other questions? I have a couple. You talked about having two pods with gated areas. Where is the second gate proposed planning on being?

Thompson: About where the pointer is right now.

Yearsley: So, you will have the -- the properties to the east of that Martinel Lane won't be in the gated community portion; is that correct?

Thompson: Yeah. Mr. Commissioner, that's -- that's correct. There -- there will be some homes that do front on that public street that won't be in a gated portion.

Yearsley: Okay. And, then, you talked about having -- for one of your amenities is having a picnic area. Can you show me where that supposed to be? Is it -- is it where she's showing it?

Thompson: Yes.

Yearsley: Okay. And, then, my last question. You're wanting to put the pathway to the north of your property boundary, but you're going to be actually putting the pathway right in the middle of a driveway, too; is that correct?

Thompson: Mr. Chairman, that driveway is an emergency access only. It will have bollards across it, so it won't be -- it's not a driveway for every day use. It's for emergency access only. So, it will be paved and it will be perfect for pedestrian traffic.

Yearsley: But how is Lot 24 supposed to be accessed? I'm not talking about the east-west portion of it, but it's that north-south portion that will have to have a shared driveway with -- you will have to have the pathway shared with the driveway into the entrance to Lot 24; is that not correct?

Thompson: You are correct there. I was -- I was thinking the east-west portion. The north-south -- and we can stripe that off, so it -- it will be striped off for -- for pedestrian.

Yearsley: Okay. I think that's -- that's about all I have for right now.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: Just one more question. So, I assume before this all took place that you met with the neighbors and had a meeting to go over this project?

Thompson: Mr. Chairman, Commissioner Oliver, we have had two neighborhood meetings over the last, I don't know, eight, nine months.

Oliver: And the people that have the written testimony, you're familiar with those?

Thompson: Yes.

Oliver: Did you address those with those people? Did you address those issues with those people and discuss this?

Thompson: Mr. Commissioner, yes, we did discuss them and the properties to the north for a more transitional zone, there is -- if you can see the -- the different colored hatching at the very north, there is a 30 foot setback there that is a common lot, so our property line -- the property lines of individual homeowners will not touch the property line of other homeowners, there is a 30 foot common lot in there, and, then, those homeowners to the north -- staff has in their report the dimensions to those and I could look it up real quick, but I believe it's in excess of 400 feet. So, first we have given a buffer there, so that there is no shared property lines and, then, there is a considerable distance. So, that is one of them. The other one is the irrigation, the tiling of ditches, pressurized irrigation, Those issues, and our first meeting -- and you can see on the -- so, this is the northern pod still, but our far west property line, we had those homes

going right up to the property line also. We have pulled those back. There is a common lot area there. There is a ditch that is right on the property line that will be maintained. We are not proposing to file any of that. So, it will be maintained for the farming activities that are going on to the west.

Oliver: Okay. So, one last question. In regards to Mr. Uranga on behalf of the Shoemakers regarding that stub, from the boundary of that subdivision to that -- you have 30 foot barrier, is that what you said, between --

Thompson: A 30 foot common lot area.

Oliver: Common lot.

Thompson: Yes.

Oliver: Between that stub and where their property is; is that right?

Thompson: I'm sorry, I'm not following you.

Oliver: From where the stub is --

Thompson: The street?

Oliver: -- you have a 30 foot -- yeah, where that street stub is, that boundary line of the subdivision you have 30 foot.

Thompson: No. Sorry. ACHD will require us to stub it to the property line.

Oliver: Okay. And, then, after that property line you have a 30 foot passed that or is that just 30 foot including the 30 foot?

Thompson: We are talking about a couple of different things here. So, the 30 foot common lot --

Oliver: Uh-huh.

Thompson: That is on the north side of those lots, but they would not share a property line with a homeowner on the north side.

Oliver: Okay.

Thompson: There is a common lot in there.

Oliver: Okay.

Thompson: So, the other item is the stub street? Is that what you were talking about? So, the stub street does have to get stubbed to the property line, so that 30 foot area doesn't apply in that -- in that case, because ACHD will require it to be stubbed. They wouldn't want to have a 30 foot break in there that, then, somebody couldn't connect to it if they wanted to go north.

Oliver: That answered my question. Thank you.

Yearsley: Any other questions? Thank you.

Thompson: Thank you.

Yearsley: I have a few people signed up for this. Scott Shaw. Would you like to come forward? And state your name and address for the record, please.

Shaw: My name is Scott Shaw. My address is 2445 East Indian Creek in Meridian. I have a question for the Council. What is the impact analysis on the public school capacity for this subdivision?

Baird: Mr. Chair, I would suggest that we just take the testimony and respond to questions once --

Yearsley: Okay. So, we will write that down and respond.

