

Meridian Planning and Zoning Meeting

March 17, 2016

Meeting of the Meridian Planning and Zoning Commission of March 17, 2016, was called to order at 6:05 p.m. by Chairman Steven Yearsley.

Present: Chairman Steven Yearsley, Commissioner Gregory Wilson, Commissioner Rhonda McCarvel, Commissioner Patrick Oliver and Commissioner Ryan Fitzgerald.

Others Present: Jaycee Holman, Andrea Pogue, Sonya Watters, Bill Parsons, Josh Beach and Dean Willis.

Item 1: Roll-Call Attendance:

Roll-call

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

Yearsley: Good evening, ladies and gentlemen. At this time we would like to call to order our regularly scheduled Meridian Planning and Zoning Commission for hearing date of March 17th, 2016. Let's begin with staff report. Or, sorry, with roll call.

Item 2: Adoption of the Agenda

Yearsley: Thank you. First item on the agenda is the adoption of the agenda. We had a couple of changes. Action Item A, public hearing for H-2016-0008, Kenners Subdivision, and public hearing for Brundage Estates, H-2016-0001, have been requested to be continued. With that -- those are the only two changes that I have. With that can I get an adoption -- a motion to adopt the agenda as presented?

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: I move for adoption of the agenda as amended.

Wilson: Second.

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

MOTION CARRIED: ALL AYES.

Item 3: Consent Agenda

- A. Approve Minutes of March 3, 2016 Planning and Zoning Commission Meeting**

- B. Findings of Fact and Conclusions of Law for Approval for Grace at Fairview Lakes (H-2016-0013) by Grace at Fairview Lakes Located 1960 N. Lakes Place Request: Modification to the Existing Conditional Use Permit (CUP-05-055) to Allow the Development of Twenty-Seven (27) Assisted Living Units Instead of a Thirty-Eight (38) Unit Congregate Care Facility as Previously Approved on 1.39 Acres of Land in the R-15 Zoning District**

Yearsley: Next item on the agenda is to -- the Consent Agenda and on that we have to approve the minutes of the March 3rd, 2016, Planning and Zoning Commission meeting and the Findings of Fact and Conclusion of Law for approval of Grace at Fairview Lakes, H-2016-0013. If there is any changes to the -- any of those items? If not, I would entertain a motion to approve the Consent Agenda.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I move to approve 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: ALL AYES.

Item 4: Action Items

- A. Public Hearing for Kenners Subdivision (H-2016-0018)** by Kouba Homes, LLC Located East of N. Locust Grove Road, North Side of E. Fairview Avenue
 - 1. Request: Annexation and Zoning** of 0.932 Acres of Land with an R-8 Zoning District

 - 2. Request: Preliminary Plat** Consisting of Eight (8) Building Lots and One (1) Common Lot on 1.28 Acres of Land in the R-8 Zoning District

Yearsley: So, we are going to open the first one, public hearing H-2016-0018, Kenners Subdivision for the sole purpose of continuing this. It has been requested to continue to April 7th. Can I get a motion to continue that public hearing?

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald. Sorry.

Fitzgerald: I move that we continue AZ -- or I'm sorry. H-2016-0018 to the date of April 7th, 2016.

McCarvel: Second.

Yearsley: I have a motion and a second to continue the application. All in favor say aye. Motion carries.

MOTION CARRIED: ALL AYES.

B. Public Hearing for Brundage Estates (H-2016-0001) by L.C.
Development, Inc. Located East of S. Linder Road Between Victory
and Amity Roads

1. Request: **Preliminary Plat** Consisting of 366 Building Lots, 20 Common Lots and 1 Other Lot on 136.63 Acres of Land in an R-4 Zoning District

Yearsley: Next item on the agenda is the -- to open the public hearing for H-2016-0001, Brundage Estates. They are requesting to be continued to May 5th. Can we get a motion to continue that?

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: I move we move Brundage Estates, H-2016-0001, to the date of May 5th, 2016.

Wilson: Second.

Yearsley: I have a motion and a second to continue the public hearing for H-2016-001. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: ALL AYES.

Yearsley: So, let me explain the process before we go onto the next items of the agenda. So, we are going to open each one of these items one at a time. We are going to start off with the staff report. The staff will present their findings regarding how it adheres -- the items adhere to our Comprehensive Plan and Uniform Development Code with staff recommendations. After the staff report the applicant will have an opportunity to come

forward to present their case for approval. The applicant will -- and respond to any staff comments. The applicant will have up to 15 minutes to do so. After the applicant has had a chance to testify, we will open it up to the public. There is a sign-up sheet in the back, which I think most of you have signed up. For those wishing to testify they can come forward and be given up to three minutes to testify. Since we do have a large group today, if -- if there are certain people like representing the HOA or a large group of people, they will be given up to ten minutes. However, those people that they are representing we would appreciate them not to come forward. What we are doing is giving more -- giving one person more time to talk and, then, not having as many people talk. So -- so, if that's the case -- and if there is -- not representing you we will still give you guys an opportunity to come forward. So, if you're giving for a larger group you will be given up to ten minutes. So, after the applicant -- after we had the public testimony, the applicant will have an opportunity to come back and respond to the comments from the audience. At that time there will be no more discussion from the audience to respond to the applicant's testimony. So -- just kind of the way it goes. After the applicant has had a chance to respond, we will close the public hearing and hopefully the Council will be able to discuss and deliberate and make a recommendation to City Council.

C. Public Hearing Continued and Re-Noticed from 2/18/16 for Logan Creek (H-2015-0037) by Jim Jewett, JLJ, Inc. Located 4617 & 4620 S. Martinel

- 1. Request: Preliminary Plat Approval** Consisting of Sixty-Eight (68) Building Lots, Eighteen (18) Common Lots and Two (2) Other Lots on 21.76 Acres of Land in an R-4 Zoning District

Yearsley: So, with that I would like to open the continued and renoticed item H-2015-0037, Logan Creek, and let's begin with the staff report.

Watters: Thank you, Chairman Yearsley, Members of the Commission. The first application before you tonight is a request for a preliminary plat. This site consists of approximately 22 acres of land. It's zoned R-4 and located off of the northeast corner of South Eagle Road and East Amity Road. Adjacent land use and zoning. To the north is rural residential property, zoned RUT in Ada County, and rural residential property currently in the development process, approved for the development of Shelborne Subdivision, zoned R-4. And residential properties in Napoli Subdivision, zoned R-2. To the east is agricultural property that's owned by the school district that's currently zoned RUT in Ada County and an assisted living facility, Diamond View Estates, zoned R-8. To the south is East Amity Road, an agricultural property zoned R-8. And to the west is South Eagle Road and rural residential and agricultural property zoned RUT in Ada County. This property was previously platted as Lots 1 and 3, Block 1, Martinel Subdivision in Ada County and recently annexed into the city with an R-4 zoning district with the requirement of a development agreement. A preliminary plat for Nesting Swan Ranch Subdivision was submitted concurrently with the annexation application, but was denied by City Council. So, this site probably will look familiar to you -- some of you. The Comprehensive Plan future land use map designation is medium density residential. The

applicant is proposing to resubdivide Lots 1 and 3, Block 1, Martinel Subdivision to consist of 70 single family residential building lots, including two lots for existing homes and 18 common lots on 21.76 acres of land in an R-4 zoning district. The applicant did submit a phasing plan shown on the left there in red. It's a little hard to see the pretty white lines, but it depicts five phases of development, starting at the north end of the site where it moves out. The overall density for this subdivision is 3.21 dwelling units per acre, with a net density of 4.25 units per acre. The two existing homes on the site owned by the Allens and the Morgans are proposed to remain on lots in the proposed subdivision. Access is proposed via South Martinel Avenue, currently a private street, that is proposed to be converted to a public street via East Amity Road and that is -- this street would be right here. No access is proposed via Eagle Road. There is a roundabout here -- down here at the corner of the site and this is the original preliminary plat that was submitted with the application that the staff report was based on. Since that time the applicant has submitted a revised plat as shown there on the right. All internal streets are proposed to be public. A stub street is proposed to the Luke parcel at the southwest corner of the site and that's this parcel right here where my pointer is and at the north boundary up here for future extension and interconnectivity with Shelborne Subdivision. Pathway is proposed within the common lot at the north boundary of the site where sewer and water easement is proposed and that is, again, right here. And also at the east boundary of the site for connection access to the future school site to the east. A 25 foot wide street buffer with a detached sidewalk is required along Eagle and Amity Roads. Both arterial streets. A minimum of ten percent qualified open space and one site amenity is required to be provided with the development. The applicant should increase the qualified open space area to comply with this requirement and provide playground equipment and pathways as amenities are proposed. The applicant has submitted pictures of sample elevations for future homes within the development. Building materials appear to consist primarily of stucco with stone accents and horizontal and vertical siding. Because homes on lots that back up to South Eagle and Amity Roads will be highly visible, staff recommends the rear of structures on lots that face these streets incorporate articulation through changes in materials, color, modulation and architectural elements, horizontal and vertical to break up monotonous wall plains and roof lines. And this is the proposed landscape plan. Written testimony has been received from Jim Jewett, the applicant, in response to the staff report and I will let him cover his comments. Staff is recommending approval with the conditions in the staff report, with a modification to number -- condition number 1.17, which requires the irrigation ditch that runs along the back side of Lots 30 through 33, Block 1 -- that's these lots right here -- to be piped in accord with the UDC. This ditch lies on the property line between the Logan Creek and the Taylor property and the Taylors need the ditch to remain open for irrigation purposes, so staff recommends striking this condition and requiring the portion of the ditch and easement that lies on this property to be placed within a common lot. Staff will stand for any questions the Commission may have.

Yearsley: Are there any questions? With that would the applicant like to come forward? Please state your name and address for the record.

Porter: Good evening. Carl Porter, Sawtooth Land Surveying, 2030 South Washington, Emmett, Idaho. Thank you, Sonya. Very well done. Mr. Jewett agrees with the staff

report, dated February 18th, 2016. He mentioned what Sonya had mentioned about the ditch and has no problem with doing that. At this point we are here for approval. We have done everything according to code. We believe staff would back that up. If we haven't we will do that. I will stand for questions if you have any.

Yearsley: Are there any questions?

McCarvel: I have one, Mr. Chairman. On the irrigation ditch, is that something that is just providing that one or two homes or is that the ditch for the irrigation water for the subdivision?

Porter: That will be the -- I believe it's just for the one or two homes.

McCarvel: Okay. So, it's just a small --

Watters: Per my understanding, Commissioners, this ditch right here provides irrigation for this property right here. For the Taylor piece.

McCarvel: So, it would be their responsibility to maintain it?

Watters: Correct.

McCarvel: Not the homeowners -- not the subdivision.

Watters: Well, from what I understand it lays on the property line, so it would probably be both of their responsibilities.

McCarvel: But is there water coming down that ditch that will go to the HOA or is it just -- it's just for the Taylors?

Watters: I believe it's just for the Taylor property.

Porter: Yes.

McCarvel: Okay.

Yearsley: Any other questions? Thank you. I have a few people signed up. Frank Shoemaker. Would he like to come forward? Please state your name and address for the record.

Shoemaker: Yes. Frank Shoemaker. 3497 East Zaldia Lane, Meridian. I would like you to, please, consider this evening in your approval of the Logan Creek project the following: Adjacent and immediate and north of Lagan Creek project phase two is the Shelborne Subdivision. We sold a portion of our five acres to Randy Clarno, the developer of Shelborne Subdivision. The purchase agreement allowed the developer to transfer ownership of three improved building lots to my wife and myself. These lots will be

identified on the Shelborne plat as Lots 2, 3 and 4, Block 3. When developed we will build a new residence on Lot 4. At the neighborhood meeting on November 2nd, 2015, I met with the developer Jim Jewett concerning a reciprocal agreement that specified those lots backing to the three lots that my wife and I own be limited to one level construction, no bonus rooms. Mr. Jewett felt that was a reasonable request and he also felt the one level concept would be beneficial to his project as well. On the plat that I saw -- the last one for Logan Creek No. 2, I think those were identified as Lots 3, 4, 5 and 6. Our property is around 360 feet along that north boundary of Logan Creek. So, as a condition of the Logan Creek project phase two, I would like to have the covenants and restrictions restrict the design on Lots 3, 4, 5 and 6, Block 2, of Logan Creek Phase 2, to be one level construction only. If approved by Planning and Zoning and finalized by Meridian City Council, I will instruct Randy Clarno, the developer of Shelborne Subdivision to specify in the covenants that limits the design on the three lots that we own also to one level construction, no bonus room. Thank you. Any questions?

Yearsley: Any questions? Thank you. Roger Taylor. Would you like to come forward?

Taylor: Roger Taylor. 4606 South Eagle Road, Meridian. My concern was the ditch, of course, and, then, they said something about a common area. How are they going to access that common area? Are the kids going to be able to get in there? Because that's an open ditch that I irrigate out of that's got water in it almost all the time.

Yearsley: We will have to let the applicant answer that question.

Taylor: Okay. Now, I -- when I met with the developer and he said that they are going to tile the ditch from -- well, from here down and over to here. Is that correct?

Watters: I'm not sure. Excuse me. Your pointer went off.

Yearsley: We can't see where you're pointing. Sorry.

Taylor: How do I make it work?

Yearsley: Select a color.

Watters: You need to select a color at the top.

Yearsley: At the top.

Taylor: Okay. From here over to here was supposed to be tiled and, then, this other one is supposed to be open, because I irrigate out of that. And, then, when we was talking he agreed that this section here would all be single story houses and that he would give me an access to this road here, with a gate so I have access out to there.

Yearsley: Okay.

Taylor: That was my main concern. But -- but I do need to know if the -- if kids can get down in there we are going to have a problem with the open ditch. So, he did say that he would fence that and give me ten feet so I can still maintain that ditch.

