

**Meridian Planning and Zoning Meeting**

**May 5, 2016**

Meeting of the Meridian Planning and Zoning Commission of May 5, 2016, was called to order at 6:00 p.m. by Chairman Steven Yearsley.

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

Others Present: Machel Hill, Andrea Pogue, Bill Parsons, Sonya Watters, 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 I would like to call to order the regularly scheduled meeting -- Planning and Zoning Commission meeting for the hearing date of May 5th, 2016, and let's begin with roll call.

**Item 2: Adoption of the Agenda**

Yearsley: Thank you. Next item on the agenda is the adoption of the agenda. Only two items to change. Action Item A, the public hearing for Rainier Villas has been requested to be continued to May 19th and, then, Action Item G for the public hearing of Gibson Amity Property has been requested to be continued to May 19th. With that can I get a motion to approve the agenda as presented?

Fitzgerald: So moved.

Oliver: 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 April 21, 2016 Planning and Zoning Commission Meeting**

**B. Findings of Fact and Conclusions of Law for Approval for Dutch Bros. Coffee (H-2016-0025) by Steven Adamson Located 37 E. Calderwood Drive Request: Conditional Use Permit for a Drive-Thru Establishment Within 300 Feet of a Residential Use and Extended Hours of Operation from 5:00 am to 11pm Per Requirement of the Development Agreement**

Yearsley: Next item on the agenda is the Consent Agenda and on that we have to approve the minutes of the April 21st, 2016, Planning and Zoning Commission meeting and, then, the Findings of Fact and Conclusion of Law for the approval of Dutch Bros Coffee, H -- file number H-2016-0025. If there is no changes to the minutes, can I get a motion to approve the Consent Agenda.

Wilson: Mr. Chair?

Yearsley: Commissioner Wilson.

Wilson: I move we approve the Consent Agenda.

McCarvel: 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.**

Yearsley: So, before we move forward on this application, I kind of want to explain the process of how we will go tonight. We will open each item one at a time. The staff will prepare -- will present their findings regarding how the items adhere to our Comprehensive Plan and Uniform Development Code with staff recommendations. After the staff has presented their findings the applicant will come forward -- will have an opportunity to come forward to present their case for approval of their application and respond to any of the staff comments. The applicant will have up to 15 minutes to do so. After that we will open the -- the hearing to public testimony. There is a sign-up sheet in the back. Anybody wishing to testify -- any person wishing to testify can come forward and they will be allowed -- they will be given up to three minutes to testify. If they are speaking on a bigger group or on behalf of an HOA or a bigger group, they will be given up to ten minutes. After the public testimony has been completed, the applicant has an opportunity to come forward and to respond to any of the -- any of the comments that have been presented by the public and he will be given up to ten minutes to do so. After that we will close the public hearing and have an opportunity to discuss and deliberate and hopefully make a decision for Planning and Zoning -- or for City Council.

**Item 4: Action Items**

**A. Public Hearing for Rainier Villas (H-2016-0041)** by Aaron Elton Located West of N. Meridian Road and South of E. Franklin Road **Continue Public Hearing to May 19, 2016 Planning and Zoning Commission Meeting**

1. **Request: Preliminary Plat** Approval of Twenty-Three (23) Residential Lots and Four (4) Common Lots on 5.354 in an Existing C-G Zoning District
2. **Request: Conditional Use Permit** Approval for Ninety-Two (92) Multi-Family Dwelling Units on Approximately 5.354 Acres in an Existing C-G Zoning District

Yearsley: So, with that -- first of all, we will open the public hearing on file number H-2016-0041, Rainier Villas, for the sole purpose to continue that to May 19th. Can I get a motion?

Milson: Mr. Chair?

Yearsley: Commissioner Wilson.

Wilson: I move we continue H-2016-0041 to May 19th, 2016.

Fitzgerald: Second.

Yearsley: I have a motion and a second to continue public hearing file number H-2016-0041. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: ALL AYES.

**G. Public Hearing for Gibson Amity Property (H-2016-0036)** by CLG, Inc. Located 357 E. Amity Road

1. **Request: Annexation and Zoning** of Approximately 5.864 Acres of Land with an I-L Zoning District

Yearsley: I think since we are on the same page I'm going to skip down and do Item G. We are going to open file number H-2016-0036 for the purposes of continuing this application to May 19th and can I get a motion to do so?

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I move that we continue H-2016-0036 to May 19th.

Oliver: Second.

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

MOTION CARRIED: ALL AYES.

**B. Public Hearing Continued from March 17, 2016 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: So, at this time we will open the public hearing on file number 2016-0001, Brundage Estates and let's begin with the staff report.

Watters: Thank you, Chairman, Members of the Commission. The first application before you tonight is a request for a preliminary plat. This site consists of 136.63 acres of land, zoned R-4, located on the east side of South Linder Road between West Victory and West Amity Roads. Adjacent land use and zoning. To the north is future single family residential in Edgehill Subdivision and Kentucky Ridge Estates, zoned R-4. To the east is single family residential in the developing subdivisions Biltmore Estates and Graycliff Estates, zoned R-4 and R-8. To the south is rural residential agricultural land zoned R-4 and RUT in Ada County. And to the west is South Linder Road and rural residential agricultural uses, zoned RUT in Ada County. In 2014 this property was annexed as part of the Victory South Category B annexation with an R-4 zoning district. A development agreement is required to be executed for this property as a provision of annexation prior to development of this site. The Comprehensive Plan future land use map designation is low density residential for the northern 64, approximately, acres of the site and medium density residential for the southern approximate 73 acres. The applicant has applied for a preliminary plat that consists of 366 building lots, 20 common area lots, and one other lot for a city park on 136.63 acres of land in an R-4 zoning district. A minimum lot size is 8,000 square feet, with an average lot size of 10,127 square feet. The proposed density is 2.68 dwelling units per acre, which is consistent with the low density residential future land use map designation and the goals and objectives of the Comprehensive Plan. However, the density is slightly under that desired in medium density residential designated areas. Therefore, a step down in density

to low density residential is requested for the southern medium density residential designated portion of the site. The preliminary plat is proposed to develop in 11 phases. The tot lot on Lot 17, Block 5, is proposed to be constructed in phase one. The linear open space and multi-use pathway within the pipeline easement is proposed to be constructed with phases seven and ten and a city park is proposed to be constructed in phase ten. There is an existing home and accessory structures on the site that are proposed to be removed. You can see that on the aerial here. There is the existing Centers home here and, then, there is an old home and accessory outbuildings up here next to Linder. A 3,100 foot long section of the Williams Pipeline bisects this site. You can see kind of the lighter area through here. Williams Pipeline is a natural gas pipeline line that serves as a primary arterial for the transmission of natural gas to the Pacific Northwest and intermountain region. The plat depicts a 75 foot wide right of way easement for use by the pipeline company and that does run right through this common area right here that you can see. All development shall comply with the Williams Gas Pipeline Developer's Handbook. An encroachment permit is required for any development or improvements within the pipeline easement. The proposed plat complies with the dimensional standards of the R-4 district, except for the street frontage of one lot, which staff recommends is revised to be a minimum of 60 feet. There are also full blocks that exceed the maximum block length allowed by the UDC. The length of three of the blocks can be approved if a pedestrian pathway is added within the block, which allows the block face to extend from 750 to 1,000 feet. The length of Block 11 also exceeds the maximum block length and that is -- if you can see my pointer here, the one that runs along the southwest corner of the site. Because of the large waterway, the Calkins lateral, and arterial street, Linder Road, it's allowed to extend up to 1,200 feet if approved by Council. Staff also recommends a pathway connection is provided through this lot for access to the multi-use pathway required along the lateral. Access to this development is proposed from South Linder Road, an arterial street, via two collector streets, West Smokey Lake and Harris for South Meridian Road via Harris Street when Harris is extended. Access will also be available from the north from West Victory Road via South Kentucky Way, a collector street to the east of this site and via West Amity Road from Oakbriar Way, a collector street, along the east boundary of the site when it's extended. So, I will show you a little larger area. This is a composite drawing the applicant submitted for the Centers property. The subject property is right here. Harris Street will extend from Meridian Road through the site up to here. Kentucky Way extends from Victory down into the site and, then, there is also a collector street proposed along the east boundary down to Amity. The extension of stub streets approved to the north and east are also proposed for interconnectivity between developments. I did note that the alignment of the proposed streets existing -- approved stub street appears to be off a little bit from Barton, Radford and Harris Streets. Vehicular traffic over the Williams Pipeline are limited. A traffic impact study was prepared by Six Mile Engineers and was submitted to ACHD for their review and comment The 366 dwelling units proposed within this development will generate approximately