Shaw: Okay. I was unable to find it in any of the publications. In reading that was my question. And now for my testimony. I'm trying to figure out why the Council is approving any subdivisions in the Mountain View, Lake Hazel Middle School area. Lake Hazel Middle School is 145 percent of capacity. Mountain View is 126 percent of capacity. There is no high school scheduled. There is no high school land purchased. My children go to these schools. It's ridiculous. This Council has approved 1,235 residential units in the last 12 months. That accounts to a thousand kids hitting schools that are 145 percent of capacity and we are betting on a bond that failed less than a year ago and even if that bond passes where do these children go? My son sits in a chair at the back of a classroom, because there is not enough desks. They are not there. They don't have the capacity. Where do you draw the line? Is 150 percent where you stop? Because you're over it. With what you have already approved in the last 12 months coming online in this area you're well over it. The school district for the first time in the last 12 months responded to this. They asked you not to approve it, because they don't have the capacity for the children. At what point do you consider the needs -- the educational needs of the children of this city? My daughter's classroom size is 36 kids per -- per class. Lake Hazel Middle is being operated in clear violation of the state constitution, but yet you continue to clearly disregard and approve things with complete negligence. Either you don't know what the capacity is. I can show you the bond from last year that failed. The publication is virtually the same for this year. I mean I understand this is only 32 lots. It's only an additional 25 kids. But what about the other 1,400 lots that you have approved in the last 12 months? At what point do you say enough is enough? Is 200 percent capacity too much? I mean that's -- somebody

has got to stick up for the kids and it sure as heck isn't Meridian -- or West Ada School District. Excuse me. Until this. And the only reason, probably, why they responded to this is because people are starting to make a stink, because they are not doing their job and neither are you. Not considering the educational needs and the school capacity as required by law. Thank you.

Yearsley: Thank you. Next I have on the list is a Dan Joe Luke.

Luke: Really. My turn?

Yearsley: It's your turn. Please state your name and address for the record.

Luke: My name is Dan Luke. I got a house on 3290 East Amity. That's right on the -- used to be what they called the corner, now it's called the roundabout. That's where I live. Acre and a half I own right there. The reason why I wanted to get up before this lady, because last month -- last month I was -- they was going to say something and I had -- I wanted to say something and something happened, I don't know what, and, then, nothing happened. That's why I wanted to say something. Okay? So, I don't know if this is going make you change your minds or what or -- I just wanted to let you know what these people are like. Right when the roundabout was built, me and Allens -- they right on Amity and Eagle right there. Okay? Do you know where they are at?

Yearsley: Uh-huh.

Luke: Okay. We went in with Michener Investments, we put three four-by-eight sheets of plywood up. Sell the whole thing together. Isn't that the right thing to do? You got one piece of property, you should sell it together; right? Well, that's what you should do. At least I thought. We all agreed on it. We had a handshake, too, involved in it and, then, about, I don't know, over a year someone said they sold it and I wasn't -- nobody told me nothing about these people buying this property. So, someone told me they -- well, Roger Taylor told me and Marty Hill told me about the -- they got sold. Why these other people didn't tell me I had no idea. I have an idea now why. And what these people are doing is they are putting a barrier behind my property. Nobody in their right mind would want a house when you got five lanes on one side and five lanes on the other and you got a double roundabout. Nobody in their right mind would put 300,000 dollar houses right there. Nobody would want to live right there. What I'm trying to say is if they put this subdivision in, I want my property to go commercial. I don't want to live there no more. I have lived in Meridian all my life and I got stomped on in the front and I now I'm getting stomped on in the back. That's how I feel. Now I want to move. I already moved. I have got the house rented. The house is a Montgomery Wards house.

Yearsley: Can you --

Luke: That's how old this house is.

Yearsley: Can you, please, wrap it up.

Luke: Pardon me?

Yearsley: Your three minutes are up. Will you, please, wrap it up.

Luke: What I'm saying is you can't put a fence around it. They raised the highway up at least three feet as there is a hole right there. I got my irrigation coming down Amity. I flood irrigate. I had to put an eight inch pipe in front of the house, just so I could flood irrigate. So, I probably got -- I missed a bunch of stuff, but I just -- would you rather have it commercial? Would you have it residential? Or do you want it the way it is and that -- and, believe me, it will be a pig farm, because I can raise pigs on there. I got -- right now he's got two sheep and two pigs. Believe me, Meridian, we do not want that. We want a nice -- do you know how many people are going to be going through this place? It's got to be nice. So, I leave it up to you guys and help me out the same time, so we can get this -- this corner -- this roundabout accomplished.

Yearsley: Thank you.

Luke: Do you have any questions?

Yearsley: No. Is it Bradford? Do you want to testify? Please come forward. Please state your name and address for the record.

Dedman: My name Bradford Dedman. My wife and I live at 3644 East Zaldia Lane here in Meridian and that property -- is looking at the conceptual plan relative -- the De Angeli property -- property, excuse me -- yes. And Frank Shoemaker's property over here to the right -- if we were to draw a straight line to get an idea of where we are located, we are directly across the street, kind of a kitty corner -- oh, here we go. Go to the northeast corner of Frank's property -- to the northeast. Sorry. Do I have this? I don't have the counter, do I -- or the pointer?