Yearsley: Okay. We will have to have the applicant to answer those questions.

Taylor: Okay. That's all I needed. Thank you.

Yearsley: Thank you. I don't have anybody else signed up. Is there anybody else wanting to testify on this application? So, with that would the applicant like to come forward?

Porter: Want me to state my name again?

Yearsley: Please.

Porter: Carl Porter. Sawtooth Land Surveying. 2030 South Washington Avenue, Emmett, Idaho. I will address Roger's concerns first. I believe we will fence the backside of that. I will have to talk to Mr. Jewett and see if he is willing to give you the ten feet. If he told you he would for maintenance, I'm sure he will, but along that open ditch area we definitely want to have that fenced, so children can't get in --

Yearsley: So, if you would respond to us, not to him.

Porter: Oh. Excuse me.

Yearsley: Understand.

Porter: So, anyway, we would definitely want to fence that. We don't want to have problems with children or put children in harm's way, so that would be fenced so they can't get in. As far as the ten foot easement, I will have to talk with Mr. Jewett and see and if he told him he would give him that ten foot easement for maintenance, I'm sure he will.

Yearsley: Okay.

Porter: Okay. And, then, the other question -- as he was showing a portion of that will be piped and, then, the other will be open; is that correct?

Porter: Yes.

Yearsley: Okay. And, then, you will give him a gate access where he was showing as well?

Porter: Yes.

Yearsley: Okay. And, then, I guess the last question is what about the one story homes?

Porter: Well, unfortunately, he's not here tonight, so I'm going to say if he told them that, that's what he will do, and he will make that happen.

Yearsley: Okay. And I guess the question is -- is -- because we -- they are asking us to put that condition on the -- on the plat and --

Porter: On the plat or in the CC&Rs?

Yearsley: Generally how does that go, staff?

Watters: Chairman Yearsley, it would be a condition of approval that goes along with the preliminary plat linked to those lots.

Yearsley: Okay. So -- okay. So, I guess the question is -- how do I want to say this? I would like to actually have him here to state yes or no to put those conditions on there. I guess we could actually recommend that that condition be put on and, then, they can -- the Council can change it if -- if necessary as well, couldn't they?

Watters: Chairman Yearsley, if you feel it appropriate you can place that condition. If you'd just rather leave it up to the applicant to say one way or the other, I can follow up with the applicant and have him submit written documentation that he's in agreement to that.

Yearsley: Okay.

Watters: However you're comfortable.

Yearsley: All right. So, with that are there any other questions?

Porter: So, that being said, are -- is staff going to -- is it going to be a condition or is staff just going to follow up?

Yearsley: We will have to find out when the motion is made.

Porter: Okay.

Watters: Chairman Yearsley, I was a little confused. Mr. Shoemaker, I believe, wanted these lots here where my pointer is, Lots 3 through 6, to be single --

Yearsley: Right.

Watters: -- and Mr. Taylor mentioned these down here, so --

Yearsley: Yes.

Watters: -- I'm not sure if Mr. Jewett committed to both of sections or -- or not.

Yearsley: Yeah. And I don't know either, so -- we will have to discussion that when we close the public hearing, so -- are there any other questions before we -- all right. Thank you. Can I get a motion to close the public hearing on H-2015-0037?

Fitzgerald: Mr. Chairman, one quick question --

Yearsley: Absolutely.

Fitzgerald: -- to Sonya. Do we need to put the gate as a requirement on the plat notes as well or is that --

Watters: Chairman, Commissioner Fitzgerald, they wouldn't be plat notes, they would be a requirement of the preliminary plat and if you feel that's appropriate, yes.

Fitzgerald: Okay. Thank you. Mr. Chairman, I would move we close the public hearing.

McCarvel: Second.

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

MOTION CARRIED: ALL AYES.

Yearsley: So, any comments? Thoughts?

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I think if -- I think these are reasonable requests, since it sounds like they have been discussed and since the applicant is not here, I think we go ahead and make it part of the record on the preliminary plat itself, the notes that these gentlemen have asked for, the ten foot easement and the fence by the ditch, the gate access and, you know, I'm not sure the single story -- that's a lot of land to commit, but if he -- well, I guess now is the time to get that on the record.

Yearsley: Well -- and maybe what we ought to do is direct staff to coordinate with the applicant prior to City Council to verify those lots, if they are to be single story or not.

McCarvel: I would say if they were agreed to they need to be part of the plat.

Yearsley: Oh, I agree. Yeah. But I hate to put conditions on without the applicant saying yes, so -- and if we can resolve it -- have that issue be resolved by City Council, I think that's -- any other comment?

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: I -- I would agree. I think that the -- the chunk of land -- specially the one in the middle with the X on it, I think that's a pretty hefty chunk of real estate to be all single level homes, so -- but if that's what the applicant agreed to, I think we need to go that direction.

Yearsley: Yeah. Okay.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I just wanted to point out that compared to the first time we saw this when it came before us, this plan looks better. It's a little bit different than what we saw the first time, but I think it's going to work a little bit better. I agree as well as the other commissioners that it needs to be looked at as far as the amount of homes that are going to be single level, the fence put in, and the fence along the play area that need to be looked at. That's my biggest concern, as well as the lots bordering that subdivision. Like I say, that's a lot of homes to be single stories, but if they can work it out between the Planning and Zoning and the developer I would be happy with it.

Yearsley: Okay. You know, I have a tendency to agree. I -- I like this new layout much better. It looks a lot better. It's a lot cleaner, so -- and I like the phasing, how they are actually phasing from the back to the front, kind of matching with what conditions we had issues with it the first time, so for that I think it looks good. Any other comments? Okay. With that I would entertain a motion.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2015-0037, as presented in the staff report for the hearing date of March 17th, with the following modifications: Additional to the plat would be a ten foot easement if the ditch is to remain open with the fence enclosing that from the subdivision. The gate access as requested by the neighbor and Lots 3 through 6 be single story and if agreed to, the others as mentioned.

Yearsley: I have a motion -- actually, before I do that, do you understand that motion before we --

Watters: Yes. Thank you --

Yearsley: Okay.

Watters: -- Chairman Yearsley.

Yearsley: Just wanted to make sure you understood. I have a motion and a second to approve file number H-2015-0037. All in favor say aye. Opposed? Motion carries. Thank you.

MOTION CARRIED: ALL AYES.

D. Public Hearing Continued from 3/3/16 for Pope's Garden (H-2016-0006) by Iron Mountain Real Estate Located 2662 E. Magic View

1. Request: **Amendment to the Comprehensive Plan Future Land Use Map (FLUM)** to Change the Land Use Designation on 5.28 Acres of Land From Office to Medium High Density Residential
2. Request: **Annexation and Zoning** of 5.28 Acres of Land from the RUT to the R-15 Zoning District
3. Request: **Preliminary Plat Approval** Consisting of Twenty (20) Buildings, Four (4) Common Lots and One (1) Other Lot on 5.28 Acres of Land in the R-15 Zoning District
4. Request: **Conditional Use Permit** for a Multi-Family Development Consisting of Seventy-Nine (79) Dwelling Units in the R-15 Zoning District

Yearsley: Next on the docket is file -- public hearing for file number H-2016-0006, Pope's Garden. Before I start with the staff report I just kind of want to remind everybody here that there are a lot of people here. We are going to get to everybody. I promise. If we can do a couple of things. Let's be respectful. Let's be polite. I know motions can run high. It's our lives. It's our homes, so -- but with that, please, let's be respectful, let's not have any clapping or comments from the audience during public testimony, because we can't have it on the record. So, let's just -- and we promise we will get through this. With that let's begin with the staff report.

Watters: Thank you, Chairman Yearsley, Members of the Commissioners. The next applications before you are a request for annexation and zoning, a Comprehensive Plan map amendment, conditional use permit, and a preliminary plat. This site consists of 5.28 acres of land. It's zoned RUT in Ada County and located at 2662 East Magic View Drive. Adjacent land use and zoning. To the north are rural residential homes in Greenhill Estates Subdivision, zoned R-1 in Ada County. To the east is a rural residential property with a home, zoned RUT in Ada County. To the south is East Magic View Drive and two

rural residential properties also zoned RUT in Ada County. And to the west are single family attached homes in the development process in Waverly Place, zoned R-8. This property is included in the amended Magic View Subdivision plat as Lot 5. And the Comprehensive Plan future land use designation is currently office for this property. The applicant is proposing to amend the future land use map contained in the Comprehensive Plan to change the land use designation on 5.28 acres of land from office to medium high density residential. Annexation and zoning. The property is also requested with a R-15 zoning district, consistent with the proposed future land use map designation of medium high density residential. A conditional user permit is requested for a multi-family development in the proposed R-15 district. The applicant has submitted a site plan -- excuse me. This is the Comprehensive Plan map amendment from office to medium high density residential. You can see how that fits in with the adjacent land use -- future land use map designation. The site plan as shown for the multi-family development consists of 19 four-plex and one tri-plex structure, with a total of 79 dwelling units. The proposed R-15 zoning district will accommodate the proposed multi-family development with a gross density of 14.96 dwelling units per acre. Since the original submittal the applicant has submitted a revised plan as shown, based on staff's recommendations that shows three duplex structures with a total of six dwelling units along the north boundary of the site, instead of the two four-plex and one tri-plex structure as original proposed. Therefore, the number of units is reduced from 79 to 74 for the development. The proposed R-15 zoning provides a transition in zoning and uses from the west from Waverly Place Subdivision with attached single family residential homes and R-8 zoning and further to the west from Woodbridge Subdivision with single family residential attached -- detached homes and R-4 zoning and from the north from Greenhill Estates Subdivision with single family detached homes in R-1 zoning in Ada County. That property is designated as low density residential on the future land use map. Future office and commercial uses to the east and south. The adjacent property to the east is also currently low density residential, but the future land use map designation for that property is office. A revised preliminary plat was also submitted as shown on the right that coincides with the revised site plan, which will resubdivide Lot 5 in the amended Magic View Subdivision with 20 building lots, four common area lots, and one other lot. There is an existing home and accessory structures on this site that are required to be removed prior to city engineer's signature on the final plat. The proposed plat depicts access for the development via East Magic View Drive and that is the street here along the southern boundary. The access is right here where my arrow is pointing. And at the west boundary via South Hickory Way, this street proposed with this development, there is unopened right of way that currently exists to the north in Greenhill Estates Subdivision. ACHD has agreed to open and improve that right of way with development of this project. Magic View is designated as a local street west of South Wells Street. Wells is the one that comes up from the south here and, then, it is designated as a collector street east of Wells where the access is proposed here. Council approval of the access via East Magic View Drive is required, as it is a collector street. Ada County Highway District staff is requesting Hickory be constructed as a local street section, rather than a collector. It is scheduled before the ACHD commission on March 30th. Driveways are proposed for internal access to the proposed lots, not public streets. Qualified open space is proposed in accord with UDC standards and children's play equipment, a half basketball court and a hardscaped plaza area with seating are

proposed as amenities. One additional site amenity from the quality of life category should also be provided. The plaza with the sitting area is proposed along the south boundary in this common area. The tot lot is proposed with the children's play equipment and an open grassy area in this area here and, then, the half basketball court and additional common area is provided up here. Staff recommends the common area along the north boundary where the basketball court is proposed is shifted further to the east to provide more of a distribution of units to the abutting lots to the north, if the qualified open space requirement can still be met with that change. Building elevations were submitted for the proposed four-plex structures on the site. The applicant is still working on elevations for the duplex structures along the north boundary. Building materials consist of horizontal lap siding, vertical board and batten siding, stone veneer accents and architectural shingles. Written testimony was received from David Ballard, Brent and Diane Belliston, and a petition from Woodbridge Homeowners Association, which has quite a few names on it. Very long list. Staff is recommending approval with the conditions in the staff report. Staff will stand for any questions.

Yearsley: Are there any questions? I have one. Is there a caretaker's unit within this or is there a separate or is it just going to be one of the apartments?

Watters: Chairman Yearsley, I'm not sure if there is a caretaker's unit on this. The applicant can answer that question.

Yearsley: Okay.

Watters: Not that I'm aware of.

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: After ACHD approval how -- what's the time frame usually for improvement into the subdivision to the north. Any guess?

Watters: Chairman Yearsley, Commissioner Fitzgerald, do you mean like extension of the street?

Fitzgerald: Yeah.

Watters: I do not know. I assume it would be done at the same time, but I really don't know that. All I know is they are funding it.

Fitzgerald: Okay. Thank you.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: Sonya, can you go back -- is the main exit out of this going to be Magic View, so it goes out and isn't that a right only onto Eagle or is that the stoplight? Oh.

Watters: Commissioner McCarvel, there will be an access on Hickory and, then, there will also be one on Magic. So, as you can see here it comes around to the light.

McCarvel: The light.

Watters: Yeah.