3,484 vehicle trips per day with anticipated build out in 2024. A draft copy of the ACHD report is included in the record. A 25 foot wide landscape street buffer is required along Linder Road. A 30 foot wide buffer is proposed. A 20 foot wide buffer is required along all collector streets within the development as proposed. There are several existing trees on the site that if removed require mitigation. The applicant proposes to dedicate 8.24 acres of land for a city neighborhood park, which will be combined with another 1.77 acres in Graycliff Estates and one acre in Biltmore Estates Subdivision to the east, for a total of approximately 11 acres of land. And that is the central open space you see here. A conceptual park master plan was submitted as shown and depicts half basketball courts with fences, a shelter, play area with a tot lot and open play areas as amenities, along with a parking area and restrooms. Based on the area of the plat a minimum of ten percent of the site or 13.66 acres of land is required to consist of qualified open space. The applicant proposes a total of 14.99 percent for 20 and a half acres of land of qualified open space in excess of UDC requirements, consisting of a neighborhood park, two pocket parks, a linear open space area where the Williams Pipeline is located and a multi-use pathway is proposed. Half the street buffer on South Linder Road, the street buffers along the collector street and the parkway along streets within the development is also proposed. A minimum of six qualified open site amenities are required with this development as proposed. The applicant proposes to provide a tot lot with a play structure and park bench in the larger pocket park. A multi-use pathway through the Williams Pipeline easement, a micropath providing connection to the multi-use pathway and the pocket park and a 20 foot wide gazebo in the smaller pocket park. Staff also recommends a multi-use pathway is provided along the north side of the Calkins Lateral in accord with the master pathways plan and that is -- if you can see my pointer here. This is the Calkins Lateral that runs along the southwest corner of the property. The amenities proposed and recommended by staff comply with the minimum requirements. Detached sidewalks are required along the arterial and collector streets. The applicant proposes to construct detached sidewalks throughout the development with landscape parkways. The applicant requests a waiver from Council for the Calkins Lateral and the portion of the Sundial Lateral along West Buroak Drive to remain open and not be piped due to the large capacity of the facility. The applicant states they will require a 36 inch or greater pipe. The applicant would like to utilize portions of the facilities as a water amenity. The applicant has provided conceptual building elevations for future homes in this development as shown. Building materials appear to consist of stucco and lap board and batten and shake siding with stone accents. The design standards are proposed to be similar to those of the adjacent Biltmore Estates Subdivision. Because homes on lots adjacent to arterial and collector streets abutting and within the development will be highly visible, staff recommends the rear and/or sides of structures on these lots incorporate articulation through changes in materials, color, modulation and architectural elements, horizontal and vertical, to break up monotonous wall planes and roof lines. There has been no written testimony submitted on this application. Staff is recommending approval with the requirement of a development agreement as

required with the annexation containing the provisions in the staff report. Staff will stand for any questions.

Yearsley: Thank you. Are there any questions? Would the applicant like to come forward?

McKay: Thank you, Mr. Chairman, Members of the Commission. I'm Becky McKay with Engineering Solutions. I am representing the applicant on this particular project LC Development, Inc. As Sonya indicated, this was part of the 2014 Category B annexation out in that south Meridian area. The city limits were basically constrained due to some intervening parcels and, then, the city and the Meridian Heights and Mr. Centers all worked as a group to get services extended to this area. So, Mr. Centers took sewer and water up north -- or south up above Victory, which allowed those sewer lagoons that were along the Victory Road corridor that served Kentucky Ridge and Meridian Heights -- allowed those to come offline and they also had two community wells and the city connected both subdivisions to their central water system. So, we came through with the Biltmore development in 2000 and I think '15, which is located -- is located right here. We currently constructed two phases on that particular project. It has Kentucky Way as a collector roadway that comes up. Eventually Harris Street comes to this point. We will extend Kentucky Way so it connects to Harris Street and the third phase is in design now. Mr. Centers intends on constructing that here sometime late this summer. The city's currently working on extension of a big water main from Amity and just west of Eagle Road. That 12 inch water main will come up and, then, it will come down Harris Street, they will terminate it about at that location. We will pick it up and extend it down Harris Street that we have right here. Sorry. We came through last year with Graycliff development, which was this parcel owned by Mr. Centers. We did bring that through and obtain approval for it. So, what you're looking at this evening is, basically, this property right here. So, this is Meridian Heights here. Kentucky Ridge. This is Edgehill Estates that you guys approved I think earlier this year and so this is Biltmore, Graycliff and this is Brundage right there. Linder. Meridian Road. Amity. Victory. So, that kind of gives you an idea of the vicinity that our project is in. Let's go ahead -- there is the preliminary plat showing -- we had -- it's so large that we had to break it up into two different pages, but that kind -- this colored landscape plan kind of gives you an overall colored view of the particular piece of property. So, you can see the Biltmore project right here that's under construction. On your Comprehensive Plan for years and years and in the park's master plan it showed that there would be a neighborhood park somewhere within this section. You can't designate exactly which particular piece of property it's located on. However, since Mr. Centers owns much of the section, we included on portion of that neighborhood park in Biltmore. We included a portion of it in Graycliff and, then, Brundage basically is the third piece of that neighborhood park puzzle. So, as Sonya indicated, there is 366 single family lots. We have two different designations, low density residential, medium density