Watters: Oh, I'm sorry. That's not working tonight.

Dedman: Okay. Okay. There we go. Oh, perfect. Yes. Okay. You have got the arrow right over my property. The reason I'm so interested is, of course, being on the north side of Zaldia Lane, we are not exactly in the impact area. We did not receive any mailings or anything that was coming regarding what was going on with this whole annexation area. So, the reason -- the reason I found out that all of this was happening was rather unusual. I was driving home one afternoon and saw a suspicious guy walking from my property to my next door neighbor's property with a big observation stick or surveying stick in his hand, so I saw his truck parked way down the road. He was parked down by De Angeli's house, but up in front of my property and I asked him what are you doing and that's how I learned -- and that was on December 3rd, 2014. That's when I first heard or learned anything about development, because he said that he was hired to do an impact study -- or do some impact measurements for an impact

study on Zaldia Lane with the possibility of it becoming public access from this development. So, in a panic we asked, well, who hired you and he wouldn't tell me. So, we went to the Ada County Highway District, drove down to the lobby of that place and were shown a preliminary plat that is very similar to the development that's being proposed tonight, but as I recall -- and I have got it at home -- has much less density of buildings. So, that's why I decided that rather than indicate with a neutral on the sign-up sheet tonight, I better just preliminarily say that I'm against it, just until I see what the final plat looks like. Now -- and this is actually where you get a little congratulations -- is that we might go down that same road that proved really difficult over the course of the last seven years with the development of Kingsbridge and the development of -- forgive me, I don't know the name of the recent development on Zaldia Lane -- whereby all of the neighbors got together to discuss property densities and also the key phrase density transition. So, it is my significant interest in having whatever this development ends up being, to do a good job of mirroring the good efforts that you have put in in providing property density transition and by mirroring that -- forgive me, I don't know the name of the -- the estate to the north of Zaldia Lane. Excuse me. It's on Zaldia Lane -- what on earth is that called? Napoli. Is it? Forgive me. Anyway, I know I'm out of time. Anyway, I would love there to be communication channels in place where I can actually learn the impact of this stuff, rather than from a survey guy walking on my property. And also I would love it if there was a -- for the city to maintain that good property density transition that you have done so admirably with on these last two major developments that are close by. So thank you.

Yearsley: Thank you. Is it Chun -- boy. Chunping? Chunning? It looks like it's a C-h-u-n-p-i-n. Okay. How about Roger Taylor? Please state your name and address for the record.

Taylor: Roger Taylor at 4606 South Eagle Road, Meridian. 83642. I got a question on this right through here. They said there is going to be a setback. They haven't said what kind of a setback, because I want to make sure that I can maintain that ditch, because that irrigates my property and they have never said anything about what kind of a setback there was going to be there. Never contacted me or anything. And, then, the other question was the emergency road -- where is it? Right here. Is that going to be accessed by everybody or just -- or is it going to be blocked off? Or how are they going to make sure nobody uses it?

Yearsley: Okay. We will take those notes down and we will get them answered for you.

Taylor: Okay. And, then, the density, I think that is a big thing. Keep it consistent with everything else we have been having in the area. Thanks.

Yearsley: All right. Thank you. Theresa Taylor. Okay. And you're together. Frank Shoemaker.

Shoemaker: I'd like to defer to after the testimony of Mr. Clarno, please.

Yearsley: Okay. So, you want to -- you will come up later. Randy Clarno. Clarno?

Clarno: Clarno.

Yearsley: Clarno. Please state your name and address for the record.

Clarno: You bet. My name is Randy Clarno. P.O. Box 8265, Boise, and I am the original developer of Kingsbridge and I'm presently in the process of acquiring the De Angeli and Shoemaker and Lewis properties to the north to develop a project of similar caliber as Kingsbridge and the gentleman that was just up here -- I don't know who he is, but those -- those were my surveyors out there doing some feasibility work for -- for what we are doing there. We have had one pre-app, we are going to have another pre-app here shortly and, then, we will have a neighborhood meeting and we will invite all those folks to come and participate in that process. The reason why I'm up here is that we and the Shoemakers have expressed this through their attorney, concerns where that stub road is in the second phase and we know that they have to come back for a preliminary plat application approval for that, but the development -- my developments in acquiring this property have just happened recently in the last couple weeks or so. We haven't had the opportunity to work with The Land Group and their planning folks to look at other alternatives for that stub road. We don't like where it's at right now. We think it ought to be further west. We think it can be accommodated without significantly impacting their project, but, of course, we will have to discuss that, you know, with them. We understand ACHD's requirement given block length to get a stub road up to Zaldia and we have a plan to do that through our project. So, I'm just mainly up here to say we don't like where that location is and we think that, you know, we should have the opportunity to work with The Land Group to try to put that in a location that works for both of us and works for the Shoemakers.

Yearsley: Thank you.

Clarno: You bet.