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

Amar: Yes, sir. Good evening, Mr. Chairman, Commissioners. My Name is Kevin Amar. Address is 1548 West Cayuse Creek Drive in Meridian. Here tonight representing -- representing Pope's Garden multi-family project. Hopefully through tonight's hearing we will be as brief as possible, but also answer the questions that are necessary to come to an adequate decision. The project itself is -- as proposed was a 79 unit multi-family project. It has since been revised to a unit project. We appreciate working with staff and feel like we have come to a revision that benefits both transition, as well as city requirements in order to provide a project that -- that meets the goals of a transitioning and growing area. It -- the project itself has multi-family units and -- as well as attached duplex or single family units bordering the existing single family units on the northern boundary. The property to the west, as Sonya described, is an existing project with attached duplexing on -- well, they are not currently there. They are under construction and is transitioning further from the Woodbridge Subdivision. This project is one project -- and I know Commissioner Yearsley asked if it was managed by a single property manager. The way that we do all our developments is there is a single property manager that maintains rents and management and care and maintenance of the entire project on site and one of the units on site is dedicated as a property management unit. It facilitates two things. One, is allows somebody to be on site to deal with day-to-day issues and management issues, but it also allows potential renters to see an existing unit and how that -- how that works within the project. We have used this model a number of times throughout the valley. We have been very successful with it and we have -- even in the projects that have multiple owners the quality of ownership and the quality of product within it maintains at a high level simple because there is one management company and there is one -- excuse me -- one person to -- that deals with all these -- the issues within the project, but also one person to make sure and insure that the project results in a nice project and something that is representative of what we do at Biltmore company. As you can see one of the -- one of the reasons we were excited about this project is currently -- and this is based on some data gathered through real estate service and also chamber of commerce. We look for properties that are close to growing and existing corridors that are near bus routes, that are near employment, that need or strive to have additional transition from either existing single family, but also things that aren't -- we don't solely just have commercial in the area. We know that in this area there is about 5,200 people that live

within a mile radius of this property at night, which is a lot of people. What's exciting to us and what makes this project attractive is during the day there is almost 22,000 people that are working -- working within that same mile radius. So, we have got a influx of people and nearly four times of what is -- what is living there, which means a lot of commuters are coming to the area, presumably and hopefully we can capture some of those people that will reduce commute times, eliminate some of the driving and live in the area that they are already working. We have got major employers in the area with St. Luke's and all its associated medical facilities across the street. That immediate area has expanding opportunities every day, there is lots under construction -- or buildings that are under construction and offices that are under construction that provide employment. The Blue Cross campus is down the street. The Scentsy campus sits down the street. We have got property over at El Dorado and Silvertone -- all of those are good things and this is the area that this -- or one of the areas that the City of Meridian has designated as their commercial and office corridor. Obviously, next to that in some fashion and in some place there is going to be residential. We are trying to transition from a -- from a medium density residential to a medium high density residential and, then, ultimately, into office and commercial to try to soften that impact of direct -- I guess the direct impact to the neighbors. I heard Commissioner Yearsley -- or Chairman Yearsley and I understand this is a problem we deal with often. Anytime there is change there is concern and people are concerned about how it's going to affect our neighborhood and how is it going to affect their -- their lifestyle and as we are in a growing community and we keep making the list of the Treasure Valley or the City of Meridian, various lists throughout the nation of some top ten list of one form or another, people continue to move here. Another component of Biltmore Company is we also build single family homes and we see a lot of people that are moving here simply because of quality of life and that is what we hope to propose or provide as well in a multi-family project, something that provides a real quality of life in an area that is already commercial and office that needs and requires additional multi-family product. Currently in the valley there are -- we are at a 2.6 percent vacancy rate in multi-family and that's something we track often. Obviously this is a big project for us and we want to make sure it's done right and it's done in a right place. Our projects that are either ongoing or recently completed are full or very nearly so. The projects that are near here -- the other multi-family projects that are near here all exceed 95 percent occupancy and some are at a hundred percent occupancy and those would include Gramercy or Sagecrest. There is Union Square up -- it's further to the east. It's in Boise. It's called the Retreat at Union Square. That's a hundred percent occupied. So, we know that because of all the workforce that's in this area, because of the -- the nature of the location with it being on Eagle Road, a major thoroughfare throughout the valley, as well as on the freeway, people already want to live here. They are working here. And so they -- they require additional -- or request additional areas to live within this -- within this property. The traffic on Magic View as -- as Sonya mentioned from Wells west is a local street. From Wells east and out on to Eagle is a collector and that's where a lot of that growth is -- is ongoing. We will have direct access out to Eagle Road via a stoplight, as well as a right-in, right-out. With this project -- and we had a traffic study completed. If -- with this 74 units we are going to have an additional 430 traffic trips per day from this project. That equates to 33 trips in the a.m. peak hours, as well as 39 trips in the p.m. peak hours. If we were to do office in the same location, as is contemplated in the Comprehensive Plan,

the total traffic trips would be 496. So, it would be an increase of traffic by over ten percent from office versus multi-family, but the bigger -- the bigger issue is all those trips are in a.m. peak hours and p.m. peak hours. So, there is 70 trips in a.m. peak hours and 67 trips in p.m. peak hours if it's through the office type product. So, it's over double of what a multi-family project in this location would be. Again, as I stated, I know there is change, but through these other projects that we have done and we completed another one not far from here called Touchstone, we are actually building another commercial use. Again, Meridian is growing and more people are moving to the valley right in front of that product and it's very compatible with surrounding neighbors. Touchstone has single family homes on two sides of it, commercial on the other side, similar to what -- similar to what this would be and it's a similar density to that same project. So, we do feel that the two story design that we have is not obtrusive, it's more like a single family home. We match colors and try to change it up a little bit so it doesn't feel as sterile as some of the apartment complexes that we have seen in the valley and, then, on the northern boundary also having just a strict single family product with a duplex and really provide that transition from the -- the most impacted neighbors to the north and this project overall. So, we appreciate your time this evening. I'm sure we will hear lots of testimony and I would love to answer any of the questions that you might have.

Yearsley: Are there any questions? I have a couple. It didn't look like -- I couldn't tell -- is there going to be any covered parking?

Amar: Yes, sir. There will be one -- we put one -- there is one covered parking stall per every unit. So, there is 74 units, there will be 74 covered parking stalls.

Yearsley: Okay.

Amar: There is actually a few more, because we also have to require some for cover on handicapped parking along with that and we want to make sure there is one nonhandicapped stall covered per unit. So, there is a few more than 74 covered.

Yearsley: Okay. Any other questions?

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner McCarvel -- Fitzgerald.

Fitzgerald: I can go either way. Mr. Amar, so you -- it's a 20 lot subdivision. Are you -- is the concept to be able to sell these lots individually?

Amar: The concept is to be allowed to sell the lots individually, but within the CC&Rs -- and we can make this a condition of approval -- all of the project is managed by one property management company. So, even if there is 20 different property owners, the management has to come from a single property management company. What that does is it insures the integrity of the product. You don't have competing property management companies, as well as homeowner -- or building owners, rather, that -- that want to

manage it themselves and sometimes that's not the -- that's not the best option. Our experience is that's not the best option. There is some people that are very well designed to manage their own product, most are not. They need a professional that can deal with the issues that are related to that. In the projects that we have it's not -- when we sell them off individually -- it's not very often and I don't believe it's ever happened where there is -- if there is 20 units, 20 different owners. There might be one owner that has five or six buildings and one owner that has one, but it's all managed by a single property management company.

Fitzgerald: Okay. One more question, Mr. Chairman. So, the Wells-Magic View -- that corner is a crazy, difficult stop sign, I'm sure you're going to hear it tonight. I think anybody who has driven down that road knows that's a funky intersection. Did anybody at ACHD have any comment on the stop sign view, angles, anything like that, that traffic calming would be utilized in that area?

Amar: We discussed that with ACHD and they said there was not any --

Fitzgerald: Okay.

Amar: -- any requirements at this time. The change from ACHD, honestly, was the extension of the road to the north. When we first met with ACHD they were not requiring that. We, then, got the staff report and learned probably at the same time as many of the neighbors that they were requiring that extension of Hickory. So, that was the only -- that was the only change or deviation from our conversation with ACHD.

Fitzgerald: Okay. Thank you.

Oliver: Mr. Chairman, if I could ask one more question?

Yearsley: Commissioner Oliver.

Oliver: Just -- just looking at the north property versus the Greenhill Estates properties, do you have a -- kind of a noise buffer there or is it just going to be a six foot fence or there is one existing there already?

Amar: So, currently there -- I think there is some fencing that the neighbors have put up. We would have to install or we would want to install our own six foot fence on our property and, then, we also -- there is a number of trees along that northern property in the neighbors' yards. We would want to position the trees on our side to compliment those -- to restrict more -- well, restrict more of the vision from these properties to that property. But as part of the condition of approval we would fence not only the north, but also the eastern property line.

Oliver: Okay. Thank you.

Yearsley: Any other questions?

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: Yes. I saw some other notes from staff about bikes and different things. So, you're in agreement with all of staff recommendations?

Amar: Correct. Yes, ma'am.

McCarvel: Okay.

Yearsley: I have one other question. So, if you sell off one unit and you have a one property management company, how do you -- say that person doesn't want to fix something up, how does that property management company get that to happen? Can you explain how that might work?

Amar: I can. So, through the -- through the property management company and -- it's through the CC&Rs that everybody subscribes to. So, similar to a single family neighborhood where you have CC&Rs that have restrictive covenants based on what is required to happen within the subdivision. The same thing happens with a multi-family unit. They have to fix it up. There is lien rights. There is the ability for the homeowners association to correct things or the building owners association in this case to correct those items and, then, either lien the property -- well, or go after the owner. But it -- but it works. The difference between this and a single family home is we have got investors who are expecting money back and the majority of them truly care about their properties. We meet with them all the time and they are -- they are either taking money out somewhere else to -- this is their livelihood. So, this is important to them and the property management company scenario that we have described really allows the integrity to be held up in the neighborhood.

Yearsley: Okay. Any other questions? Thank you.

Amar: Thank you.

Yearsley: So, I have a lot of people signed up and a lot of them want to testify and a lot of them say no. Instead of going through the list -- this actually does go on the record and will be incorporated into the record. I thought maybe we ought to start with -- is there anybody from the HOA or speaking for a larger group that wants to come forward first? Please.

Stefan: Good evening, Mr. Chairman, Commissioners. I'm John Stefan. 566 South Thornwood Way in Meridian.

Yearsley: Now, are you speaking on behalf of the HOA?

Stefan: I'm speaking on behalf of the HOA board, yes.

Yearsley: Okay.

Stefan: That is correct.

Yearsley: Thank you.

Stefan: Okay. Thank you again for your time. I'm sure you guys really look forward to these public hearing meetings like this. Pretty exciting stuff. So, just talk a little bit first just about Woodbridge itself, which is what I'm representing here. You know, we are a neighborhood, we have 279 homes and we are based between Locust Grove and the exit -- back exit out at Magic View, which, of course, leads out to Eagle Road and we have -- we have 16 acres of natural common and open areas, walkways, and we do have a pool with a little clubhouse, cabana kind of thing. You know, it's a diverse mix of residents, you know, small children -- families with small children, empty nesters, and older residents and one thing that really unites us all there in that subdivision, the community, is really the quality of life and the location. It's really ideal. It's a fantastic place to be. Meridian is a fantastic to be, which is why so many people want to live here. So, let me just say the -- you know, there is really good community support, because you can see by the turnout on here for our community and, again, you know, the city is a great place to work and to live and to raise a family and I think quality of life is what keeps getting mentioned often and that's really kind of why we are, you know, here and what our concern is. So, the -- you know, the position of the board here is really in opposition to this development and I want to clearly state that we as the residents -- I don't think anybody here would disagree is that we are not in opposition to development or to progress. I mean that is -- that is inevitable and I know with the master plan of Meridian that much of the land, you know, around Woodbridge and that area, those fields, will be developed, but it is currently -- those areas are zoned for the light office right now and, you know, the small rezone here for, you know, medium high density residential, you know, is a big change. Traffic is mentioned certainly and we just kind of -- I'm trying to consolidate a little bit, because I know there is many more that are going to want to testify here. So, let me just start with that first one. I think one of the biggest concerns is traffic and, like I said, there are a lot of families with small children in the Woodbridge Subdivision and there is buses that come in and drop kids off, you know, for school and pick up kids and the problem that we have, really, is that Locust Grove feeds in through Woodbridge is a collector and Woodbridge comes to a stop sign and, then, there is a circle of streets that you can probably see a little bit here on the yellow section. A circle of streets that come back around and exit out on Magic View and there has been marked increase in traffic that has been cutting through the neighborhood and that's been evidenced by past traffic studies that have been done. We noticed a huge increase, actually, once the Locust Grove overpass was opened, which has actually been a great thing, but the amount of cut-through traffic has absolutely increased by that. I can speak personally of the fact that there are mornings when I leave in the morning that I have to wait in my driveway for several cars to pass through just so I can leave my driveway. It's not every day, but it is happening with more regularity and so as such there is all the subject things that happen with increased traffic flow. There is more speeding.