residential. Obviously our density is low density residential. We are at I think 2.68 dwelling units per acre gross density. Our average lot size is ten thousand -- a little over 10,000 square feet. So, they are pretty good size lots. R-4 zoning was already in place due to that mass annexation. We have 20.48 acres of eligible open space, which is just shy of 15 percent. Your UDC requires ten. So, as you can see we are well over the minimum requirement of ten. We have worked with the Parks Department over the past probably about six to eight months, working with them on this neighborhood park. I wanted to go to the parks commission prior to coming to the Planning and Zoning Commission to make sure that they were supportive of what we were showing conceptually, so we have had many meetings with Steve Siddoway, with Jay Gibbons and Mike Barton. We have made adjustments based on input from them and we have some private open space within the project, along with the public open space. One thing that we didn't want to do was, obviously, if this was a city neighborhood park we didn't want to compete with that park and have duplicate type activities, but we understand that we needed to have some little pocket parks within our project, so both to the north and to the south we have like three pocket park areas. We have linear open space in here. The Williams Pipeline comes -- comes through the project diagonally, just like it came through the Graycliff. That's been shown on your pathway plan and your comp plan as a multi-use pathway. It's a 75 foot wide corridor. There are restrictions and so we have to provide -- protect that easement. We can't have any trees within that easement. We can have grass, turf, we can have a ten to 14 foot wide pathway. One of the things when I met with Williams Pipeline's representative was -- he asked me to, please, minimize our street crossings, because that causes them problems. It can require them to have to lower large sections of that pipeline and that is extremely costly. So, we did minimize our street crossings along that corridor. It will all be greened up. There will be a pathway. It will link to the neighborhood park. When we went to the parks commission here last month the parks commission reviewed it, they gave us excellent positive feedback. They said we think you're on the right track. We like the fact that you have a collector that's going to go all the way through, Harris Street, which is consistent with the master street map of ACHD and your South Meridian Plan. This is Meridian Road right here. So, it will go all the way -- and we didn't want it to be a straight shot, so, then, we pulled it down and, then, all of that frontage of the park is exposed, visible, and accessible. This is at the half mile, so it's intended that that be a signalized intersection when it meets its warrant. We did do a traffic study, as Sonya indicated. Six Mile Engineers did it for us. Ada County Highway District reviewed it. They did provide us a staff report, which your staff has a copy. They basically found that they want us to pay for 25 percent of that signal and build some turn lanes there at Harris and Meridian Road and, then, when we hit -- I think it's two hundred -- two hundred and some -- sorry. Two hundred -- 290 lots I believe. The 291st lot we need to, obviously, make this Harris Street connection and either build that signal and get reimbursed by whoever develops the property to the south of Harris Street and whoever is developing that Cavanaugh Ridge to the east, because it was part of their condition of approval,

their annexation and DA, even though this parcel did not execute their DA, it's still anticipated that based on the mixed use that they will warrant the signal. Right here at Linder Road we will have to build turn lanes and one thing that ACHD had us look at was they wanted us to study the Victory Road and Linder intersection, because there are basically homes -- there is three homes right up to that intersection. So, it is going to require that district, in order expand that intersection, to buy those homes and compensate those owners, obviously, for their properties and their homes. We can't do that, because we don't have the power of condemnation, so the highway district had to figure out a way, along with our traffic engineers and your staff, okay, how can we then -- when this intersection in 2024, your build out year, when that intersection is at capacity and it can't take anymore traffic, then, what are we going to do -- that's where 291st lot comes in. At the 291st lot the highway district will not sign the plat if this intersection has not been expanded, improved, and signalized, then, what they will do is require that we install this signal and, then, the other developments adjoining me will have to pony up as a latecomer. So, it's pretty -- I think it's pretty creative. This is a good way to, obviously, get those signals in when they are needed and no one developer has to bear that burden, because a lot of times it's kind like if you're the first guy through the door and you get hit with the baseball bat and so we complained to the highway district that that's kind of -- you know, that's the way we felt, that we -- this required a creative solution. So, they did come up with one and so I'm really pleased with that. Let me switch to the next slide. This is a conceptual park plan that we -- we had our landscape architect prepare. It was updated from what I originally submitted. It shows like multiple soccer fields. I guess that is what the city is lacking desperately -- or the Parks Department is lacking, places for the kids -- little kids to play their -- practice soccer and have their soccer games. Obviously, we don't function like a community park or a regional park, which are really large, but they want these neighborhood parks to at least have a function, so mom and dad aren't hauling the kids clear across Meridian in order to practice their soccer games, that they may be able to just ride their bikes over to the neighborhood park and practice. So, I think it makes good sense -- good sense from a traffic perspective, just good sense from, you know, the community perspective. After we went to the parks commission I had the landscape architect update this, that's why I just received this late last night. I did send it to your staff. It is part of the record. I have not had opportunity to send it back to the Parks Department, but it is consistent with our meetings and what -- the direction that the parks commission gave us. So, they asked that we take the multi-use pathway around the perimeter to maximize the little ball fields, so the multi-use pathway will go around and, then, it goes clear out to Linder Road like that and, then, it will go clear out to Meridian Road. So, people will be able to ride along that multi-use pathway. It will be greened up. We have talked about, you know, putting some park -- intermittent park benches. They are not a structure -- you know, we can just have them just -- you know, they don't have to -- I guess they don't have to be bolted down on a structure. We will have to work with Williams Pipeline. So, walkers, elderly people, can go ahead and walk a while, sit and rest. I cannot put

any trees along that multi-use pathway in that easement, but we can in the park. The easement does run through the park, so the Parks Department is fully aware of that, so we made sure as far as the conceptual plan that we went ahead and took that into consideration, so all of -- anything that constitutes a structure is located outside that 75 foot Williams Pipeline. So, these -- this is just grass. Now, what the parks commission -- what we indicated or what we committed to them is, obviously, it's up to the Council to make a determination if this is public. However, we did bring it up at the Council when we took Graycliff through, asking the Council -- we just want to make sure that you're still committed to a neighborhood park, because we are bringing our third project, which is the last puzzle piece of this, and they didn't tell me -- they didn't say absolutely, but they didn't say no. They just kind of like nodded maybe. I don't know how to explain it. So, we took that as a yes. It is still -- based on your comp plan, your parks plan, a neighborhood park is still wanted here. What you're looking at is 11 point -- 11 -- I don't know, 11 and a half -- 11.45 acres. I will wrap it up. Neighborhood park size is -- has to be a minimum of seven. So, we are well over the minimum. They have also asked us to do parking. There is no parking along the collector, so we are going to have some parking. You can see we have basically a parking area. There will be some diagonal by these fields. Handicapped grandma and grandpa want to come and watch the grandkids play, they can park in this -- in these -- these diagonal spots really close to the fields. We also will have parking here. The Parks Department was talking about even having some parking on the far west side. It's a good project. It's a great project. We are excited about it. It is -- excuse me -- it is down the road a little bit, because we have got to extend services about 2,500 feet in a down Linder sewer and there is a new well where we donated the site to Meridian Public Works and they are putting in their test wells right now at Graycliff. I ask that the Commission approve this preliminary plat. We think we have got a good project. We have done our homework. We have gone to all the agencies and they are recommending approval. Lastly -- sorry, I got a tickle. Lastly I have reviewed the staff report -- I talked to much on the phone today. I have my limits, too. We are in agreement with all the conditions. 1.1.2, they wanted us to add two pedestrian pathways in Block 16 and 17 or get a waiver from Council. I know the Commission doesn't grant waivers, so you will just have to leave the condition as is and we will be -- I just wanted the Commission to be aware we will be asking for a waiver, so I don't have to put ped paths in those. Those -- I didn't -- we have really good pedestrian circulation in our project and I didn't think it was necessary from a planning perspective. The only condition that I'm asking you guys to just modify a little bit and that's kind of out of necessity due to the way it's written, that is condition 6.3 under the Parks Department conditions of approval, it reads: A public park is required to be included in the development. City Council shall decide whether the park is city owned. If not, the park shall be owned and maintained as a park amenity for residents of the development. We did agree that if -- that that would be the case if something were to go awry. However, the Parks Department is going to enter into an agreement with us, so that if this isn't built for ten years that it's of record, people -- you know, the parks commissions