Yearsley: All right. Frank Shoemaker.

Shoemaker: Good evening. My name is Frank Shoemaker. My address is 3497 Zaldia Lane, Meridian. I am currently opposed to the conceptual plan as provided and presented by the Nesting Swan Subdivision, not so much with phase one, it's -- but the conceptual plan that is -- will adversely affect me is phase two and it's so critical that I think it needs to be addressed tonight, even though phase one is under consideration. I think you have before you a letter from our attorney and I would like to maybe highlight a couple of those things if I could, please. And, basically, Mr. Uranga, our attorney, said the initial submission by the developer identified a stub road for phase two placed at De Angeli's five acre parcel adjacent to Shoemaker's five acre parcel. Apparently De Angeli object to this design and a revised preliminary plat, phase two, of the Nesting Swan Ranch now places the stub road adjacent to the southeast corner of the Shoemaker property. The Shoemakers object to this relocation of the stub road. As

now proposed, the stub road in phase two will adversely impact, if not prevent contemplated future development of the Shoemaker property. Specifically it is their plan to build a new home adjacent to the existing barn in the southeast corner of their property. If the stub road for phase two is placed as proposed, the Shoemakers will be unable to construct a new home as planned as the stub road would dictate there be no road there, it won't be allowed period. So, what they had planned for for 14 years is now being adversely affected by this conceptual plan. We notified the developer Mr. Sanderson of our objection on June 24th and again on December 29th. They were advised he was aware -- we were advised that he was aware of our concern. To date we have not heard from him. Mr. Uranga goes on to say my clients understand that phase two is not before the Mayor and Council for approval and Planning and Zoning, but, however, the stub road for phase two is to be moved, this impacts location of the stub road for phase one. Therefore, we believe it is appropriate that the issue be addressed now. I'm in agreement with Mr. Clarno, the stub road is better situated to the west of our property to create a more smooth traffic flow from the phase one of the Nesting Swan Subdivision. Not allowing the road to be relocated or -- adversely affects our plans to build a new home and I would like this to -- if anything, I'd like maybe to have some input as from the Planning and Zoning Commission on relocation of this road. Thank you.

Yearsley: Thank you. The next one on the list is George Nikki. That's all I have on the list. Is there anybody else that would like to come up and testify? With that would the applicant come forward.

Thompson: Mr. Chairman, Members of the Commission, again, Tamara Thompson with The Land Group. So, I will just address a few of the comments that were made. I want to clarify as far as the hard corner that's not included on the roundabout, that I believe attempts were made to include that into the -- into the property and they couldn't come to an agreement. We are not -- there is no requirement for that to take -- for anything to change at this time. We have made provisions and there is conditions that if in the future that property redevelops it can utilize those private streets and -- and we will -- we have made provisions for that. So, that -- that access will remain and my understanding is is that is comp planned for median density residential, not commercial. As far as Mr. Luke receiving notices, I know he was on our neighborhood list, so he -- letters did go to him that -- and we received those lists from the city planning staff. Development services. All right. The other one is -- and I thank Mr. Clarno for clarifying, because I was confused about the Zaldia Lane item, because we didn't have anybody up there, nor are we proposing to take any access there to the north, so I'm glad he -- he clarified that, because that was -- I did not know about that. Let's see. Mr. Shoemaker. I have -- hearing about a letter from an attorney is -- I have not received a letter from an attorney. I wasn't copied on anything, so I can't really comment to what that said. I have heard, though, from the testimony from Mr. Taylor and Mr. Clarno and Mr. Shoemaker items dealing with the stub road and with the density of the transition and I want to point out that the R -- the median density residential is R-3 -- I mean, sorry, R-8. We are closer to R-3 in what our zoning is, so it could be much more dense and we have provided those -- our transition, we have provided an open space and we have

provided it all around and you can see on the -- on the public street going north where it takes that kind of S curve in there, that against the adjacent home of Mr. Taylor, that is where we have put the majority of our open space in that area, is to -- is to provide that open space buffer. So, our transitional areas we have included as open space. For the stub road going north. When we first laid this out in our neighborhood meeting the road was to the west further. Both property owners to the north, Mr. De Angeli and Mr. Shoemaker did not like that location, so we moved it, and you can see where we have moved it right now is roughly in the middle of Mr. Shoemaker's property. If that road just continued to the north it could be developed with homes on each side of it, without either of them developing -- any redevelopment on that property that road just stays as a stub road. You know, it just gets the little sign saying it will be stubbed in the future. So, that -- that would be controlled as far as where it goes to the north by development, but our best engineering guess at that would be -- we did a -- we did a conceptual layout how we saw that property could develop and that was -- was our best engineering guesstimate at where that would go. Also I want to point out that ACHD in part of their conditions is they want us to try to provide access to the east for that 30 foot common lot there on the very far northeast corner, that that road would go up and take a 90 degree turn and go to the west and we don't have to show the stub like that, they are not requiring that, but they are asking for the right of way. So, it could be that that road never even continues north, that it goes up and it takes an 80 degree and goes to the east. So, there is a lot of different possibilities and this is always an issue when -- when there is not a development plan for the adjacent properties and that, you know, trying to plan for something that isn't planned is difficult, but we have done our best at laying that out and ACHD has done their best at providing the most flexibility for the adjacent properties also. So, with that I will stand for questions. And, I'm sorry, before I finish, my client would like to say just a few words at the end also.