There are more people coming through the neighborhood. We find more people just decided to toss their trash out the window onto -- typically onto Woodbridge Road. I have witnessed, as I'm sure you will hear again here tonight, many, many near misses with kids on bikes and things crossing streets and people flying through the neighborhood on a cut through. I should also mention, too, that there is -- the way Magic View that -- we talked about that kind of little funky intersection there where these -- the Pope's Garden project will egress out onto, that stop sign -- since the amenities have been built, the restaurants on Eagle Road on the east side of Eagle Road, that has actually been a really great thing. They are now within walking distance. That walk at night is actually a little perilous because of the traffic that comes through there and especially during winter months when it's darker, if you undertake that to decide to walk to dinner or something. I foresee that that will increase -- that will get a lot worse with increased traffic flow coming through there. Many people run that stop sign at Magic View to begin with just constantly and so safety is a big concern of ours and with the traffic flow and -- sorry to just jump around here. The original design -- and why I bring this is up, too, is that when Woodbridge was actually built, the original plan I believe, had the traffic routing into the Greenhill Estates to the north and that was changed to route directly through via Woodbridge and out onto Magic View. So, I mentioned the cut-through traffic and that change. If you have ever waited at the light at Allen Way there in front of St. Luke's to make a left turn in the afternoon, it's an experience you will remember, because you could sit there for ten minutes and if an ambulance happens to be coming up to turn in and they flash their strobe and change the light, you might sit there for 20 minutes. The line of traffic is extreme at times, backing up on Allen Way and going all the way around the curb, sometimes almost all the way back to Magic View in fact. So, there is a lot of traffic and that's the only way to make a left turn out. From Magic View you can only make a right onto Eagle Road. So, it's convenient to get to the freeway. But what we have witnessed in the current construction of some of the support buildings, the medical offices that have been being put in right there on Magic View nearer to Eagle Road, there are a lot of dump trucks that are, you know, loading up from that construction and rather than go out and brave Eagle Road and make that left turn to where ever they need to, they are just cutting through the subdivisions and now we have dump trucks -- full loaded dump trucks rumbling through the subdivision pretty much all day long right now while that construction is going on. I use that as an example just simply because they would rather cut through a residential area than sit at the light for ten minutes or to try to brave getting on -- making a right turn onto Eagle Road. That's only a stop sign and anybody that's experienced Eagle Road, the traffic line down there coming to the freeway. So, there is a couple of other things to note there. We have the -- the Danik's Gym and the new Scott fertilizer business that are going onto Locust Grove. You know, that's great, but what I have noticed happen there, too, is with no stop sign on -- at Locust Grove and Woodbridge, we have a stop sign on Woodbridge to exit onto Locust Grove, but that center turn lane is getting perilous. There is more trying to make turns onto Watertower or turning into Danik's from both direction and trying to turn into Woodbridge and some of that is cut-through traffic coming onto Locust Grove and off. With the addition of the Scott fertilizer building that is actually probably going to increase a bit as well. So, there is -- as you can see a lot of -- a lot of traffic concerns here. The other -- other thing I just want to mention quickly, again, traffic flow and how it affects the subdivision. This really does impact quality of life. It's noise.

It's the kids playing out in the numerous common areas. The amenities that we have proven to be -- and especially the pool, very desirable to people who don't live in the neighborhood and our incidences of vandalism and property destruction damage have risen steadily every year and the bulk of that -- that expense falls on the homeowners association and ultimately the homeowners and paying for people to use the pool that aren't even residents. The -- so, in light of these -- these concerns we still believe that the -- the light office is the best plan for the area. It will still have a traffic impact, of course, but at the same time with the -- you know, you can consider the increase in senior community one of the fastest growing segments and I think that is an ideal location for some of these light offices and medical offices and support. Another thing that makes Woodbridge so desirable. We are close to amenities. Many of them, such as Winco and Home Depot happen to lie to the west. The quickest way for anybody to get from kind of development to our east is going to cut through -- directly through Woodbridge to get onto Locust Grove, so that they can make it to Winco. Winco is going to be a popular destination I think for this. Again so let me just wrap up here so others can speak and just say that actually -- we do believe in the overall master plan for the city, but this seems like a -- as I said before, like a spot zone change. The right project going in, I think you would have the full support of the -- of the residents, it's just the perception -- our property values are really just kind of getting -- getting going in the right direction again and sure would hate to see them begin to, you know, head the other direction on something like this, especially with the large traffic impact and safety concerns. It will affect us immediately and certainly within ten or 20 years in the future -- I'm thinking long term. So, we are just concerned that the right -- you know, support of the right development that goes in here -- as you can see there is a lot of -- a lot of support, you know, for our community. So, we would respectfully request the council to deny the proposal to rezone and, again, I want to thank you for your time here this evening. Appreciate it very much.

Yearsley: All right. Thank you. Is there anybody else speaking for a group? Please come forward.

Rockrohr: I want to say thank you very much for having us tonight, definitely, and letting us have our say. My name is Mary Rockrohr. I'm with Greenhills Estates. My address is 2715 East Autumn Way.

Yearsley: And just so I clarify, you're speaking for --

Rockrohr: Greenhill Estates.

Yearsley: Okay. And that's to the --

Rockrohr: North.

Yearsley: -- north. Okay. Thank you.

Rockrohr: Presently the development that they were talking about caught a lot of us by surprise. I can understand the transition that you're going through Woodbridge, which is zoned R-4 and, then, Waverly Place, which is just to the west, zoned R-8, but to put an R-15 density right behind our properties, which are just to the north, seems very radical. To transition from an R-4 to an R-8 to an R-15, that seemed okay until you looked at the north side and the north side didn't look like it was taken into considerable at all. Now, with the revision I would say, yes, it was a little bit with some of these duplexes that they were talking about, as opposed to the four-plexes. That was a little bit more gradual. But we are sitting -- and I'm not directly behind this, I'm one property line over from the project, but you're talking one house per acre, as opposed to a lot of density on this area. The other part on this part is that there is -- looking at the map that they did -- looking to the west, Waverly Place has a 25 foot road, plus vegetation, to give them a buffer before they come to the apartment complex. The area to the north -- we don't have anything. This property is running directly up to our property. We have a few trees. They have a few trees. If you look to the west of this development, a little ways further to the half acres, there is a five foot berm, along with a six foot fence on top, to create a little bit of a buffer. But that's not been incorporated into this project. So, suddenly we have this high density butting up right against to us. A little bit more of a transition would have been a little easier for us to handle, as opposed to something like this. We are not opposed. We figured that we would see duplexes in this area. Waverly Place seemed like a good match for us, as opposed to what we have over in Greenhills. And that's my thoughts in that area. Definitely. The other part talking about having Hickory Way get punched through. That would be a big concern for our neighborhood, simply because we don't have any street lights. We don't have any sidewalks. We have got kids -- school kids who are going in the dark during wintertime. They are dodging traffic as it is and if they are going to put something like this it's going to be a collector -- unless they plan on putting sidewalks and street lamps in Greenhills, I can see a real danger point for our kids that are headed to school at that time. It's definitely going to be a traffic area, because you're going to have people who are going to be coming from the west looking to spill into the neighborhood, because they certainly don't want to have to wait at the traffic lights at Franklin and Eagle and, then, Eagle up to Magic View. They are going to look to jump through Greenhills and do that cut and if it's not a straight cut, which it isn't right now and it won't be, probably, they are going to wiggle through some very residential areas and have been known that the traffic doesn't flow out on them that much, especially if somebody is in a hurry, whether these people have kids and take that into consideration is hard to say. But I would be very concerned for our kids definitely in Greenhills. The other area that I'd like to address -- the developer was saying that when these units get sold, which they will over time, because any developer, after they have had their initial time, will see their profits and will look to sell them. If they have the CC&Rs set up to where it's only one management, I don't believe there is going to be anything to prevent any private individual who buys possibly just one four-plex saying he wishes to manage his own four-plex and not buy into the homeowners arrangement with the CC&Rs. He can say I don't want any arrangement from that CC&Rs -- or the homeowners association, I want to manage my own units and I think that is allowable, even when you have written into the CC&Rs one manager. One manager is a great idea, but it can also be overridden when somebody decides that they want to rewrite the CC&Rs, which would only take 80 percent of the

homeowners in future times to change that arrangement where they could have literally ten other managers and change the CC&Rs coming in and redoing and representing many different management companies. But that's my thoughts anyway. Thank you very much for your time.

Yearsley: Thank you. Any others speaking for a larger group? Okay. Who wants to come be first I guess? Please come forward. Name and address for the record, please.

Ballard: Good evening, chairman, commissioners. My name is David Ballard. I reside at 2482 East Springwood in Greenhills Estates. The developer talks about 30 trips being generated from the subdivision and I think that that's manageable. But the point that Mrs. Rockrohr brought up and I would like to emphasize, I live on Hickory Way, there is no north-south route between Eagle and Locust Grove. What will be created is a de facto Eagle Road to stay off Eagle Road and run the traffic through the subdivision. It's cut-through traffic, people will figure it out and there will be multiples of 30 plus cars day in, day out, all times of day. They will simply avoid Eagle Road to go through the subdivisions. Also when you leave Greenhill there is two little stops onto Eagle for right out. Very difficult to get onto Eagle in the morning. Cars are 50, 55 miles an hour. I do it most mornings. Just add another line of cars trying to squeeze out onto Eagle. There is two roads to the north of Greenhill onto Franklin. I have seen Franklin backed up for the four tenths of a mile at Hickory. I dare say that there will be a number of cars waiting to get out onto Franklin. I would ask that we do not create a road between Eagle and Locust Grove that allows everything south of the freeway to exit through the subdivision. The streets are not designed to take that kind of traffic. Those streets are 40 plus years old. We have some very narrow corners in there. It's a race track kind of affair. Very easy to go 60, 70 miles an hour on the straight stretches. With that I appreciate your time and I am opposed to allowing the stub into Greenhill from Hickory. Thank you.

Yearsley: Thank you. The gentleman in the blue, I think he was trying to get up next.

Peterson: Thanks for your time. My name is Ron Peterson. I live at 503 South Thornwood Way. My house is kind of at the end of Thornwood, heading -- heading through the neighborhood. Thornwood is the shortest of two roads in the circle and we have an amazing amount of traffic. Over the time that I have lived there, the six or seven years, we have had three cars hit in my front yard. I have come out numerous times, seven or eight, with tracks through my front yard. We have had my mailbox knocked down, we have had my neighbors -- there is an amazing amount of traffic through there. A medium high density -- when they do their studies to say what traffic would be with offices or what it would be with R-8 or medium high density -- I mean the statistics and who knows what will be built there. You know, I would be in favor of R-8 or something of that nature, but, you know, I really have concerns with kids playing on the street, in the front yard, being able to ride their bikes, walk to the neighbors house, so I really strongly ask that you take this into account. Thank you.

Yearsley: Thank you. This lady over here.

Buchanan: My name is Kelly Buchanan and I live at 3133 East Autumn Way, which is about two houses down from Eagle Road on the half acres and we do enjoy that berm behind our house and it's a nice barrier. I would like to request that the developer continue that berm to add privacy to the acre lots that are going to be impacted and I would also like to suggest that they consider one story homes similar to Waverly Place right next to them versus the two story four-plex. I think it's going to be too much traffic and to verify what our Woodbridge neighbors are saying, the first time the -- prior to myself moving to the half acre lots that I learned how to get through Woodbridge -- I mean it's -- that's where a lot of their traffic is, you know, the high school kids have figured out the fastest route to food and that's going to be an ongoing issue if we put high density homes and, you know, I just walked our neighborhood today, I walked through Woodbridge and Greenhill Acres and -- or Greenhill Estates and there is a lot of trash out there and that corner -- what is that, Wells and Magic View? Is a bit of a blind corner and I think the developer -- if they are going to put in that many houses they need to be responsible to make that intersection safer and, then, I also have concerns about the Hickory extension. I have a 13 year old daughter that has to go into the Greenhill Estates neighborhood to catch the bus and there are no lights and people do go very fast and there is kids that play ball and Frisbee while they are waiting for the bus and -- and I think more people will try to find that north route exit and cut through the neighborhood versus being challenged by Eagle Road, because I even avoid Eagle Road if I can. Thank you.

Yearsley: Thank you. The gentleman standing up. Please come forward.

Sodine: Thank you very much for your time tonight. My name is --

Yearsley: Make sure you speak in the mike --

Sodine: Oh.

Yearsley: -- so we can get it recorded.

Sodine: Thanks very much for your time tonight. My name is Ian Sodine. I live at 2663 East Autumn Way. I'm Mary's neighbor, so I'm going to try not to cover everything she did. I appreciate what Mary and Dave had to say. All of it's absolutely true from my perspective. I have had 19 years of living on the property with the zone behind me being light commercial. The property has been for sale for that long without any bidders or buyers. We were in this forum for Woodbridge moving in and we were opposed to all the traffic that would possibly come through. Their developer was true and correct in that we would have desired to get out their way to find other ways out, because you can't get out of our subdivision. You took Eagle Road, put a barrier through the center, there are no left turns. All of our half acre constituents in Greenhill Estates now travel through the Autumn Way connector and onto Springwood and run passed Dave's house to get out of the subdivision in the morning. So, we have already created our own traffic without adding to it. So, if you bring Hickory through I see all the traffic drinking coffee in the morning or the evenings as a shift worker and a lot of different traffic patterns, so I'm just watching. I'm sure most of that's going to end up coming through my division. The Eberts

beside me will love all that right through their side yard where they have parked their RV for many years. So, I'm actually opposed to the whole thing. I think light commercial would be better fit for me, but that's up to you guys to decide. Thanks very much for your time.

Yearsley: Thank you. The other gentleman in the back.

McAllister: Chairman, city council, Gary McAllister. 2115 East Bowstring. I live in Woodbridge on the thoroughfare. Actually, when they did this development -- putting a road through Greenhills was proposed because what's going to happen is your people are going to avoid Eagle Road, which everybody has talked to and they need an escape and they are going to go through Greenhills and they are going to go through Woodbridge, okay? I live on the corner. People come through it fast. Had a couple kids almost hit. The neighborhoods required speed bumps therein. The neighborhood puts out slow down signs. Kids playing. Doesn't seem to matter. I do have a solution, though. Okay? If you put up a fire breakaway gate on Woodbridge, all right, it will stop all the traffic going through Woodbridge and require them to go out through the main thoroughfare, which is Eagle. Most of your apartments -- as you see there is a new 200 unit complex up on Overland. It's a major street to come out of. There is several on Eagle. It's a major street to come out. You know, gated -- gated break away thing for fire, stops people going through the neighborhood and makes them go out to the -- to the main thoroughfare at Eagle. Okay? It's your city. There is a lot of kids at danger and you got 150 people living in those apartments that are going to find a way to avoid Eagle Road. Thank you.

Yearsley: Thank you. The gentleman in the back.

Todd: Jerry Todd. I live at 3020 Autumn Way. I walk this route almost every day. From here to here there is no sidewalk and that's a really bad two lane asphalt road with steep gravel sides on each side. In the winter this intersection is solid ice because of the trees and it doesn't melt. If you're going to put a high density unit in there, whoever it is on that foot traffic over to McDonald's or Taco Bell, there is going to be a lot of foot traffic and that is a terrible road for people to be walking without at least doing some improvements in that road and the sidewalk before they put the development in, so that's all I had. Thank you.