in the future will know that this is anticipated for a public park. This is a -- this will be donated to the city. We are going to install sprinklers as per park standards and we will be seeding it and greening it up. Building the streets, stubbing the sewer, stubbing the water. They will have their own pressurized irrigation system, because they won't like to be on ours and we will be piping the Sundial Lateral that goes through the park, so it's not a park hazard or an expense to the city in the future. Mr. Centers, once he gets it all greened up and stuff, then, part of that agreement with the Parks Department is, obviously, that, then, they will start maintaining it and we will provide some interim pressurized irrigation, because we would like to get it as green -- green as -- you know, as quick as we can. We do show it in the tenth phase, so -- and the reason we kicked that ball down the road is because your Parks Department does not have it in its budget in the near future, because of your new regional parks that they will be allocating a lot of their funding for. I need that condition in order to donate it to the city, then, my client gets some -- some type of an IRS tax form that says that this is the appraised value. They have to get an independent appraisal and, then, the city, basically, certifies that this was donated to the city. It was appraised independently. This is the value at the time of the donation and so the IRS will not allow my client to count it as a donation if it is a requirement of the city. So, I need you to change the wording. I need you to delete the first sentence, a public park is required to be included in the development -- and we have already discussed this with your parks staff and I think they must have forgot. And I think you should reword it to the applicant's development shall be consistent with the submitted preliminary plat, which shows 11.45 acres of open space in the center -- I mean if you include everything -- or eight -- a little over eight acres in this phase. City Council shall decide whether the park will be city owned -- change is to will be. The rest of it you leave the same. So, all I'm doing is making sure that my client is protected. That he is eligible for this to be considered a donation, because he will be donating it and he will be planting it and getting sprinklers and getting it greened up, so, then, it can be used as quickly as possible, even though your budget won't allow it and, then, as you guys get the money you can incrementally improve it with your standard neighborhood park facilities. Restrooms. Basketball. Tennis courts. Whatever you guys at the time decide. you.

Yearsley: Thank you. Are there any questions? No? Thank you.

McKay: Thank you.

Yearsley: I do not have anybody signed up for this application. Is there anybody wishing to testify?

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: Maybe this is a question for Becky or Sonya. Is there an agreement on the block length -- length issue that -- are we good with -- I should have asked her -- with -- with -- there is a work around on the block length? Are we comfortable that they are in agreement with those work arounds?

Watters: Chairman, Commissioner, this -- the staff report recommends that some pathways be add in three of the blocks to make them conform. The applicant is requesting a waiver from Council for those and also for the one adjacent to the waterway.

Fitzgerald: Okay. I just wanted to make sure it was clear. Thank you.

Yearsley: And I have one other question just for staff. Are you in agreement with the wording on 6.3?

Watters: Chairman Yearsley, yes, staff is in agreement.

Yearsley: Okay. Any other comment? So, I guess at that point I would entertain a motion -- I guess we don't need to have the applicant come back --

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: I move we close the public hearing on H-2016-0001.

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: Thoughts or comments?

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: I think it's a great project. I think the applicant -- this is a section of property that he had owned and it has been well master planned, if you will. I think they have done a good job in working with ACHD to make sure that the roads are properly taken care of and traffic studies are -- traffic flows properly out of there. I do appreciate the donation to the city. I know that we may not be ready to take that project on yet, but I understand the need for that donation to be recorded in a different manner. But overall I think it's a great project. I think --

you know, it should be -- you know, we are stepping down in density out there, which is -- it's up against kind of RUT and other areas that are kind of open to the open area, but I think they have done a good job of -- of balancing that area out very well.

Yearsley: Thank you.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: Yeah. I think it's a well thought out project as well. I love it when we are not trying to push maximum density with minimum amenities. It seems like they have gone the opposite and well thought out to everything that's connecting to it.

Yearsley: Thank you.

Wilson: Mr. Chair?

Yearsley: Commissioner Wilson.

Wilson: I agree. I appreciated the applicant's thoroughness in presenting the project. I think that's why there was a lack of questions. I think everything was covered. I know it's conceptual, but I really like the look of this park and I think that they worked with Parks and Recreation in putting something together that I think is going to fit the community well.

Yearsley: Thank you.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: A couple things. One thing that I especially liked is the diversity they have with all the other subdivisions around that. This would be a nice addition. A little bit bigger lots will fit nicely out in that area. The other is the -- the idea of getting that recreational area to where it -- there is a parking -- make sure that there is plenty of parking if you open up to a park for the city and the other thing that I was going to say is -- I can't remember. Oh. The fact that they are connecting Kentucky Ridge into this, which will kind of give some relief to those people that live in Kentucky Ridge, give them more options to get in and out of that subdivision. I know that when we have talked to those people that live in Kentucky Ridge it's very frustrating to think about all these people coming through that particular area. Now this will open it up to give them more options to get in and out of that subdivision, rather than going through Kentucky Ridge.

Yearsley: Absolutely.

Oliver: It's a nice, nice completion to that area.

Yearsley: Thank you. I agree with everything. I would be interested to hear really quickly -- I know the applicant is going to ask for a waiver on the -- the pathway -- the pathways that were recommended in the staff report. Personally, I like the idea of the additional pathways. I would just kind of be curious -- I know it's not a recommendation of us, but maybe it's something that we want to include in our recommendation that we agree with staff's recommendations for the pathways or agree with the applicant to -- for the waiver. I just -- just as a recommendation -- the recommendation to Council. Personally, I would be -- I like the path -- the interconnecting pathways. I would be kind of curious to see what your thoughts on that is as well.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: Yeah. I agree with the pathways. I think it makes it nice for people to be able to get through, otherwise, they will try to create their own way through.

Yearsley: Okay.

Fitzgerald: Mr. Chairman?

Yearsley: Mr. Fitzgerald:

Fitzgerald: I agree with the pathways partially. I don't necessarily think that they are needed to the south at this time. I think that pathway goes to nowhere, which may cause problems for those homeowners later and so I -- I think a pathway is longer than a block length to the north makes sense. I don't think that the pathway to the south does. So, I'm going to split my -- split my opinion.

Yearsley: Okay. Thank you. Well, I think we are recommending that one pathway to be added on this very south one and, then, a connection between the two pathways, so there will be a pathway on that south corner as well -- is what was in the staff report. Commissioner Wilson or Oliver?

Oliver: I will just give a comment if I can.

Yearsley: Absolutely.

Oliver: I agree the same thing along the south, because there will be another subdivision basically coming in that direction anyway, so it just fits to make sure. And, again, the north side I have no problem with that. I think that works as well.

Yearsley: Okay.

Wilson: I would agree with that, too.

Yearsley: Okay. Thank you. I guess with that I would entertain a motion.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I move that -- after considering all staff, applicant and public testimony, I move to recommend approve to the City Council of file number H-2016-0001 as presented in the staff report for the hearing date of May 5th, 2016, with the following modifications: In number 6.3, deleting the first sentence as recommended by the applicant and to say that the applicant's development will be consistent with the preliminary plat and to change the word is to will be and also that support staff recommendations on the pathways.

Oliver: I second it.

Yearsley: I have a motion and a second to approve file number H-2016-0001. All in favor say aye. Opposed? Motion carries. Congratulations.