Yearsley: Okay. I think there was a couple of other comments that I have. One is that irrigation ditch to the east -- or west of phase two, he's asking would he be able to -- how is that to be offset so he can maintain that property. Just can you expound on that?

Thompson: Yes. Mr. Chairman, he -- it isn't open space. He will have exactly the same access as he currently has and I -- I believe I told him that at the neighborhood meeting, that we were not be proposing to change anything with his irrigation or how he accesses it.

Yearsley: So, your fence will actually be moved back off of your actual property line to the property line of the homes --

Thompson: That is correct.

Yearsley: -- of the new home?

Thompson: That is correct.

Yearsley: Okay. Okay. And, then, also that emergency access to Eagle, he was asking how will that -- on phase one.

Thompson: Oh. Well, in my -- in my previous testimony I stated that there will be bollards there. Only emergency vehicles, you know how they can knock those down, but there will be a physical barrier there for every day cars. Pedestrians and bikes can get through there, but no vehicles.

Yearsley: Okay. Any other questions? Okay. If your -- the owner would like to come forward.

Baird: Mr. Chair?

Yearsley: Yes.

Baird: I would just like to remind the owner that this is the time for rebuttal only. The initial -- no new presentation at this time, just rebuttal.

Yearsley: All right. Thank you.

Sanderson: Commissioners, my name is Sandy Sanderson. I'm the developer. My address is 1683 Stream Point Lane, Eagle, Idaho. I just want to make a couple of comments. Overcrowded schools are always an issue in areas that are growth areas a hundred percent of the time. I have been doing this my whole life and that's always here. I think if citizens get out -- if they really want schools to have, you know, additional capacity, that's why we have votes and that's why we have citizens and that's their job to vote for an increase. They have got to approve bonds. So, it just means to me that if people are dissatisfied they are probably going to have to go out and hustle a little bit the next time there is a bond issue and garner up the votes. I don't see where it falls on your shoulders. That's just my comment. As far as Mr. Shoemaker is concerned, we originally had the road over at the far east side of his property and I went out and I met with Mr. Shoemaker and we moved the road over, as -- as Mrs. Thompson said in her testimony and put it over in the middle of the property. I, then, went out and I -- he was out irrigating and he and I went and we walked it off and so forth and he seemed to be very happy with it. Lately I have heard he's not happy with it, so I don't know what the situation is. But we have done our best to accommodate Mr. Shoemaker. Just kind of going through my notes here. I want to make sure I don't miss something. I think that's about it. Thank you very much. We appreciate it.

Yearsley: Thank you. I guess with that -- with no more questions, I'd like to have a motion to close the public hearing on AZ 14-016 and PP 14-018.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I move that we close the testimony on AZ 14-015 and PP 14-018.

Wilson: 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: If you don't mind, I would like to go first on this. I have to say I actually live in this area as well and I understand that the school is overcrowding and the issues associated with that. I have a daughter going to the middle school and to the high school and I understand that. I am a little concerned about this subdivision and the proposed development. One of my bigger concerns is -- and in the Comprehensive Plan we were trying to have orderly development and this one to me feels like it's a leap frog. We are trying to develop the corner and at a future date to be certain to develop the other piece, but they need the other piece to be contiguous to develop that northern corner. So, I'm -- I don't like that -- that leap frog effect with that. So, I think that's my -- my biggest concern and if you look at how that's all put together and we have no idea when that -- that northern property will be annexed or redeveloped if at all. So, I think that's -- that's kind of my biggest concern. The other one that I'm concerned about is the private roads. I know in the staff -- in the report you're not going to allow any on-street parking and the roads are going to be narrower, but these are narrow lots with small driveways and I can guarantee you that there will be on-street parking and I -- and the other thing is you put a huge burden on the future homeowners to maintain those roads. Because, you know, ACHD ten years down the road or 20 years down the road, they are not going to come back in and maintain that road, they are not going to fix it for these homeowners. The developer is going to be gone and -- and so they are going to be hit with a huge cost to redo that. So -- so, I'm -- I am personally not in favor of this project because of those two items. However, I know the gated community is allowed in our code, but it's just personally. But I will -- I am not the one marking the motion on this. But if you decide to approve it, there are a couple of things that I -- I would like to see happen. The -- on the phase two, I think that there is enough of a precedence that's happened before with the city and in other areas, that there should be a -- I guess what you would call it -- having those northern lots a little bit bigger to kind of correspond with the -- the lots adjacent to the north and, then, also I would recommend that that 30 foot common area have a pathway in there to access the future high school at a certain date. So, those are the two things that I would recommend be put in place. So, I will let you guys decide how you want to proceed with that. Any comments?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: Just a couple. In reference to the testimony by Mr. Shaw -- is that correct? I'm a public educator and I have dealt with overcrowding for 24 years and I know how hard