Yearsley: Thank you. This gentleman over here. He was --

Barbour: Thank you. Kelly Barbour. I live at 2482 East Autumn Way in Greenhill Estates. I think the theme that I keep hearing from the folks that are talking about the traffic piece here is -- I think just kind of staring us in the face, which is this field like it's reducing -- everyone acknowledges that it's going to be a huge traffic burden added by this and the response is to reduce that arterial traffic by routing it through neighborhoods and I just think -- a high level, just philosophically, why we think that's a good idea is a little -- a little bit beyond me. I can certainly understand that there is a need to have property to use and use it in an appropriate way, but it feels to me that there is -- I mean even the numbers that were presented by the applicant about the potential trips -- I mean that seems -- I

mean I don't know what the methodology was, but that's pretty -- it seems like the bare bones number of traffic -- or acreage and traffic that you could think of. Having lived in this valley -- moved to Meridian when I was eight years old. Over the years the whole goal when you're a teenager and maybe even young adult and maybe even some of us at middle ages try to figure out ways to avoid the big corners that have all the traffic and so this seems like a bigger issue that's pointing to here, which is this is the busiest intersection in the state or certainly within a mile or so of the busiest intersection in the state and the goal is to route traffic through neighborhoods instead and that seems like a -- a bad idea to me. I think the change that was proposed, honestly, from the original proposal on the redesign from 79 to 74 units is pretty nonsubstantive. There is no -- as mentioned by a bunch of people there is no buffer, there is no landscaping requirements, it just reduced the number by a very minimal amount of 79 to 74. That doesn't really affect that much in my opinion and I think there was a good point raised regarding the CC&Rs. We all know CC&Rs can be amended and down the road the protection that's provided by the original developer in those CC&Rs, while it's valuable for a time, eventually may or may not be that valuable and I think that's important to keep in mind and I guess I just think as you look at this area I don't think anybody would argue that there is a way that we can plan and build and design this area to be used effectively, but the idea that this particular project with all of the things I think that have been pointed out, rightly so tonight with regards to the bad corners, the potential rerouting through -- of traffic through there when there is already a traffic problem there, that seems to me to just exacerbate it and the only outlet that's presented to prevent that problem is to send it through another neighborhood that has been pointed out a number of times is not being transitioned from low density to high density, it's just being backed up right against a low density neighborhood. So, appreciate your time and I know that you guys will give this thoughtful consideration. Thank you for the chance to address.

Yearsley: Thank you. Anybody else? Gentleman in the back.

Overton: Commissioner Yearsley, Planning and Zoning, my name is John Overton, 1922 East Bowstring in Meridian. I grew up in Greenhills. I live in Woodbridge. In '77 when Greenhills was built Eagle was a two lane road. We didn't have traffic. We knew growth would come. This development -- sometimes I'm not the most politically correct -- this isn't a transition from R-1 to R-15, this is a kick in the privates. This is huge. I understand R-8. It's R-15. But you're taking a high density development, putting a road through an R-1 where we all know in this room that this traffic is going to go through all the residential areas. It's not going to go down Magic View. It's not going to take very long until all these people figure out the easiest way and I will tell you -- I guarantee it that a lot of people that live in Woodbridge will use this cut-through through Greenhills Estates, because it's going to be an easier way out. And growing up in Greenhills Estates that's one dark subdivision at night. It's been said there is no streetlights, there are no sidewalks, and I would -- I don't know how and why we would recommend a development that's going to put this much additional traffic through all ready built residential areas. And let's talk about the elephant in the room we are not talking about, which is every other one of these lots that's not developed yet, that if we put in this R-15 what's going to prevent the next three or four of these lots going R-15? Because that's on the table. We are changing the zoning. We

are changing the use. We are saying -- we are actually standing up and staying this is a good transition into this commercial. It's been said and it's going to be said by many people in this room, we understand this is going to be developed. We all know it. We have all known it since we built our house. I have lived in Woodbridge since 2002. But we all believed this was going to be light office. I have sat through dozens of meetings where I was told this was part of the proposed medical corridor. This is not a medical corridor. This is high density residential instead. That's all. Thank you.

Yearsley: Thank you. Anybody else? Gentleman up here in front.

Tebo: My name is Roger Tebo. I live at 2731 South Marypost Place in Eagle. My wife Linda and I own the five acres just south of the proposed property and also, if I may, the gentleman that owns the 6.7 acres to the south of us, Craig Taylor, asked me that I would speak on his behalf, too, because he currently lives in Rexburg, Idaho, and he couldn't be here. I would just have to comment in a neighborhood that is a mix of single family, low density residences and office space, I would expect the quality of any future development to enhance property values. Pope Gardens would be out of character for the neighborhood and be an unsightly scar with what are two story -- the four-plexes that they are not like individual homes, they are obviously apartments, which would create a scar in the -- for the continece of the surrounding development, which would lower property values for the entire neighborhood. The proposed 74 units would negatively impact traffic in and out and through the entire neighborhood at all hours. My opinion, because you're going to have a lot of people working night jobs, someone coming in and out late and create imminent danger to the residents and children in the area and the allotted 74 parking spaces would be sorely inadequate. The home on our property -- the bedrooms in that home are on the north side of the home and there are four young children living there. That road that comes out just on Magic View abuts almost directly where those bedrooms are and the noise -- the additional noise, the traffic and all and the -- coming at all hours would make it really tough for anybody living in that home that's currently there. I think that assuredly crime will increase immeasurably -- nobody can say, but I have a friend who does a lot of work down in the apartments in Boise off of Cole Road there and he says that you wouldn't believe some of the stuff that goes on down there and he says if you can keep that development out of your neighborhood, he says you better go for it and do it. There is not much of any amenities in the -- as far as the tenants that will be there and I think the tenants will spill into the neighborhood expecting and insisting on being able to use facilities in adjoining properties, creating a constant battle and a bad situation, which would necessitate a considerable increase in police activity and also a cost to the city there I would think. But, at any rate, those are the main concerns I have. Oh. And that Magic View coming up where it makes the turn at Wells and goes on up passed the abutment road that's coming out, people roll that stop sign coming from that direction. They just do a quick look to the left and they roll around there and I think that's only about -- it might be a hundred up to the abutment road or so, maybe a little more, but I think that's going to be a constant traffic problem there with people coming out of that development while other cars are swinging around that corner accelerating down Magic View toward Woodbridge and I take that route myself quite often and like these others have said, going to Home Depot or Winco or I very seldom use it to go back home in

Eagle. Will go out and exit onto Eagle Road and go north, even though traffic can be bad, like the one gentleman said, waiting at the light sometimes, I would go left on Allen -- is long and arduous and you got people coming out of McDonald's there on both Allen and also on Magic View and on Magic View coming out of the Del Taco and those other stores there. So, the traffic backs up at both of those points, exiting onto Eagle Road, whether going north or south towards the freeway. And that's really all I have to say and I thank you for the time and for allowing me to speak.

Yearsley: Thank you. The gentleman in the blue. He had his hand up first.

Vandenakker: Thank you. My name is Ty Vandenakker. I live at 2123 East Greiner Street in Meridian. That's in the Woodbridge Subdivision. I'd like to echo many of the traffic concerns that my neighbors have shared. A few things that I can add to those things that I think should be considered as you consider this development include. A statement by the developer that we may have the opportunity to have people living in this area that are working in the immediate vicinity, that's primarily -- the offices are primarily medical as it's currently zoned, as well as the hospital, other main employer, which is across Eagle Road and I am skeptical that people in those offices would move into this development. Second quality of life has been mentioned repeatedly and the reason for people to live here and cited by the developer and I believe that this would directly contradict our quality of life, that we would be giving up of what the developer proclaims as a reason for needing housing units. I also feel as a Woodbridge resident that this Waverly Place, as an R-4, doesn't really constitute a transition zone, even from -- or, I'm sorry, R-8. Doesn't constitute a transition zone up to the R-15. It's six or eight hundred feet in my estimation and that's -- you know, that's like calling a nonvertical cliff a ramp. It's just not. It's a pretty dramatic change. You know, another concern that hasn't been raised at all is that we have some experience with developments that are similar. There is a similar development to the north side of Franklin Road, across from Greenhill Estates. Depending on the year my kids have been assigned busing to school with that -- with that project and my kids have come home in tears from the things that they have heard and seen on the bus. I won't pretend that that doesn't happen in any development of any type, but it is significantly different in the years where they are assigned with that group. And, finally, I believe it was just last week there was an older teen who was sentenced to ten years for murder that took place in that specific development. That murder happened while he was smoking pot with younger teens in that development and that's something that because proximity to that my kids have become aware of and I am concerned that they would -- I don't expect to shelter kids forever where we are talking about busing and other things, we are talking about my six year old that goes to kindergarten and I don't think that they should have to be exposed to that, but that's the reality of the busing right now. Thank you for your time.

Yearsley: Thank you. The lady in the back standing up.

Jones: Hello. My name is Catherine Jones. I live at 435 South Truss Avenue in Woodbridge. I would like to say, first of all, I appreciate the position that you're in and the hard work that you do in consideration. But I know that you know that infrastructure is

critical to good development and I think the thing that we are hearing from some of the residents is we don't believe the infrastructure is there. They didn't -- no one has mentioned the stress on the schools. West Ada School District is going through tremendous growing pains. The other thing that's happening is there is going to be a medical school built and it's very close to St. Luke's and it's over to where Woodbridge Drive would be cut through. So, I'm begging for you to look at infrastructure. Make sure that infrastructure is there before you allow the development to occur, because I don't believe it's there yet. I think the possibilities exist, but I think it needs to be better thought through. Thank you.

Yearsley: Thank you. This gentleman over here.

Belliston: My name is Brent Belliston. I live at 2502 Autumn Way. Lived there for 32 years in that acre subdivision and the extension of Hickory would come right at my house. I don't think too many people are opposed to Waverly Place. That was a very nice development of single level homes and duplexes and so forth. Many people are probably not aware that down west of the proposed extension of Hickory was another easement from Woodbridge into Greenhill Estates, but when the developers of Woodbridge developed Woodbridge they decided not to even request that that extension be made. So, this is not unprecedented. They decided to close that off and not make that an extension. So, I would hope that you would be considerate of that and realize that that is just not a good transition. If you look all the way from Locust Grove to Eagle Road along Greenhill Estates and Woodbridge, it's a nice transition and this is not -- this doesn't fit in there at all and that five acre development -- I mean the five acres just east of this proposed development, I don't know how you could possibly stop that from being something very similar across the street and all over. So, we would hope you consider that. Thank you.

Yearsley: Thank you. The lady in the back in the green.

Somazzi: My name is Lori Somazzi. I live at 1896 East Bowstring Street in Woodbridge. I'm opposed to this project. I work downtown at St. Luke's. I drive home and I spend more time turning left off of Eagle Road coming home at night than I do for the whole drive from St. Luke's through the downtown Boise core to get into my subdivision. So, I can't imagine that if we put in a high density residential plan like that that the traffic is going to get any better. The other thing that I am concerned about living in Woodbridge -- if you're trying to leave Woodbridge when it is rush hour, turn left onto Locust Grove, you can sit there forever. It is not safe with the traffic coming. You also have the traffic coming on -- off the Watertower turning left. It gets really difficult and my understanding is that the city will not allow us to have a traffic light because of how close we are to Watertower. It will create a problem on Locust Grove, the accidents will -- I can guarantee you will go up. Also, if we were looking at these being for resident -- or not for residential, but for potential medical stuff, we should be -- have some foresight, look at what happened to St. Luke's Boise downtown and we are growing as a city. With how rapidly Meridian is growing, if we don't have the foresight to set apart and put places for our medical people to perform and

be close to the hospital, you're going to be in a situation similar to that that they have had downtown where we don't have anywhere to grow. Thank you for your time.

Yearsley: Thank you. Anybody else? Yes. Please come forward.

Ketlinski: Hi. I'm Kelly Ketlinski. I live at 2586 East Autumn Way in Meridian. I am in the Greenhill Subdivision. And I have just a couple of points. Will not go over again what has been said about there is no transition and there is a lot of traffic. Two points that I want to make are that it's a unique area. This one mile block is basically blocked to the south from any sort of ingress or egress from the neighborhood by the freeway. So, that creates a challenge for you in figuring out how to develop in that area in itself. Eagle Road, as was mentioned already, is -- those intersections right there at I-84 and Eagle Road, as well as at Allen Street, Franklin and, then, Fairview, are consistently the busiest intersections in Ada County and I would guess that would be even in the state of Idaho. So, if you are looking at how you're going to develop that area in there, you really need to take into consideration that -- I mean I'm sure the people in all neighborhoods say I don't want traffic through my neighborhood, but when you look at this unique situation here where you have got one quarter of it completely blocked off by the freeway and you have got Eagle Road, which is consistently the busiest road and those intersections, you really need to think about this and if you can find a way in that big block to get traffic in and out without going through neighborhoods, it would be great, because if you look at the staff report on -- let's see. Page five of the staff report it talks about the compass regional long range transport -- transportation plan and it talks about that you need to have -- well, I'm sorry. In the Comprehensive Plan now -- so, it's a statewide intensive plan analysis, under paragraph B, the City of Meridian must insure that population growth is accommodated in an orderly pattern and if you look at this neighborhood and the situation that is with Greenhill that has been there 30 years, the subdivision in Boise -- of Woodbridge that's been there for about 12 years, if I remember correctly, those are on the outside. Orderly planning will generally use your high density developments closer to the arterials and the connectors, as opposed to on the inside of them. So, I guess I want to -- again, I don't want to repeat what everybody has said. This is a unique situation, I just ask that you will look very closely at this, that looking at the bigger picture, looking straight to this application, I'm going to ask that you deny the application, that you deny the planning and, the zoning amendment as well as the conditional use permit, because it does not create enough of a transition, it will increase traffic and for all of those reasons that have been discussed already, ask that it be denied. Thank you.