MOTION CARRIED: ALL AYES.

**C. Public Hearing Continued from 4/21/16 for Howry Lane Subdivision (H-2016-0030) by M3 Acquisition, LLC Located 5220 S. Howry Lane**

- 1. Request: Annexation and Zoning** of 41.07 Acres of Land from RUT (Ada County) to R-8 Zone
- 2. Request: Preliminary Plat** Approval Consisting of 136 Building Lots and 13 Common Lots on 40.46 Acres of Land in the R-8 Zoning District

Yearsley: Next item on the agenda is -- turn my page here. Open the public hearing for file number H-2016-0030 for Howry Lane Subdivision.

Watters: Thank you, Chairman, Commissioners. The next applications before you are a request for annexation and zoning and a preliminary plat. This project was previously heard by the Commission at the April 21st hearing and continued

to tonight's meeting for the sole purpose of discussing the traffic study and block length issue. Since the last Commission hearing staff met with the applicant and discussed the revised plat, the same plat that was shown at the last hearing, which depicted a reconfiguration of the entry into the development. Let me get on the right page here. There we go. There is the changes on the right. An intersection mid block, right here, which includes a turning movement and a stop sign to reduce travel speeds and a pedestrian crossing and neck down traffic calming device at the east boundary, which is right down here if you can see my pointer. That will also reduce travel speeds between Rockhampton and the Howry Subdivisions. The applicant feels the revised site layout is their best option due to the site constraints of the slope, which exists right through the common area here, which exceeds ten percent and the Cunningham Lateral and desire for good circulation within the development and did not revise their plan further since the last hearing. The ACHD report requires traffic calming at the subdivision boundary to Rockhampton as proposed and no other changes are required to the block by ACHD. Staff did convey at the meeting that the revised plat was an improvement over the original plat as it reduced the block length to around 1,200 feet from 1,300 feet and included traffic calming. However, there is still a little over 500 feet to the next cross-street to the east in Rockhampton Subdivision, which results in an overall block length of approximately 1,700 feet. You can see that -- if you look at this plan here, the aerial, this is the street here. This is the next cross-street. So, it's from this street right here clear down to this street here. City Code does allow Council to approve block lengths up to 1,200 feet in length when certain site constraints exist, such as is the case with this site with the slope and the waterway. However surrounding site conditions should also be considered when determining if the block length is consistent with UDC standards and is in the best interest of the city. The revisions to the plat of common area, which will exceed the minimum requirements for qualified open space. Written testimony was received from Mark Tate, the applicant, since the last hearing, which should be part of the record you have. Staff will stand for any questions.

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

Tate: Good evening. Mark Tate. 1087 East River Street, Boise, Idaho. 83702. Thank you, Commission, for having me again tonight. Sonya accurately described what's transpired between last meeting and this meeting. If I can figure out how to -- there we go. As she mentioned, we did make those changes that you have seen on the previous application. We did meet with the staff, both Bill and Sonya, to discuss some options to fix what they perceive as the issue with the Auckland Street. Really, the only one other alternative that was out there was essentially to cul-de-sac Auckland Street between segments between the western two segments there. What that effectively would do is take all of the traffic from the south -- southern part of the subdivision, channel it down to the south and, then, back up to the north, along with any other pass-through traffic.

What that really does to me -- or to us is -- kind of creates an undue burden on everybody on the south side of the project, with the connection made -- you're at least splitting out traffic. There is probably at least 60 homes down to the south this way. Your circulation inside the community is much better. As she mentioned, Ada County Highway District did review the application. They are in favor of the application. Boy, oh, boy. Too far. Some of the conditions that came out of the ACHD staff report was one to dedicate the 20 foot wide strip, which we discussed last time. Site specific condition five was to construct the internal local streets as shown or as proposed, which includes that layout that you saw last time and, then, site specific number six requires us to build that traffic calming device between Rockhampton and our project at a width of 20 feet from back of curb to back of curb. So, when you think about what it -- you know, 20 feet looks like, those are very, very small travel lanes, so that's what gets you the traffic calming there. I did want to show this example. This shows two things. The current slope is given a little bit of color showing the existing condition and, then, the post grading condition where the slope would -- would be a little bit steeper behind those lots. And, again, I would just reiterate -- we have made a lot of changes from our original proposal, both totally reworking our entry. As they mentioned, we lost two residential lots by doing so. We feel like the entry is not quite as pleasing as you're not coming in -- straight into the park, but we did make that change. We also changed the intersection in the middle of the project to include a stop sign and as far as traffic mitigation goes, you know, that's as good as it gets and I think one Commissioner pointed out that not everybody stops at stop signs, but it is the law and I think that's as good as we can do there, so with that -- I can't seem to go any further. This just brings up that same slide that we saw last time with the block length, with a complete stop in the middle of the project, you end up with 560 foot block length on the west side, 570 feet block length in between the traffic calming device and Rockhampton and, then, there is about 535 feet inside of Rockhampton and so even if you're looking at just a segment between intersection and stop sign, that section is under 1,200 feet as well, with the traffic calming there and it's got the traffic calming right in the middle, so I feel like we have made a lot of progress on this design. Staff had indicated that, yes, it would have kind of reluctant support given the constraints that we are under on this project and I would point out, you know, we went above and beyond in a lot of areas on this project with open space, with pathways, with parks, with a swimming pool. You know, this isn't a project that we are debating, you know, how do we get to the lowest minimum standard out there. This is going to be a really nice project, so we would really appreciate your support in moving this forward to City Council tonight. One other issue I think we discussed last time was the bollard lighting. That's something that we will have to ask City Council for, but if you're so inclined we would prefer that the bollard lighting be limited to the portion of the pathway behind the swimming pool. Being on the ridge we discussed that last time, what the rationale was, not wanting the lights at the top of the ridge behind the houses with view fences there, so -- with that I would stand for any questions.

Yearsley: Thank you. Are there any questions? Thank you. I do have one person asking to testify. Jananne Keating. And just remember that -- where this application is only just to be heard regarding the block length and the traffic study, so if you can keep your comments to that I would appreciate it.

Keating: Okay. Jananne Keating. 12528 West Auckland Street. And I just wanted to comment and see if there was any revisions to the plat map first of all and, then, just wanted to comment that Ada County Highway District does appear to have a study going on. They have the straps across the street right now and they only have it halfway down the street, so I don't know if that's a true reflection of how much traffic comes down the street when it's only capturing half the traffic that's coming down, but that's all that I wanted to comment on.

Yearsley: Thank you.

Keating: Thank you.

Yearsley: I don't have anybody else wishing to testify. Is there anybody else wanting to testify on this application? No? I guess is the applicant wanting to -- okay. Is there any other questions or comments before we close the public hearing? With that I would entertain a motion.

Fitzgerald: Mr. Chairman, one second.

Yearsley: Okay.

Fitzgerald: Mark, I have one question you may be able to answer. Was there any consideration from your team to include the calming -- the traffic calming measures that we saw on your first version of your plat, the stop signs and the traffic calming measures as you go south? So, one in the north part, one in the south part with a stop sign in the middle, was that ever a consideration or is that something you guys would be willing to do?

Tate: Are you saying an additional traffic calming device in that --

Fitzgerald: On the north block --

Tate: We would be willing to do that. I think one plan we had showed actually a median island --

Fitzgerald: Exactly.