it is to be teaching in a classroom where you have kids wall to wall. We deal with it. In my district where I teach we are still growing and we have more development coming and we have to try and figure out where we are going to put those kids and it is tough. It is a really tough decision on how many kids we can have in a classroom and be effective in a classroom. As far as the other testimonies, I just have a feeling on this particular development that it just doesn't sit right with me and I keep going back to this -- this stub and talking about Mr. Shoemaker's position and wondering how the two architects that are sitting here tonight can't come together and find a common ground there to figure out where that stub would best fit and I go with the chairman tonight as far as the lot size. But I, too, I'm not happy with this development.

Wilson: I just want to say -- and this is my first meeting. I was glad -- I had kind of a gut feeling that there would be -- there were some issues with this when I was listening to the testimony and listening to the questions and I concur with both of my fellow commissioners in my position on this.

Yearsley: So, with that, not knowing how -- I mean if -- just so you guys understand, if we do deny this -- or recommend a denial we need to have a reason for that denial and -- and so I just want to make sure you guys understand that process. So, with that I would entertain a motion.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: After careful consideration of all staff, applicant, and public testimony, I move to recommend denial to the City Council of file number AZ 14-016 and PP 14-018 as presented during the hearing of February 5th, 2015, for the reasons of I feel like it doesn't fit that area. I feel like the stub road is not working in an effort to help the neighbors to the north. I just don't think it works for the school district as well.

Yearsley: Could I add one other comment in there? That it doesn't follow the Comprehensive Plan of orderly development with the leap frog.

Oliver: I would add that as well.

Yearsley: Okay. So, he's good with that. Do I have a second?

Wilson: I second that.

Yearsley: I have a motion and a second to deny AZ 14-016 and PP 14-018. All in favor say aye. Opposed? Motion carries. Thank you, guys.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: If you don't mind could we take a five minute break?

(A recess was had.)

- G. Public Hearing Continued from January 15, 2015: AZ 14-015 Granton Square Subdivision by Granton Square Properties, LLC Located East Side of N. Locust Grove Road and South of E. Ustick Road Request: Annexation of Approximately 5.13 Acres from RUT in Ada County to the R-8 (Medium Density Residential) Zoning District Recommend Approval to City Council with Modifications**

- H. Public Hearing Continued from January 15, 2015: PP 14-019 Granton Square Subdivision by Granton Square Properties, LLC Located East Side of N. Locust Grove Road and South of E. Ustick Road Request: Preliminary Plat Approval Consisting of Twenty-Nine (29) Single Family Residential Lots and Six (6) Common Lots on Approximately 4.81 Acres in the Proposed R-8 Zoning District**

Yearsley: I would like to reconvene this meeting and let's continue on to the next item on the agenda, which is the public hearing for AZ 14-015 and PP 14-019, Granton Square Subdivision and let's begin with the staff report.

Parsons: Thank you, Mr. Chairman, Members of the Commission. Next item on the agenda is the Granton Square Subdivision. This item was continued from your January 15th, 2015, hearing. The main reason for the continuance was the applicant was working with staff on a redesign of the subdivision and we did include that prior to the print date of the staff report. Later this afternoon I did receive another revised plat based on the conditions in the staff report and I have prepared a memo for you to review tonight identifying certain DA provisions and conditions of approval that need to be modified as part of your motion this evening. This property does consist of 5.13 acres of land. It's currently located on the east side of North Locust Grove Road, just -- and south of East Ustick Road. It is an in-fill piece surrounded by adjacent residential subdivisions that are currently zoned R-8 within the city. The only property that is not in the city is -- to the north, which is another RUT piece that will more than likely develop in the city at some future date. You can see here in the aerial that the property is currently developed with a single family residence and an outbuilding. As part of my staff report and my analysis in the staff report the applicant's desire is to keep that home with the future subdivision of this property and in doing so the home would have to hook up to city services and be addressed based on the street frontage it fronts on the proposed preliminary plat and they would work those issues out at the time of final plat. Here is the preliminary plat slash landscape plan that the applicant is proposing this evening. It does consist of 28 residential lots. Keep in mind that the 28 lots includes the removal of the home. So, if it were to remain it would have approximately -- it would have 27 lots, one being the existing home, 27 new residential units, for a gross density of 5.82 units to the acre. The applicant is requesting an R-8 zoning district with the proposed