Yearsley: Anybody else? Please.

Gaylord: Thank you. My name is Clare Gaylord. I live at 717 Crosstimber Avenue in Woodbridge and I would like to have some clarification. I thought that I heard the developer or his representative say that there was going to be one parking space per unit? Is that correct?

Yearsley: It think what he was saying is they are going to have one covered parking space per unit.

Gaylord: Which would encompass how many parking spaces?

Yearsley: I don't know how many parking spaces, but we will have him explain how many parking spaces when he comes back up.

Gaylord: Okay. If I misunderstood that, that's fine. I -- I thought that he said that there was just one space per unit, which means 74. In my experience with four-plex units there is generally always at least a minimum of two, because of the type of people that rent those places are going to be young couples that are working couples or they are roommates, they work so one unit would be -- or on space would be too little. And, then, the other thing I -- because of that I challenged that function that I think you're going to have a whole lot more traffic going in and out of there, that complex, and because the Magic View Road is such a crappy road, that unless they make some major, major improvements to that I just totally object to this -- to this project. It's one that I think needs to be located somewhere else. There is just too many challenges to that -- that property. I'm a newcomer to Woodbridge, but yet I grew up hunting, chasing pheasants and shooting ducks on that drain ditch ever since I was a kid and I appreciate that property, it's kind of like a homecoming to me. I just hate to see it destroyed with a project like this. I'm not opposed to development, but this is the wrong project for this property. Thank you.

Yearsley: Thank you. Anybody else? Please.

Barnes: My name is Jim Barnes and I live at 2228 East Lattice Drive in the Woodbridge Subdivision. I just wanted to bring up one or reemphasize one point, because it's been mentioned, but this point I have is to look at this project from your point of view with the high density of R-15, it's been pointed out that immediately south there is a vacant area and this gentleman over here owns some other land, over five acres of vacant land, with a house on the corner. How are you going to justify -- if you make an R-15 out of this, how are you going to justify the future of keeping a lower density for that whole area there? You have probably got no grounds, other than to go with high density through all of that property. There is farm land, there is the pasture grazing, there is waste land there, but with the growth of Meridian that ground is going to become an object of development in the future and with high density all over the place all the traffic problems, it just becomes haywire. Thank you very much.

Yearsley: Thank you. Please.

Brown: For the record my name is Kent Brown. I live at 3161 East Springwood, Meridian, Idaho. My comments -- this area is designated on the Comprehensive Plan as -- as Meridian Eagle Road business core. What's highlighted in green is the area -- you can see this red dot that's there, that's where the proposed site is. The green is supposed to have medical offices and other commercial type uses, which is directly across the street from the -- the apartments. It wraps around the underneath side of Woodbridge or Snorting Bull, whichever you want to call it, and goes around the Greenhill Estates. So,

Greenhill Estates is kind of a little island in there. If you could go to the next slide, Sonya, or do I do that?

Watters: You can do it or I can do it for you as well.

Brown: Please. So, where we are located directly south of us on the other -- on the south side of Magic View and on the east of Wells is that business core area, along the southern boundary where you have the freeway, you have three hotels that are there that are multiple story. You have -- just inside the city limits on the south side of Magic View is a medical surgery center that's located there. There is other medical offices that are located close in there, but those are all supposed to be higher dense and higher intense uses and, then, as you go closer to Eagle Road those uses are transitioning. So, that's -- when we met with staff and discussed R-8 is in Waverly Place, then R-15 and the transition is going to the more intense. The property to the east of us is actually covered in that previous map that is being part of that core area, even though on the Comprehensive Plan it calls it out as office. When Waverly Place went in it was seeking L-O zoning, limited office, but at that time when that was done that limited office allowed residential uses up to the R-15. So, that's why we justified in our application to amend the comp plan that when the comp plan was originally done that that allowed residential uses. Residential against residential is considered more compatible than having the office uses, but the transition -- I really will wrap up quickly. That's along the north we now have single family. We have -- we have three lots that we abut and for each one of those we have one duplex for two units for each single family home that's to the north. And the closest house to us is 160 feet away. Thank you.

Yearsley: Thank you. Anybody else? I'm sorry. I can't. Please.

Harris: Hi. I'm don't think there is anyone more nervous in here than me, but I will try to be succinct. I live --

Yearsley: Name and address for the record, please.

Harris: Honor Harris and I live at 613 South Woodhaven Avenue. So, where when you go down the Magic View and, then, as the people go passed that corner and come into Woodbridge, I'm on that street. Woodhaven. And I'm not really looking forward to a lot more traffic. In fact, I'm one the newer people there. I just moved in less than six months ago under the assumption it was going to be commercial -- you know, the medical buildings back there. Maybe I can represent a population that I haven't heard talking yet. I am a single woman. Not by choice. It kind of happened just recently. And so when I was looking for a place to live and wanted safety, a place where I could walk with me dog. She's my best friend right now. And sometimes she might bolt right out in front of a car, even though except in certain areas I have her on a leash, but she's been known to be an escape artist. I worry safety now, you all. It's just with that much more density and there isn't an infrastructure. I would say that you all can figure out how to get another way to get from all of these places to Locust Grove, So. I'm not an engineer, but it just means common sense when you look at what's been developed there. The thing that scares me

about the children is that one road -- they have to take the Woodhaven Road, because it goes straight out to Locust Grove. It's right beside the place, a big park and places like that. Like was said, I expected things to be built there. The last thing I would like to point out is I'm still in the workforce, but I don't have to go to work at 9:00. I go to work later, but I come back later. When I go out look in the morning to get on the expressway already I'm having to be very careful, because people are coming out of McDonald's and the other restaurants. There is often cars parked at 10:00 o'clock in the morning and sometimes as late as 6:30 or 7:00 when I get home on both sides of the road. But even if you all decide to fix up Magic Way or whatever it's called, it's still not going to change the fact that all these other cars will be there and it's not going to just impact our neighborhood, it's going to make the entire area equal road there even more congested. So, I really hope you vote against this and that you will just consider going along with what the original plan was. So, thanks.

Yearsley: Thank you. Yes. The lady in the back.

Overton: Good evening. I'm Sandra Overton. 693 South Crosstimber Avenue, Woodbridge. One of the -- the considerations with all these traffic issues that hasn't been mentioned yet is winter and the snow that we have had on our roads and the ice that we have had on the roads. I know Mr. Peterson addressed the -- the traffic and the accidents and the car traffic -- tire tracks on his yard. I believe that that has a lot -- some of that occurred during the wintertime. People are coming through our subdivision, making that corner, sliding and not making the corner and that's -- you know, I know that he's had one or two cars hit in your street -- three cars hit in his -- in front of his house because of the snow and we don't have a lot of snow removal through our neighborhood. We don't have a lot of sanding trucks come through, especially on those early mornings when the kids are getting out to -- heading out to the high school and everybody is heading off to work and, again, especially with the Greenhill Two where they don't even have sun blocks. You know, the traffic going through there on those slick roads, those kids on the road is a hazard. And it only takes us to lose one child to an accident or be maimed because of lack of sidewalks, too much traffic, and it's hard to answer if that happens. Thank you.

Yearsley: Thank you. Yes. Gentleman in the back.

Ehle: Good evening. My name is Kevin Elhe. I live at 738 South Tiburon Avenue and that's in the Woodbridge and I guess, first of all, I honestly thought they were joking when they talked about dropping this right in the middle of our neighborhood and everybody coming off Eagle has to drive by this large complex at the end of Woodbridge and I will be frank, I am worried about property values and if I had gone by that looking at homes, I would turn the other way, have zero chance I would have bought a home in Woodbridge. I'm afraid that's going to be the stamp going forward, because, quite frankly, I lived in apartment complexes for years, getting out of college and that's where you live and -- and it is a great place. But I didn't live next to a -- I call it a higher end neighborhood and that's to be expected and so I'm not really sure the justification to even doing this, except for I think they are saying that it can, I mean basically it's the truth. Is there justification here? But I just can't concede our neighborhood -- or my neighbors having property values just

drop. I mean I honestly I would literally move, go on to something that -- that's just that bad. So, I just don't want to see it. I don't want to drive by it coming in off of Eagle and it's -- and I try to -- I was going to be the last one up here today, just because I was trying to be -- trying to keep the motions down, but I mean I spent my whole life working hard so I can live in a nice neighborhood and, honestly, get away from apartment complexes, you know, and the high density and all the traffic and everything that comes with it, so -- anyway, keep -- I hope you consider that. I appreciate it. Thank you.

Yearsley: Thank you. Anybody else? Going once. Yes, please. Come forward.

McCulley: Hi. My name is Robin McCulley and I live at 728 South Woodhaven Avenue. We just recently purchased our home there and moved from out of state to Meridian and I could not think of a better place to raise my new family. Coming here tonight and seeing my entire community here -- sorry -- to make it a better place is fantastic and that's the reason that I choice to move to Woodbridge, because it is a beautiful community. I have to agree with one of the gentlemen that said that the people that move to this community are there because they are working at the facilities close by. I'm a nurse at St. Luke's and that's exactly why I picked that property. Driving down Eagle Road was making me crazy just by looking at other properties and I said I just couldn't do it every single day and with this new proposal coming in I don't want our property to be considered Little Eagle Road and it's already very trafficy as it is. When you walk it's very dangerous. Children are riding their bikes and playing outside is very scary already. I think that the reason my community is able to put up with what they do already is the fact that they did -- they were told that that was all going to be medical facilities and the other reason is because we do get a little break on the weekends, because those facilities are closed. So, we do get a little break and so we are able to tolerate it for the rest of the week, knowing that on Saturdays and Sundays it will be calmed down a little bit. Seventy -- however many it is that are going to go in there is a lot. A lot. And if there is only one place to park, that means all the other people -- visitors, relatives, are going to be parking on the street, which they are already doing on magic View when those medical facilities are open and it makes it very dangerous driving. You already have to be very alert for those people walking, coming out to get to there cars already. So, I would just ask that -- as my mother would say, you leave well enough lone and stick with the original program, which is to use that all medical facilities, which we all were aware of when we bought our home and we all agreed to. Thank you.

Yearsley: Thank you. Anybody else? Please.

Marisi: Good evening. Good evening. My name is Mario Maris i. I live at 1673 East Bollman Street. I have heard a lot of things tonight. I have heard about the traffic and I have heard about the property values. To property values I don't know about. But I can tell you about the traffic. Now, I live in the -- the last quad, okay, going west and my backyard is -- borders on Woodbridge and I can sit out there when it's warm and the traffic right now, since they opened up Locust Grove, it's a caravan going through there. I mean one car after the other coming both ways, okay? But mostly going towards the west and in the morning my wife and I, we like to watch the kids and there is a lot of kids out there.

The bus stops out there. There is another school bus that's stops down. One that goes around. And we like to get out early when it's light out anyway, can't see too much in the dark. You can hear them, but you can't see them. But, anyway, we get up and we watch the kids. Watching those kids out there for me is more fun than watching baseball, because they are doing all kinds of things, right? But the way that traffic is -- since I'm in the last quad on the west side, okay, I can see what's going on and sometimes I will come in from Eagle going down St. Luke's Way and since I know there are so many children out there playing and I look at that and the speed limit is 25 miles an hour and I will do less than that, because I'm not a teenager anymore and the last thing I would want to do is hurt a child out there and if they put in that -- apartments or whatever they are, with all the traffic we have now and all the traffic that's going to bring, it's going to be a bit hazardous for the kids. I don't know how those parents, right, that have to watch that traffic going in front of their house and all those kids playing out there, now that that street is open, okay, and I'm -- and, as I say, every once in a while I come down there -- come down from Eagle, I have been passed -- passed. I'm doing 20 miles an hour and people go passed me on Woodbridge. Okay? There are construction trucks going through there now, right? Whatever they are doing. Okay? The only thing that those apartments will do is bring more traffic, more pollution -- I guess the quality of life will deteriorate around there, especially in our subdivision, but all told I think it's a bad idea. I think you should leave it just the way it is. Right? Thank you.

Yearsley: Thank you. Anybody else? Okay. Thank you. At this time would the applicant like to come forward? Again, state your name and address for the record, please.