Tate: -- and if you guys wanted to condition that I would -- that would be acceptable to me.

Fitzgerald: Okay. Thanks, Mr. Chairman.

Yearsley: Thank you. Any other comments before we -- okay. I would entertain a motion to close the public hearing.

Wilson: Mr. Chair?

Yearsley: Mr. Wilson.

Wilson: I move to close the public hearing on H-2016-0030.

Fitzgerald: 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: Comments or thoughts?

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: I guess my opinion -- I think it's a great project. I think that land -- I will go back to it, I think the land is difficult. Waterways flowing through and utilizing that as part of the landscape, make this a unique setting. I think if the applicant is willing to use some traffic calming measures on the north block and the south block, I still think the 90 degree angle with a stop sign mitigates their issues without having to completely redesign this thing and so I like the project. I think they did a great job. I think they have gone beyond -- above and beyond with regards to the pool and pathways and those kinds of things and so I -- I like it, but I think we could add maybe a piece or two to make it safer for the people that are driving down that road, especially for the neighbors that are living on Auckland currently, but I think -- I still think that 90 degree angle with a stop sign is -- is the thing you need to turn to in law and I think that's the crux of this issue, but I think maybe an additional traffic calming measure in that north block -- maybe that will give the Commission a little bit better feeling than maybe putting an island in the middle of the road would help that out. That was my only thought as I was looking back comparing the two versions of this project -- or two versions of the plat that may be some additional protection there for kids and for -- to make sure we don't have speeders. But I -- still I like this project. I think they did a great job of incorporating it into the neighborhood next door into Rockhampton and I think with ACHD's input we should approve this as proposed, not that I take their direction as the law, but I think it -- I like it as they presented it. Maybe the addition we can move it forward.

Yearsley: Thank you.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: Yeah. I like it T'd off with the stop sign there and add the island in the middle and I also like that cul-de-sac up there, I think that actually probably works nicer for those lots anyway and cuts off that street just a little bit, just enough.

Yearsley: Thank you. Anybody else?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I agree. I think the cul-de-sac up at the top looks perfectly fine. I think the bollard lighting around the back of the pool would work functionally and be appropriate for that area and the area that we have been working with I appreciate the patience on the applicant for going back and seeing what they can do to improve that and I think that will work.

Yearsley: Thanks.

Wilson: Mr. Chair?

Yearsley: Commissioner Wilson.

Wilson: I agree. I mean I'm looking at the before and after. I commend the Commission and staff working with the applicant and making something that looks a lot better, including that cul-de-sac, so I would be supporting it.

Yearsley: I'm a little disappointed that they didn't actually come up with an option of what could happen -- you know, like I said, I would have liked to have seen an option. We may not have, you know, approved it or not or gone back to this one, so I guess I kind of fall to what is considered the letter of the law or spirit of the law. That's kind of a tough question. Personally I like the bollards across the entire pathway on the top ridge, but I can be amenable, so -- other than that I think it's a good project. I think it looks good, so --

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I think the lighting needs to be there. I agree. It's just a safety issue.

Yearsley: Thank you.

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: I think I -- I agree. I like the bollards at the top. I think it's a safety thing. I think -- and it's something we need to -- as Bill pointed out last time, it's something we have in our code and it's something we are not moving forward with very quickly. Maybe this is the place to start with and that -- I do like the conversation that the applicant brought forward, if you're going to force traffic -- if there was a different cul-de-sac right here along that 56 foot -- or 560 foot block length, I think you would shove traffic to a point where it wouldn't be fun for the houses to the south. So, I still like this -- this setup, but I would be amenable to the bollards up north -- or up along the path.

Yearsley: Thank you. With no other comments I would entertain a motion.

Fitzgerald: Do we think we know where we are going?

Yearsley: Well, three -- three made comments for the bollards, so --

Fitzgerald: Okay. So, Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: I would -- after considering staff, applicant, and public testimony I move to recommend approval to the City Council of file number H-2016-0030 as presented in the staff report for the hearing date of May 5th, 2016, with the following modifications -- that the bollards -- or I guess that's in the staff report.

Yearsley: Yes. Recommend that they stay --

Fitzgerald: That they are maintained in the staff report and that we add an additional traffic calming measure on this 560 foot block length to the north. I'm not sure that has a number, Sonya or Bill.

Yearsley: On Auckland?

Fitzgerald: On Auckland. That that be added as per the conversation with the applicant.

McCarvel: Second.

Yearsley: I have a motion and a second to approve file number H-2016-0030. All in favor say aye. Opposed? Motion carries. Congratulations.

MOTION CARRIED: ALL AYES.

**D. Public Hearing for 907 NW 2nd Street (H-2016-0040)** by  
City of Meridian Located North Side of E. Pine Avenue, West  
of N. Meridian Road

- 1. Request: Rezone** of 0.21 Acres of Land from the R-4  
Zoning District to the O-T Zoning District

Yearsley: Next item on the agenda is the public hearing for file number H-2016-0040, 907 Northwest 2nd Street and let's begin with the staff report.

Watters: Thank you, Chairman, Commissioners. The next application is a request for a rezone. This site consists of .27 of an acre of land, zoned R-4, located at 907 Northwest 2nd Street. Adjacent land uses and zoning. To the north are multi-family apartments zoned OT and to the east, south, and west are single family residential properties zoned R-4. This property was rezoned to R-4 back in 2003 and a conditional use permit was approved for a multi-family development. The Comprehensive Plan future land use map designation is Old Town for this property. The applicant has applied for a rezone of .27 of an acre of land from R-4 to Old Town, OT, consistent with the policies in the Comprehensive Plan and the future land use map designation of Old Town for this property. The reason for the rezone request is that the Public Works Department will be installing a new sewer line in Northwest 2nd Street and abandoning the old sewer line in the alley between Northwest 2nd and Northwest 3rd Streets. The sewer service for the properties along Northwest 2nd Street will be rerouted to flow into the new sewer main in northwest 2nd Street. A new service cannot be installed to serve 921 Northwest 2nd Street entirely within the property lines of that property without causing damage to landscaping and disruption to tenants. Therefore, the property owner has requested that the sewer service line to the building at 921 Northwest 2nd Street run through the subject property, which is under common ownership. In order to do this the subject property must be rezoned to the same zone as the adjacent property, then, a property boundary adjustment can be applied for to combine the two parcels into one parcel. Once the rezone ordinance is approved the applicant plans to submit and obtain approval of an application for a property boundary adjustment to combine the parcels. Because no development is proposed with this application staff does not recommend a development agreement is required as a provision of the rezone. No written testimony has been received on this application and staff is recommending approval. Staff will stand for any questions.

Yearsley: Are there any questions? No? Since this is a City of Meridian, application, they are the applicant and so -- is there anybody wishing to testify?

With that I don't think -- is there any final questions before we close the public hearing? No? With that I would entertain a motion to close the public hearing on file number H-2016-0040.

McCarvel: So moved.

Oliver: Second.

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

MOTION CARRIED: ALL AYES.

Yearsley: I think this one is pretty straight forward. Just trying to do a clean up so we can get the utilities in there, so -- if there is any other comments -- if not, I would entertain a motion.

Wilson: Mr. Chair?

Yearsley: Commissioner Wilson.

Wilson: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2016-0040 as presented in the staff report for the hearing date of May 5th, 2016.

Fitzgerald: Second.