annexation. The future land use map for this property is designated medium density residential on the comprehensive plan, so we anticipate density between three to eight dwelling units to the acre. The proposed subdivision does comply with that -- the comp plan and the requirements of the R-8 zoning district. Landscaping for the site is minimal. The preliminary plat boundary consists of 4.81 acres, so it's right on that fringe of that five acre minimum in which we get our ten percent open space. In my analysis in the staff report we felt -- and looking at the surrounding area, we felt that the property could use -- need to incorporate more open space as part of the development. We are not getting a large amount, but the applicant -- the design tonight before you that I received this afternoon does include some smaller silvers of open space along the entry road here from Locust Grove along the south boundary here and, then, also another little sliver on this boundary. So, approximately 2,400 square feet of open space has been added per the request of staff. If you recall, the major changes that I wanted to bring out and that I discussed in the memo to you this evening was when the plat was originally submitted to staff the entrance from Locust Grove was located in this general location and now the applicant has shifted that to the north for connectivity, but the internal road network is pretty much in the same alignment as the previous plan. And, again, as I mentioned to you, the applicant has added that additional open space and, then, located in the southwest corner of the development there is another common lot in which five homes would take access from that. The plan this evening shows a 40 foot wide landscape buffer along Locust Grove. The UDC only requires a 25 foot buffer, but the applicant has elected to go ahead and landscape the additional right of way, just to add to the esthetics. It's not a requirement of the plat, but moving forward, if the road was widened -- Locust Grove was widened more than likely there will be just a 25 foot wide landscape buffer in place, but a 40 foot. But the applicant wanted to go on record and state that they recognize they are building a 40 foot buffer, but in the future there would probably, more than likely, be a 25 foot wide landscape buffer. In the staff report I did point out to the Commission that there is an existing driveway that connects into Locust Grove. The applicant -- for the existing home the applicant will have to close that off, construct a new road entry and, then, reconstruct the sidewalk where that current driveway is now and that's located about -- located central to the development in this location. So, that sidewalk would be rebuilt with the subdivision approval. So, the applicant has submitted sample elevations. Again, you can see in the elevations that they are proposing a mix of building materials consistent with the surrounding residential homes in the area. Staff has a condition -- or a DA provision in the staff report that requires compliance with the elevations and staff has also required any homes that front along Locust Grove include those same mix of materials and staff will be reviewing those at the time they submit for building permits. So, going quickly through my memo to you, I did point out the changes and so I wanted to go on the record and state that staff is supportive of the proposed layout that you're -- that's before you this evening, so we do support the applicant's changes. I did want to clarify that the applicant has also added the amenities as requested in the staff report on this common lot here, so there will be a plaza and a sitting bench for the residents to use in the future and so moving quickly, DA provision B I'm asking that you modify that by replacing the current lots -- Lots 2 through 6, Block 1, and Lot 2, Block 3, with Lots 3 through 5, Lot 7 and Lot 8, Block 1. With the new plat the applicant changed their lot

numbering -- lot and block numbering, so we have got to make that consistent with the proposed plat changes. DA provision number D requires a minimum amount of open space. Originally we were looking to have the applicant dedicate 1,720 square feet of open space. Based on my calculation of the plat this afternoon it looks like they are adding approximately 2,400 square feet. So, we want to include that number as well. Because they have provided a revised plat and landscape plan for you to review this evening, staff is recommending that you strike condition of approval 1.2.1A, which discussed those modified changes to the plans. We also want you to modify condition of approval 1.2.1B, again, just to remove the lots and add the new lots consistent with the proposed -- the revised plan. We want you to modify condition of approval 1.2.2B and add -- strike the verbiage of providing 720 square feet of open space and just merely add verbiage that with the final plat submittal they provide a detail of the plaza and the bench, so we can make sure it's an attractive and integrated as part of the landscape plan and the final plat as conditioned in the development agreement and, lastly, staff is asking that the Planning and Zoning Commission add a new condition of approval. As I stated earlier in my report, the applicant's intention is to keep the home with the final platting of the property and, again, he wants it flexible, because he may change his mind at the time of final platting, but if the home is not to remain as part of the subdivision staff is asking you to place a condition in the staff report that would have the applicant reorient these two lots here, which is Lot 7 and Lot 8, Block 2, rotate those 90 degrees to the east and have all of the lots on that block front on Lochness Way, so we have a consistent -- we have rear yard to rear yard for that internal block. I have discussed that with the applicant. I assume they are in agreement with that condition. I will let them testify to that effect. We did receive written testimony from the applicant's representative. Again, they are in agreement with the conditions. They did want me to go on record and clarify the landscape buffer width along Locust Grove. I believe I have done that. Other than that I believe they are in agreement with all conditions of approval and staff is recommending -- recommending approval of this project and I would stand for any questions you have.

Yearsley: Thank you very much. Commissioner Oliver.

Oliver: Mr. Chairman. Bill, just real quick, to make sure -- north of the proposed development is what?

Parsons: Mr. Chairman, Members of the Commission, currently north of this development is an ACHD storm pond for the subdivision that's located on the east boundary. So, although this road is technically not providing a stub to that property to the north, the Ada County property, this does give the city and ACHD flexibility or -- in the future that if ACHD and this subdivision to the east negotiate or redesign that pond site, at least there will be a possibility of getting some kind of access or connection to that Ada County piece to the north. So, that's why staff was comfortable having that hug the property boundary of that pond site, so that we could facilitate some kind of connectivity in the future.