Amar: Yes, sir. Thank you, Mr. Chairman, Commissioners. Kevin Amar. My address is 1548 West Cayuse Creek Drive in Meridian. I took some notes. I'm going to try to cover everything pretty briefly. If I miss something just help me remember. And I will start by addressing Hickory Way. We heard lots of comments about -- from the neighbors in Greenhill on Hickory Way. When we first came forward to the city, as well as to ACHD with this project, it was not proposed to put Hickory -- Hickory Way through to Greenhill. It was also not required by ACHD. The City of Meridian staff agreed and said whatever ACHD requires is what -- is what they are going to go through with and, then, subsequently to that ACHD has requested that that -- that road go through with this development or, frankly, any development that goes here, whether it's office or medium density residential. I would be in support of not -- not putting through Hickory Way and I guess that maybe is up to you or this Commission or City Council, maybe, that -- to do something similar that they did when Woodbridge went in. Obviously I want my development approved, so if that will help the project that's fine with me and I don't think we need to put that road through. Some of the other things that came up -- we have a picture -- Sonya, I don't know how to run this thing. Can you take the -- there is a picture of Magic View. If you show me where to switch it I will switch it. Oh, I found it. No, I didn't. They talk about traffic and the intensity of use on medium density residential versus office. We have a picture of Magic View that I will try to show you in a minute. The use -- this type of use is significantly less traffic than office use. We are currently in the process of building an office for a different marketing and sales -- sales company not far from here, the Lindstone project, so within a quarter of a mile of this site that -- that one

office will have 50 people and it will be just about 6,000 square feet. So, we are going to show these pictures and this is along Magic View with the parking and I will address parking on the site in a minute, but the parking that is on those -- and we have heard the Magic View is already crowded. There is not enough parking when it comes to his office space. There is more -- there is more people that park on the streets than in the parking lots. With our project we have at a minimum of two -- a little more than two parking stalls per unit. We have one that is covered and, then, one that is uncovered. We have a few more than two, but it's two point zero something. So, we have two units per -- per unit -- two parking stalls per unit and that was done by design. The extra units, we wanted to make sure we had two units in excess of handicapped parking also. So, the handicapped parking is down in this part of the parking units. The road pattern and people walking, with development also comes improvements to those roads. As part of the requirement of this project we will have to improve our frontage along -- along Magic View that will include curb, gutter and sidewalk and as it develops further to the east there will be more improvement of road and improvement of sidewalk and a better walking pattern. I guess it would be nice if somebody could come in and put all those sidewalks in, but that's the nature of development, similar to when Woodbridge came in or -- there was a brand new subdivision that came in next to older subdivisions and that created that transition -- transition space as well. This is considered transition, not only by myself but also staff, because it is residential next to residential. Sonya, can you show me the Comprehensive Plan for this area? This is a -- this is a core business area and we have addressed it before. This is an area of transition and of growth. We have -- we have some of the infrastructure in place and more is coming with development. We are within walking distance of bus routes, we are within walking distance of -- of employers or in walking distance of many things that people want. We have built in other locations that are in a similar situation. Near a hospital, near major employers, and absolutely we get many tenants that work in those locations that live in -- that live in our units. They like it because of the proximity and how close it is to work. We are minutes from downtown. This is where the city has designated for growth, not only for offices and medical offices, but in the red area it -- if I can draw on it. From this area there is also areas that could be high density residential and we are -- we are providing a transition between Greenhill, which has been there for a long time. I grew up in Meridian. I know some of the folks in the area and I visited their house when I was kids -- when I was a kid and they had kids and it was -- it was out in the middle of the county. We are in the middle of the valley at this point. We have got an area that is one of the few crossings that -- north and south in the valley, Eagle Road, and this project will provide the growth that -- that I think the City of Meridian wants. Obviously, we are supported by staff. It meets the Comprehensive Plan goals. We have adjusted our preliminary plat to provide more of a transition. We are happy to meet all of the requirements by staff. One of the questions came up -- now I'm jumping all over, because one of the questions that came up was CC&Rs and how do we restrict people from changing from CC&Rs. We can put that as a condition in the conditional use permit. I only want one property management company, because I have seen product that doesn't have one property management company and it's not as nice. So, make it a condition on the -- on the conditional use permit. It's obviously in the development agreement, but like any -- I'm sorry. If it's in the CC&Rs and it will be part of the CC&Rs that the city has to review. There could be a majority of people that change

that. I haven't seen many developments where a majority of the people opt out of CC&Rs, whether single family, multi-family or business owners. So, I think I have covered everything. If I have missed something please ask questions and I appreciate your time this evening.

Yearsley: Thank you. Are there any questions? All right. Thank you.

Amar: Thank you.

Yearsley: Can I get a motion to close the public hearing on file number H-2016-0006?

McCarvel: 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: ALL AYES.

Yearsley: If you don't mind, I wouldn't mind going first on this one. First of all, I want to applaud the audience today. There is a lot of people here today and you guys did excellent. Probably one of the best turnouts and politeness that I have actually seen in -- in cases like this. So, I do appreciate your -- your going along with the rules. This is a difficult situation. You know, we run into property rights versus community rights versus what the Comprehensive Plan is for this area. I have to admit, I am not in favor of this application and I think a lot of it is concerning to me is -- I like leaving it as an office space. I do not like having the property being broken up into separate lots. I know that's not under my purview, but that is my personal opinion is I just -- I don't know, I'm just afraid that the CC&Rs aren't strong enough. I am actually a homeowner association president and it's hard to enforce the CC&Rs. So, CC&Rs aren't the greatest thing that I can -- you know, to manage these properties. I do not like the fact -- I understand that they have the required open space, but there is not a lot of other open space amenities in the area. If you look at a lot of the other apartments, you know, we have got other city parks close by, we have got pools close by that have park facilities. This doesn't have a lot of that. So, it's going to put a lot of demand on the Woodbridge Subdivision and -- and you guys are in a unique situation on both of your -- your deals. I have to admit I have actually have been one of those pass-through drivers escaping Eagle. I will apologize and I have later -- I haven't done it in a long time, but I actually have gone through your subdivision, so I do understand where you're coming from. I realize that office space may not reduce traffic. It's similar to what has already been done, but depending on what office is being proposed -- medical offices or something to that effect, it may not be as -- as bad. So, personally I don't think that the zoning that they are requesting is -- is appropriate for this area. I think it should be left office and I would be curious to what your comments are.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I, too, would like to thank the audience for attending tonight. I think it was a very nice job you did in participating in the conversation about what's happening to your neighborhood, so I thank you and applaud you for coming tonight to share your feelings with us. I think Waverly next door did a nice job and it's a compliment to what Woodbridge and Greenhill has. However, I do feel like that it's too big of a jump to go from an office -- dedicated office area to an R-15 such as what we are seeing here tonight. I just think it's too big of a jump to make and I don't think now is the time to make that change. So, what I personally in a shortened way am saying is I'm against it, I because I just don't think it fits right now at this point.

Wilson: Mr. Chair?

Yearsley: Commissioner Wilson.

Wilson: I will agree and I don't want to tread on any sort of previous comments, but I mean I think what stood out when I was listening to the audience was the predictability aspect. I mean us leaping all the way to R-15 would be an incredible leap that -- you know, we have a future land use map for a reason and it's predictability and it's -- and the residents kind of understood what was going to be happening in the future and this would sort of undercut that predictability and for that reason I will also be opposing it.

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: And I would echo the comments from -- from you and the other commissioners. I -- I used to live in Woodbridge and so I have driven this area and I have seen it change over the years. I -- I don't understand ACHD's reasoning for connecting Hickory. I know we are big on interconnectivity and I -- I understand that in most cases. But this is a unique situation and I don't think I would agree that road belongs there. I think having grown up in an acreage neighborhood over in Boise -- in southwest Boise, if you added this kind of traffic into that neighborhood without sidewalks and without lights, it becomes a dangerous situation for kids and we have -- we should be on a Pacific time zone. We get up early to get our kids to school and having them walk to the bus in the dark is not an okay thing without sidewalks and lights. And so I also think the Wells-Magic View Road is an absolute atrocity. That corner is awful. In the snow and ice I have seen the -- all the trees that's in the southwest corner of Wells and Magic View are constantly hit by cars that fly through it and so it's one of those things I just -- it's too big of a jump from the folks that live in the north in an R-1 to an R-15, there is not a buffer there. And so I'm the first one to say that I like workforce housing in areas that make sense and I'm the one who likes density and so -- in the correct area and I don't think this is a correct area.

Yearsley: Thank you.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I would agree. I -- I think this particular high density project in amongst all this stuff -- although you can make arguments to transition from one side, you can't from the other and although it may be close to bus routes and such, it is -- it is landlocked in one of the most difficult transition areas around. I mean going either way and I almost think -- I mean any preliminary plats going forward should somehow allow ACHD to clean up that corner. I mean that -- I mean even if the preliminary plat -- even if it did get approved, I just think this is the one shot to clean up that corner and I think that any future plats should allow for that.

Yearsley: No. I think you're correct, so -- I do have a couple other comments and I like your comment. I understand why -- well, first of all, Meridian does not own our roads. Ada County Highway District owns the roads. They are the ones that requested the Hickory being put through to the subdivision. It wasn't done by us. I understand why ACHD would want that, just because it gives another relief for this area for people to travel. Like Commissioner Fitzgerald said, it is not a great option without actually coming in and redoing that roadway with curb, gutter, and sidewalk. There, again, that does bring other issues. Curb, gutter and sidewalk in an existing neighborhood like that causes a lot of disruption for landscaping up against the road, too. So -- so, I would -- I would recommend to you guys to send your petitions and your e-mails to the Ada County Highway District and request that -- that they don't allow that access to be done just for that reason and also for those in Woodbridge, I don't know if ACHD has done a traffic study to that area, if they have done speed bumps through there to slow the traffic down. I know that is options that they do do or they try to do some traffic calming items through that area. So, I would recommend you consider talking to ACHD about those items as well, because I would imagine that -- that Woodbridge is a huge pass-through traffic area, so -- so, with that, I would entertain a motion. So, it sounded like there was five people recommending denial. Just as whoever is making that motion we need to specify a reason for the denial as well, so think about that as we -- as you prepare your motion. And with that I would entertain a motion.

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: After considering all staff, applicant, and public testimony, I move to recommend denial to the City Council of file H-2016-0006 as presented during the hearing on March 17th, 2016, for the following reasons: That I -- I don't think it provides enough transition from the R-1 to the commercial or the light office in the area and I also think it needs to be rethought back out about how that road structure actually works in the future and so that's why I have recommended denial.

Wilson: Second.

Yearsley: I have a motion and a second to deny the application file number H-2016-0006. All in favor say aye? Opposed? Motion carries.

MOTION CARRIED: ALL AYES.

Yearsley: Just for you residents to know, we are only a recommending body. This will go before the City Council as well. So, I encourage you to attend that meeting as well and let your voices be heard. So, with that, if you don't mind, I wouldn't mind taking a five minute recess and allow those who want to leave to leave and take a break.

(Recess: 8:29 p.m. to 8:36 p.m.)

E. Public Hearing for Bach Subdivision (H-2015-0044) by The Regency at River Valley, LLC Located 3400 E. River Valley Street

- 1. Request: Combined Preliminary / Final Plat Approval**
Consisting of Two (2) Building Lots on Fourteen (14) Acres of Land in the R-40 and C-G Zoning Districts

Yearsley: All right. We are going to reconvene. All right. Okay. Next item for public hearing is file number H-2015-0044, the Bach Subdivision and let's begin with the staff report.

Watters: Thank you, chairman, Members of the Commission. The next application before you is a combined preliminary and final plat. This site consists of 14 acres of land. It's zoned R-40 and C-G, located at 3400 East River Valley Street, which is off of the northeast corner of North Eagle Road and East River Valley Street north of The Village development. Adjacent land uses and zoning. To the north is vacant, undeveloped land that has been approved for apartments -- Village Apartments, zoned C-G, which was recently before you. To the south is East River Valley Street and commercial uses in The Village shopping center, zoned C-G. To the east are single family residential property, Redfeather Estates, zoned R-4, and to the west is a retail store, restaurant and vacant property, zoned C-G, RUT in Ada County, and C-2. This is the proposed plat right here. Lot 1 is the bottom one. Lot 2 is the one on top. Lot 1 has already been developed as apartments, phase one of the development, and Lot 2 has also been approved for multi-family development per a conditional use permit. That is phase two. It has not yet been constructed. The Comprehensive Plan future land use map designation for this property is mixed use regional. A combined preliminary and final plat is proposed that consists of two building lots on 14 acres in the R-40 and C-G zoning district for Bach Subdivision. Both lots comply with the dimensional standards of the district. One access exists to the site via East River Valley Street and one access exists via North Records Avenue and that is right down here at the southeast corner of the site. And that is emergency access only at this time. That access is proposed to shift to the north side of the South Slough with

the proposed plat. The South Slough has been piped and runs right there between the two lots. Interconnectivity is proposed between Lots 1 and 2. A cross-access easement should be depicted on the plat or by a separate recorded easement. Local street access is not available to this property. Cross-access was required to be provided to the property to the north with the conditional use permit. This is a proposed landscape plan for phase two of the development. Phase one street buffer landscaping that normally would be required with the plat has already been constructed with phase one along River Valley. A 20 foot wide landscape street buffer is required along the future extension of Records Avenue. Common open space and site amenities were previously provided in the first phase and are proposed in the second phase in accord with UDC standards. No written testimony was received on this application. Staff is recommending approval with conditions. Staff will stand for any questions.

Yearsley: Are there any questions?

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: The only access to Records is an emergency; is that correct?

Watters: Chairman, Commissioner Fitzgerald, currently, yes, and that's located right down here where my pointer is. However, with development of phase two they are going to close this access and they are going to shift it up here and that will be a full access for the development.

Fitzgerald: Okay.

Watters: Along with the existing one on River Valley.

Fitzgerald: Thank you. That was my --

Watters: And a cross-access is required to be provided up there at the northwest corner of the site.

Fitzgerald: And that will connect to the Village Apartments?

Watters: Yes.

Fitzgerald; Thanks, ma'am.

Yearsley: Any other questions? Thank you. Would the applicant like to come forward? Okay. I guess -- please state your name and address for the record.

McLaughlin: James McLaughlin. One 1650 South, Draper, Utah.

Yearsley: And I guess my only question is are you in agreement with the staff report?

McLaughlin: We are.

Yearsley: Okay. And I guess are there any other questions? Thank you.

McLaughlin: Thank you very much.

Yearsley: I don't have anybody signed up to testify on this application. Is there anybody wanting to testify? With that I would entertain a motion close the public hearing on file number H-2015-0044.

McCarvel: So moved.

Wilson: Mr. Chair?

McCarvel: Go ahead.

Wilson: Why don't you --

Yearsley: All right. I have a motion and a second. All in favor say aye. Motion carried.

MOTION CARRIED: ALL AYES.

Yearsley: Any comments? Questions?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I think it looks fine. I don't see anything wrong with it. It just adds to the existing buildings that we are being currently built to the north of it, so I think it looks fine. I don't see any problem.

Yearsley: Thank you.