Yearsley: I have a motion and a second to approve file number H-2016-0040. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: ALL AYES.

**E. Public Hearing for Ashley Manor (H-2016-0043) by Mark Ellison Located 4379 N. Locust Grove Road**

**1. Request: Annexation and Zoning of 1.22 Acres of Land with an L-O Zoning District**

Yearsley: Next item on the agenda is the public hearing for file number H-2016-0043 of Ashley Manor and let's begin with the staff report.

Watters: Thank you, Chairman, Members of the Commission. The next application is a request for annexation and zoning. This site consists of 1.22 acres of land, zoned RUT in Ada County, located at 4379 North Locust Grove Road on the west of North Locust Grove, south of East McMillan Road. Adjacent land uses and zoning. To the north is a rural residential property zoned RUT in

Ada County. To the east is Locust Grove Road and rural residential properties zoned R-1 in Ada County. To the south is an office use zoned L-O. And to the west is vacant undeveloped property zoned L-O. The Comprehensive Plan future land use map designation for this site is mixed use neighborhood with a neighborhood center overlay. The applicant has applied for annexation and zoning of 1.22 acres of land with an L-O zoning district consistent with the policies in the Comprehensive Plan and the future land use map. There is an existing home on the northern portion of the property. You can see here on the aerial. It is proposed to remain until phase two is commenced, which will -- which the applicant expects to be in October of 2017. At that time the home will be demolished. Until that time the applicant requests approval to continue to use the home as a residence with a rental property, so that it's not left vacant. Additionally, the owner requests approval to delay hooking the house up to city water and sewer services, since it will be demolished in the future. Because residential use of the property is a prohibited use in the L-O District, staff recommends the residential use, as well as the access via Locust Grove cease upon approval of the annexation ordinance. Continuance of the residential use would be considered a nonconforming use in the L-O zoning district and as such would be subject to the standards listed in UDC 11-1B-4. The applicant proposes to develop the southern vacant portion of the site with a new office building or expand the existing office building on the adjacent parcel to the south by the summer of 2017. So, you can see from the aerial here this is an existing office building that they are talking about possibly adding onto or constructing a separate new building on the vacant portion here. This is a copy of the proposed site plan that the applicant submitted. A conceptual elevation for the future office building is shown on the left, proposed to be constructed. The building is similar to the building on the adjacent property to the south. It's under the same ownership. Written testimony was received from Mark Ellison, the applicant, in response to the staff report and I will let him go over his comments with you. Staff is recommending approval of the annexation and zoning with the requirement of a development agreement containing the provisions in the staff report. Staff will stand for any questions.

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

Ellison: Thank you. My name is Mack Ellison. My address is 4177 North Pennfield Place in Boise. I am an employee of Ashley Manor, who is an affiliate entity and the owner of the property. That's the company that will be building the office building and, then, leasing it to Ashley Manor. And Sonya did a great job summarizing the plan of the company, so I don't want to reiterate it, but I would just say that there are two phases. The first phase would be to build an existing office building and the vacant property right next to the current office building. The plan is to start that as soon as possible sometime in September, October, range, finish it next year and, then, the phase two would be to raze or demolish the building -- the home that's on that northern piece of the property and, then,

build another facility -- another office building there. Expected timeline of that would probably be October -- no later than October 2017, about 16, 17, 18 months out. We agree with all the recommendations of the staff, except for that existing home. We would like to be able to not hook that up to city water and sewer right now, because we are just going to demolish it in a number of months. We would also like to be able to continue to rent it out as a home, so that it's not vacant during that period of time and subject to the -- you know, the risks and all the things that can happen to a vacant building. So, that's the only thing that we request or -- is in relation to that residence to be able to continue to use that until approximately 2017 in October.

Yearsley: Thank you. Are there any questions? Thank you very much. I have a couple of people signed up. A Gerald Clark. Would you like to come forward? And, please, state your name and address for the record.

Clark: My name is Gerald Clark. I live at 4360 North Locust Grove Road, just across the street from this, and my main objection to it is the traffic. I have lived at this home for 48 years. Any improvements -- I mean I could take you around and show all of the improvements and the big shop I have built on there, all the fencing. When we bought that home there was nothing but just the home on there. We raised -- we moved here from Kansas to get out of a high area of crime, which I would say to an area that was better to raise our kids in and we raised our kids and educated and such and our grandchildren here and whatever and we enjoyed this home and tried to keep it up. I mean I'm getting old and it's kind of a little hard to keep up, but the traffic on this road is terrible and some project like this -- coming up is going to make the traffic much much worse. I have had people use our driveway for turning around. Pull in. There have been accidents in front of my home. The accidents -- they have pulled in my drive while they were waiting for the police to show up and I know something like that this people say oops, let's turn around here and they pull in my drive. I had a big turnaround in there, because we don't dare to back out of our drive -- out of our garage and into that street. So, we can back out and turn our car around and go out face first. Now, I know that traffic out there. It has gone from about seven cars per day to seven cars per minute and I know what's going to happen and so I'm very very strongly opposed to this, because I know what's going to happen. I'm sorry I'm a little nervous. I have never done this before, but you want to ask me a question, well, just ask way.

Yearsley: Are there any questions? Thank you for coming to testify. Is there anybody else wishing to testify on this application? If so, would the applicant like to come forward and respond. Please state your name and address for the record again.

Ellison: Mark Ellison. 4177 North Pennfield Place, Boise, Idaho.

Yearsley: And I guess the question, you know, he brought up was the traffic is -- is -- your development with the homes -- I mean I'm not sure what facility you're -- what it is. Does it create a lot of traffic or --

Ellison: We don't believe that it would create any significant traffic amount. The office building would I imagine house 15 to maybe 20 employees.

Yearsley: Okay.

Ellison: So, we don't see a large increase. I agree with him it's a busy street, there is a lot there, and there are plans I understand -- ACHD has plans to widen that street and they have widened part of it and we have met with them and they have given the requirements that they -- they set forth. So, I think it will be addressed over time as they are ready to expand that street and take care of the traffic, but, you know, it's just one of those unfortunate things of growth.

Yearsley: All right. Are there any questions before we know -- no? Thank you. I would entertain a motion to close the public hearing for file number H-2016-0043.

Wilson: So moved, Mr. Chair.

Fitzgerald: 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: Any comments or thoughts?

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: Another office building right there makes sense. I think I would be in support of staff of -- that the house needs to not be residential anymore from -- as soon as the annexation takes place and the access to Locust Grove be shut off and not to be harsh, but I guess the alternative to having a vacant structure is to get rid of the structure now instead of 12 months from now.

Yearsley: Right.

McCarvel: Because it's just that amount of time.

Yearsley: Thank you.

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: I -- first of all, to the neighbors, I -- that's a difficult location you guys are in now, because Locust Grove has become an artery north-south and so it's part of growth and I -- I am sorry it's kind of -- growth has shown up at your door and you guys see it every day I'm sure. I don't think this business is probably going to impact it hugely by another -- an additional building going in there. I -- I kind of tend to agree with -- with Commissioner McCarvel that when you decide to develop something it's probably in your -- that's pretty close quarters. An acre is not too very -- and you're going to have construction traffic and you kind of make the decision, you kind of cut bait and go. So, you kind of need to probably take a decision -- or make a decision to demolish that building and go for it. So, I think I would be agreeing with staff on that regard as well.