Oliver: One more question. I may have misunderstood, but on condition six where it adds a new condition that reads if the existing home is not part of the final plat that is Lot 8 and 9?

Parsons: That is correct.

Oliver: That is correct.

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

Clarno: My name is Randy Clarno with Granton Square Properties. I'm the manager. Owner and manager of Granton Square Properties. P.O. Box 8265, Boise. As -- as Bill's mentioned, we have -- we have spent a lot of time redesigning a portion of this to try to address all the concerns that were raised by staff and ACHD and some of the neighborhood concerns. As you know it's a small in-fill site and so it's been kind of a puzzle and it's taken us a while to get through this over the holidays and so that's why we delayed from the last scheduled hearing date. Originally we weren't going to keep the existing home and, then, after we made some of these changes it became apparent to us -- and after talking to some of the builders that we are working with right now, it sounds like maybe it's a good thing to keep the home. I expect to be making that decision within the next three or four weeks, prior -- prior to us submitting for final plat. So, we are okay with the conditions that have been recommended there. We have reached out to the neighborhood. Had a neighborhood meeting. For example, on the south side of this project it's an assortment of different kinds of fences, chain link, and short and old and so we have met with all of those landowners and we are going to put in a new fence -- take the old one out and put a new fence in and make it look nicer. We do -- we like to landscape things, so we are going to, hopefully, do a nice job on the buffer out there on Locust Grove. So, other than that, I think we have come up with the best product. It took us a while to get there and I think we have both been a little frustrated in that process, but we got there and I think this will be the best product for the neighborhood and he will put in place an HOA and covenants, conditions and restrictions that will encourage higher quality building materials and for builders to put in home product that the market desires. So, with that I will take any questions you may have. Thank you. Are there any questions? Thank you very much.

Yearsley: I don't have anybody signed up for this. Is there anybody that would like to testify on this application? No. At that point I don't think I need to have the applicant come forward again to comment on his -- his items. So, with that I would entertain a motion to close the public hearing on AZ 14-015 and PP 14-019.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I move that we close the --

Yearsley: Public hearing.

Oliver: -- public hearing on AZ 14-015 and PP 14-019.

Wilson: Second.

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

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: So, any comments?

Wilson: I mean I'm glad -- I'm glad the developer was able to work with staff and I think I like the layout, I like the look, and I'm glad those continuances were made in order to come up with this final -- final plat.

Yearsley: Thank you.

Oliver: I agree. I think it looks very nice. I think that -- with the idea that if you have to move back for that five lanes that we have got plenty of room to do that and without hurting the residents who live there. So, I think it's a good development.

Yearsley: Thanks. And I agree. And I applaud the developer to actually be coordinating with the adjacent homeowners to replace the fence on the southern boundary. I think that shows great fortitude and wanting to have a good product. So, I applaud that. I do have one question of counsel. Instead of having to change everything on the motion, can we just reference the memorandum from staff or do we need to make each one of those line by line?

Baird: Mr. Chair, let me -- can I ask planning staff if they would be okay with that? You -- you have outlined it, the applicant's received a copy of it, nobody has testified in opposition. I think as long as you make it clear -- list the date of the memorandum and the number of conditions that you're going to incorporate into the changes and, then, we will have a full and complete record of the approval.

Yearsley: Okay. Does that make sense?

Oliver: I will try.

Yearsley: I'm trying to make it easier for you.

Oliver: Could read each line. Could do that.

Yearsley: So, with that I would entertain a motion.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I'd like to make a motion. After considerable -- consideration of staff, the applicant, and public testimony, I move to recommend approval to the City Council of files number AZ 14-015, PP 14-019, as presented in the staff report for the hearing date of February 5th, 2015, with the following modifications: That includes the February 5th, 2015, memorandum to the Planning and Zoning from the Planning and Zoning Supervisor in reference to the changes that apply to numbers one through six in that memorandum. Is that good enough?

Yearsley: Okay.

Wilson: Mr. Chairman, I second that motion.

Yearsley: I have a motion and a second for the approval of AZ 14-015 and PP 14-019. All in favor say aye. Opposed? Motion carries. Congratulations.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: With that I have one more motion to make, Commissioner Wilson.

Wilson: Is it a motion for adjournment? I motion we adjourn, Mr. Chairman. I motion we adjourn this Planning and Zoning meeting.

Oliver: I second.

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

MOTION CARRIED: THREE AYES. TWO ABSENT.

Yearsley: We stand adjourned. Thank you very much.
MEETING ADJOURNED AT 7:55 P.M.
(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)
APPROVED


STEVEN YEARSLEY - CHAIRMAN

ATTEST:


JAYCEE HOLMAN, CITY CLERK

FEB 19 2015
DATE APPROVED