Fitzgerald: Mr. Chairman, agreed. I think it looks fine. The shift in the access points are a good thing, so I will agree with that.

Yearsley: Thank you. If there is no other comments, I would entertain a motion.

Wilson: Mr. Chairman?

Yearsley: Commissioner Wilson.

Wilson: After considering all staff, applicant, and public testimony I move to recommend to approve to the City Council of file number H-2015-0044 as presented in the staff report on the hearing date of March 17th, 2016.

Fitzgerald: Second.

Yearsley: I have a motion and a second to approve file number H-2015-0044. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: ALL AYES.

**F. Public Hearing for Meridian Property Group (H-2016-0004) by
Darel T. Hardenbrook Located 1139 E. Fairview Avenue**

- 1. Request: Annexation and Zoning of 0.63 Acres of Land with a C-G Zoning District**

Yearsley: All right. The last one. Let's open up public hearing for file number H-2016-0004, Meridian Property Group, and let's begin with the staff report.

Beach: Good evening, Chair, Commissioners. This is an application for annexation and zoning. The property in question is located at 1139 East Fairview. It consists of 0.63 acres of land and is currently zoned RUT in -- excuse me -- R-1M in Ada County. Adjacent land uses are to the north is commercial property zoned C-G. To the east is Touchstone Place Apartments. With a shared driveway. And an animal care facility zoned R-15 and C-G. To the south is the touchstone Place Apartments, which is zoned R-15. And to the west is a commercial business zoned C-2 in Ada County. In 2001 a portion of the subject property, 1065 East Fairview, was annexed and zoned C-G with plans to develop the property with a medical office. A development agreement was required as a provision of annexation. However, the applicant at the time never initiated the development agreement. In 2008 a certificate of zoning compliance was denied by the director. The applicant filed with City Council review application in which Council required the execution of a recorded development agreement prior to any CZC approval. The development agreement recorded as Instrument No. 109134178. In 2010 a certificate of zoning compliance was approved to develop the existing C-G zoned portion of the site with a vehicle sales facility. The Comprehensive Plan future land use map designation for the property is commercial. The applicant proposes to annex, as I said, the .63 acres of land as you see here, which is 1139 East Fairview Avenue, with a C-G zoning district, consistent with the abutting property, which is 1065, which is also owned by the applicant. The C-G zoning district would allow the applicant to construct a vehicle sales facility as depicted on the proposed concept plan. The future use of the property is a principally permitted use in the C-G zoning district. Except for the residential use along the south and east boundary, the subject property is primarily surrounded by commercial development, also zoned C-G. A 25 foot street buffer is required along East Fairview Avenue. A 25 foot landscape buffer is also required adjacent to the residential use to the south and against the drive aisle to the east as you see here. So, 25 along Fairview, 25

along the property here. Move back to the zoning map. You can see that this is -- the drive is technically a residential use, so the applicant would be required to provide a 25 foot landscape buffer adjacent to that. Parking lot landscaping is required to comply with the standards in the UDC and the applicant is going to request a Council waiver to reduce the landscape buffer along the southern border of the proposed development due to the recent completion of Touchstone Place Apartment project which abuts the subject property on the south and west boundary. The UDC requires a 25 foot landscape buffer when commercial developments abut a residential use. However, with the development of the Touchstone Place apartments the applicant for the project open space and a six foot tall cedar fence. Open space here in Touchstone and there is a six foot tall cedar fence adjacent to that. A solid wood fence and provided increased building setback along the shared boundary in anticipation of the proposed commercial development. Further landscape buffers currently constructed along the east boundary and in discussions with staff the applicant has indicated their desire to purchase Lot 22, Block 1, of the Touchstone Place Subdivision, which as you can see here on these aerial is this lot directly adjacent to the drive aisle in which they will provide a 25 foot landscape buffer. So, their request is to reduce that on their property right now to five feet with the anticipation that they will install a 25 foot landscape buffer on that lot once it's acquired. So, staff is of the opinion that the applicant should construct a minimum of a ten foot landscape buffer along the south boundary, instead of the five foot that is requested by the applicant, so there is adequate separation between the multi-family development to the south and to the vehicle sales facility. We look at the plans and measured about 15 feet from where the building is to the north property line for Touchstone and with the added ten feet that the applicant is requiring -- or requesting that would meet that 25 foot landscape buffer with the two of those combined. Staff is comfortable with that and for Council approval. The property currently takes access from two existing access points onto Fairview Avenue. Going back to the concept plan. Currently there is a tax business on that lot, if you're familiar. They have a direct access to Fairview here and, then, this is an additional access that they have. With the development of the property the applicant proposes to utilize the existing cross-access driveway to the east constructed with the Touchstone Place apartments, which is this access point here, as well as an access from 1065 East Fairview and to close the current access from 1139 East Fairview. So, they will be closing as you see on the concept plan. The access to this lot directly to Fairview and will utilize the one -- the one drive access here on this property. At the time of the staff report staff had not received comments from the Ada County Highway District and we have now received those and I will read those comments to you, so you're aware of the situation. Condition one. Dedicate 15 feet of right of way on Fairview Avenue to accommodate future widening. This segment of Fairview Avenue is in the CIP, which is the improvement plan. So, the applicant will be compensated for their right of way dedication. Two is close the existing driveway at 1139 East Fairview, which the applicant is proposing to do. Construct one shared driveway between 1035 and 1065 East Fairview. So, one -- option is to combine this driveway here so that the parcel directly to the west and this -- share this driveway. Currently there is located about 20 feet west of this driveway an additional driveway and the highway district is not comfortable with the location and the proximity of both of those. So, that was option number one. Or construct a driveway on Fairview Avenue, located a hundred feet east of the west property line.

The driveway shall be constructed as a 30 to 36 foot curb return, which pavement tapers and paved back a minimum of 30 feet from the end of pavement on Fairview Avenue. For access to Fairview Avenue is -- approve that temporary and may be restricted to right-in, right-out at anytime as determined by ACHD. Provide cross access between 1139, 1065 and 1035 East Fairview Avenue, which are all three of these lots. So, this lot here, this could be annexed, a lot that's already been annexed and, then, this an existing title loan business here further to the west. The paying of impact fees. It's pretty standard condition. And, then, comply with all other standard conditions of approval. The proposed business will be subject to the UDC 11-2B-3. which restricts the hours of operation for businesses in the C-G zoning district that abut residential uses. The minimum five foot detached sidewalk a requirement adjacent to -- adjacent to East Fairview Avenue in accord with the UDC and conceptual building elevations have been provided for future building and they were submitted by the applicant. The building materials depicted on the plans for the building include brick, stucco, and a glass store front. Staff supports that applicant's proposal to orient the garage doors away from the major arterial of East Fairview Avenue. The future building on this site shall generally comply with the submitted elevations, including, but not limited to the design standards set forth in the Meridian -- City of Meridian architectural standards manual. A certificate of zoning compliance application is required to be submitted prior to issuance of any building permits and the applicant is also required to obtain an administrative design review approval in conjunction with the certificate of zoning compliance. With that staff is recommending approval of the annexation and stand for any questions you may have.

Yearsley: Thank you. Are there any question?

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: Josh, two questions. So, that the two options on -- I didn't understand the second one.

Beach: Sure.

Fitzgerald: Can you explain -- so how -- to the east of the property -- I'm trying to --

Beach: One hundred feet east of the west property line. So, instead of having it here, it would be somewhere generally in this area that this drive access would be.

Fitzgerald: Okay.

Beach: They want some separation from the existing driveway. To move back to the -- the aerial you can see that there is a -- there is a driveway right here currently in this general area.

Fitzgerald: Yeah.

Beach: And, then, the existing driveway is about right there. We measured and it's only about 20 foot separation and that's too close upon development. The highway district would like to see that realigned in one of those two ways.

Fitzgerald: Okay.

Beach: Does that make --

Fitzgerald: That makes sense. And I guess my other question is in regards to the purchasing of the property to the east and the drive aisle to Touchmark, how does that play into the buffer that's already -- is that -- is that depicted on our map right now? That's the -- is that their lot or is this -- make that as a --

Beach: That buffer exists. That's the buffer for Touchstone Place.

Yearsley: So, I think what he's asking is they don't currently own that piece of property. Is this figure showing them owning that property and -- and landscaping it? Is that what they are depicting?

Beach: This landscape buffer exists currently --

Yearsley: Oh. Okay.

Beach: -- and so they wouldn't be constructing another 25 foot of landscaping. They are requesting to just install five and once they have purchased this lot to use that as their buffer for -- for both, if that makes sense. So, there wouldn't be a 50 foot buffer there, just --

Yearsley: Oh. Okay.

Beach: -- just the 25.

Yearsley: Okay.

Parsons: Mr. Chairman, if I can just elaborate on that, because I did work on the Touchstone Place project, so I'm pretty familiar with how it's constructed out there. The developer is here who has developed that project as well as you heard earlier in his testimony, but that was a spite strip that was left over when that property went in foreclosure and this developer was gracious enough to buy it and make the project whole. As part of that final plat application, we have deemed this lot a nonbuildable lot in anticipation of the applicant buying that property. So, the way we have it structured, as Josh didn't touch on it in his presentation, but they will be taking forward a development agreement modification before City Council to combine this entire project under one development agreement, in that there is a recommended DA provision to Council that

says they need to provide us ownership of that lot and incorporate it as part of their development. So --

Yearsley: Okay.

Parsons: -- before they can even get CZC approval or even sign their move forward, they are either going to have to build the landscape buffer, show that they own this or ask the City Council to waive that. So, we are still kind of in limbo, but my understanding again, talking with the applicant, and the developer of the previous project, they plan on purchasing the project -- that common lot. So, it's not technically 25 feet along that boundary, it's about 18 or 19 feet on the north and, then, it tapers -- then it widens out to 25 feet. So, you're not quite there, but, again, it's not abutting a residential use. It really is a shared driveway.

Yearsley: Okay.

Parsons: So, that's why we were amenable with this being incorporated into the proposed annexation request slash vehicle sales facility in the future.

Yearsley: Okay.

Fitzgerald: Thank you. That was perfect.

Yearsley: Any other questions? Would the applicant like to come forward?

Amar: Again for the record Kevin Amar. 1548 West Cayuse Creek Drive in Meridian. Hopefully you are not tired of hearing from me. Lots of fun. Hopefully this one does better. I'm a little bruised. So, we -- we are representing the -- we are building the project as a design build and representing the property owner on this. I actually started working with the property owner a number of years ago. The economy struck out the first time and he held onto the property and now it's time to just finish the project. In the meantime, we did build the Touchstone Place project behind it. Ironically, the transition between single family residential and commercial. We have a multi-family transition between that. I just couldn't help myself. Yeah. The property to the east, we are in the process of selling that to the applicant, so that will be part of the -- the project overall. So, we don't have any -- we don't have any issues with the staff report and we will comply with staff report. As far as the buffer along the southern boundary of this .63 acres making that ten feet, we are told at 25 feet to those buildings is appropriate and we agree with that, as well as the movement of that driveway to the east a hundred feet. We really can't share that driveway in that current location. There is other -- stop. There is a lot of utility there. So, we have moved the property per the drive access to the west and, then, provide cross-access easement with that. And with that I would stand for any questions.

Yearsley: Thank you. Are there any questions? Thank you.

Amar: Thank you.

Yearsley: So, I do have some people signed up, but I don't know if they are still here or not and so I'm just going to open it. Is there anybody that wants to testify? I guess with that I will entertain a motion to close the public hearing.

Fitzgerald: So moved.

Oliver: Second.

Yearsley: I have a motion and a second to close the public hearing on file number H-2016-0004. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: ALL AYES.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I would like to just make a quick comment that this addition would be a nice change from what's sitting there currently. So, I think it would be nice improvement to that there than what's currently sitting on the property.

Yearsley: Thank you.

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: I think -- while I appreciate Mr. Amar's comments and their willingness and the applicant to clean up that whole financial situation that has befallen that area and I think it may -- I think the project makes sense and works and I appreciate the staff's efforts, as well as the applicant's efforts to put this thing together, so it cleans all the spite strips and other issues up and I think with them having kind of an overall plan for the area, it makes sense to put a different to the south end to the east for me. I think it makes sense, so --

Yearsley: Thank you. And I guess -- I think it looks good. I agree with the staff report. I guess the only question that I have, do we need to actually include ACHD's comment in our motion or is that part of the staff report? How do we want to work that?

Parsons: Mr. Chairman, Members of the Commission, currently when we sent out the staff report there weren't any conditions. If there is any of those conditions that you want incorporated into the development agreement, you can include that in your recommendation. Right now the way we have that access point structured in the staff report is it's predicated on ACHD and City of Meridian's approval. So, they will have to get Council's blessing on that right-in, right-out access to Fairview, but -- so, we have it

covered. If this council approves it we are going to change that condition and say access approved, so --

Yearsley: Okay.

Parsons: -- ACHD looks like they support it, but if you want any of those conditions in there you can certainly include that in your motion and we will make sure that happens.

Yearsley: Okay. So, I think it looks good, so I would entertain a motion.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2016-0004 as presented in the staff report for the hearing date of March 17th, 2016.

Fitzgerald; Second.

Yearsley: I have a motion and a second to approve file number H-2016-0004. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: ALL AYES.

Yearsley: So, I would entertain one last motion.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I move to adjourn for the evening.

Fitzgerald: Second.

McCarvel: Second.

Wilson: Second.

Yearsley: I have a motion and seconds. All in favor say aye. Opposed?

MOTION CARRIED: ALL AYES.

Yearsley: We stand adjourned.

MEETING ADJOURNED AT 9:01 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED



STEVEN YEARSLEY - CHAIRMAN

4 | 7 | 2016
DATE APPROVED

ATTEST:



JAYCEE HOLMAN, CITY CLERK