Yearsley: Thank you. I have a tendency to agree. You know, we don't know what will happen in a year from now and, you know, that puts the burden back onto the city to track to make sure that they can tear it down in a year, you know, if we put a condition on that. So, I do agree with staff's recommendation that the house needs to be removed as part of the annexation process. So, if there is no other comments, I would entertain a motion.

Wilson: Mr. Chair?

Yearsley: Commissioner Wilson.

Wilson: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2016-0043 as presented in the staff report for the hearing date of March 5th, 2016.

Fitzgerald: Second.

Yearsley: I have a motion and a second to approve file number H-2016-0043. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: ALL AYES.

**F. Public Hearing for Dance Arts Academy and Preschool (H-2016-0042) by Amanda Bidwell Located 2989 E. Copper Point Drive**

- 1. Request: Conditional Use Permit Approval of a Daycare Center for up to Eighteen (18) Children in a C-G Zoning District**

Yearsley: Next item on the agenda is file number H-2016-0042, the Dance Art Academy and pre-school and let's begin with the staff report.

Beach: Thank you, Chair, Commissioners. As you said, this is an application for a -- a conditional use permit for a pre-school. The site consists of .282 acres of land that's currently zoned C-G and is located at 2989 East Copper Point Drive. The site is surrounded by commercial property, which is also zoned C-G. The Comprehensive Plan future land use map designation for the property is mixed use regional. The applicant requests approval to operate a pre-school from an existing building in the C-G zoning district. The proposed use is classified as a daycare center in the UDC, which requires conditional use approval in the district. The applicant is proposing to occupy an approximate 1,000 square foot tenant space in an existing 6,000 square foot building. Access to the site is provided via Copper Point Drive. Parking and street buffer landscaping exists on the site. No exterior modifications to the building are proposed. However, the applicant will be responsible to obtain a certificate of occupancy from the building official prior to operating from the site. The applicant is proposing to have no more than 18 students at any one time and to work closely with the dance studio that occupies the other unit in the building. Access is proposed, like I said, for this site via one access from North Meridian Road and -- excuse me. Daycare facilities have specific use standards set forth in the UDC. The applicant shall be responsible for complying with those standards. As I said, there are no exterior -- I don't know if you -- essentially, the site plan showing the structure -- there are no required changes to the landscaping or the elevations of the structure. This is what it currently looks like. It meets the current code. Staff is recommending approval. I did not receive any written testimony on this application. And I will stand for any questions you have.

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

Bidwell: Thank you. I am Amanda Bidwell and I'm from neUdesign Architecture and our address is 725 North 2nd Street here in Meridian. As Josh stated, this is a 6,000 square foot building and we are looking at adding a daycare classroom to 1,000 square tenant space in that building that would compliment the dance -- arts academy that's there and work closely with them teaching children additional skill sets outside of dance. With that I will stand for any questions.

Yearsley: Thank you. Are there any questions? Thank you. I don't have anybody wishing to testify. Is there anybody wanting to testify on this application? Please come forward.

Bowens: My name is Christy Bowens. I'm at 3023 East Copper Point in Meridian. I'm right behind that building. What I'm wondering is how the daycare is going to handle 18 children and -- are they going to be outside? There is a lot of cars moving in and out. Are we -- there is a dance studio there, which every

now and then a kid gets loose and runs around. So, I'm wondering how that and the added impact for 18 children is going to impact the rest of the professional office buildings around there with -- you know, we don't have anybody screaming and running around back and forth, so we are little concerned on how that's going to impact as far as the children and parking and has the HOA approved this use and checked it with the restrictions to make sure that it's allowable?

Yearsley: Thank you. We will have to -- I'm not quite sure -- is there anybody else wanting to testify on this application? With that, would the applicant like to come forward and respond.

Bidwell: Do I need to state my name again?

Yearsley: Please.

Bidwell: I'm Amanda Bidwell. neUdesign Architecture. And our address is 725 North 2nd Street in Meridian. I understand the concern with that -- the proposed preschool would be short classes in the morning where kids would go in and sit down and learn a skill and, then, the parents would come and pick them up and leave. It's not something where children would be all day long and that's I think where the higher risk comes from in children getting loose and running around screaming.

Yearsley: So, we are talking like a couple of hour type preschool facility?

Bidwell: Correct.

Yearsley: Okay. And I guess the other comment about the HOA -- not that we have anything involved with that, but that probably needs to be checked to see if that is an approved use within the -- I didn't realize that that development had an HOA, so something to check into. Are there any other comments or questions? Thank you. I would entertain a motion to close the public hearing on file number H-2016-0042.

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: Any comments or thoughts on this one?

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I guess I really don't see a problem as long as -- you know, it is just classroom type stuff and -- because there is nowhere outside, you know, to do a little recess or anything like that. And we are certain the parking and stuff is adequate for the dance? I'm guessing it's going to be kind of -- not at the same time with the dance studio. And, yeah, I -- I had no idea that the HOA had -- if they have got something to say about it, they probably ought to check that, but I think from our standpoint it is okay.

Yearsley: Thank you.

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: Yeah. I think if it's kind of a drop in, not all day, kind of quick classes and they have the dance studios and they would probably -- I would guess they would not be at the same time. If they have room to -- if they would be able to -- I mean I know that it -- the area -- and I'm surprised there are not more daycare facilities there. I know that there is a couple across the street -- across Eagle, but it doesn't surprise me -- it surprises me there is not more over there with the amount of businesses and homes, so I think it's fine.

Yearsley: Thank you.

Beach: Mr. Chairman, if I may quick and in discussions that we had with the applicant that's their intent is to have their dance classes in the evening, so there wouldn't be a lot of use for those buildings during the day and so instead of having an outdoor space for those children to run around in if they need to, they intend to utilize that indoor space that was there in the discussions that we had with the applicant, so --

Yearsley: Thank you.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: Having heard that from Josh right now, I believe that that would be a good fit. I think that we are fine in knowing preschool -- you wouldn't have any problem I don't think with running around kids, all screaming and whatnot. So, I think it would be an appropriate fit for that area and I'm in favor of it.

Yearsley: Thank you. And I agree. I think where it's only -- where it's not an all day daycare and it's in there to teach a class for a short period of time, I think it makes -- makes good sense. With that, if there is no other comments, I would entertain a motion.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: After considering all staff, applicant, and public testimony I move to approve file number H-2016-0042 as presented in the staff report for the hearing date of May 5th, 2016.

Wilson: Second.

Yearsley: I have a motion and a second to approve the public hearing -- or of the public -- the file number H-2016-0042. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: ALL AYES.

Yearsley: Thank you. One last motion to make.

Fitzgerald: Mr. Chairman, I move for adjournment.

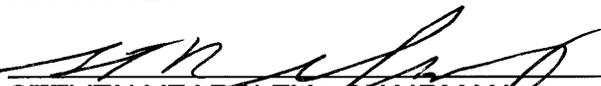
Oliver: Second.

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

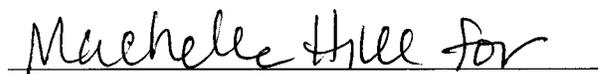
MOTION CARRIED: ALL AYES.

Yearsley: We stand adjourned.

MEETING ADJOURNED AT 7:30 P.M.  
(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)  
APPROVED

  
STEVEN YEARSLEY, CHAIRMAN

ATTEST:

  
JACY JONES - CITY CLERK

