

Meridian Planning and Zoning Meeting

July 7, 2016

Meeting of the Meridian Planning and Zoning Commission of July 7, 2016, was called to order at 6:00 p.m. by Commissioner Ryan Fitzgerald.

Members Present: Chairman Steven Yearsley (telephone), Commissioner Gregory Wilson and Commissioner Ryan Fitzgerald.

Members Absent: Commissioner Rhonda McCarvel, and Commissioner Patrick Oliver.

Others Present: Machel Hill, Andrea Pogue, Bill Parsons, Josh Beach and Dean Willis.

Item 1: Roll-Call Attendance:

Roll-call

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

Fitzgerald: Good evening, ladies and gentlemen. At this time I would like to call to order the regularly scheduled meeting of the Meridian Planning and Zoning Commission for the hearing date of July 7th, 2016. Let's begin with roll call.

Item 2: Adoption of the Agenda.

Fitzgerald: First up on the agenda is the adoption of the agenda. We have one change with Harmony Hills, H-2016-0063, to be continued to August 4th. With that change can I get a motion?

Wilson: Mr. Chair?

Fitzgerald: Commissioner Wilson.

Wilson: I move we adopt the agenda as amended.

Yearsley: Second.

Fitzgerald: All those in favor? Opposed? Motion passes. Thank you.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Item 3: Consent Agenda

- A. Approve Minutes of June 23, 2016 Planning and Zoning Commission Special Meeting**
- B. Findings of Fact and Conclusions of Law for Approval For Touchmark Cottage Units (H-2016-0058) By Touchmark at Meadow Lake Village Located at S. of E. Franklin Road and E. of S. Eagle Road on the N. Side of E. Putter Lane and E. of S. Touchmark**

Fitzgerald: Let's move to the Consent Agenda. We have the approval of the minutes of June 23rd, 2016, Planning and Zoning Commission, and the Findings of Fact and Conclusions of Law for approval for Touchmark Cottage Units, H-2016-0058 by Touchmark at Meadow Lake Village -- excuse me -- at Meadow Lake Village. Are there any changes to the Consent Agenda or any comments? Mr. Yearsley?

Yearsley: I have none. Mr. Chair?

Fitzgerald: Yes.

Yearsley: I'm going to move we approve the agenda -- or the Consent Agenda.

Wilson: Second.

Fitzgerald: I have a motion and a second to adopt the Consent Agenda as printed. All in favor say aye. Opposed? Okay. Motion carries. Thank you.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Fitzgerald: So, as we get started tonight, go through a couple of processes for tonight, we are going to open each item on the agenda. The first one we are going to open just to continue it to the next meeting, but after that we will start by the staff report. They will present their findings regarding how the items adhere to our Comprehensive Plan and Uniform Development Code with staff recommendations. After staff has completed their presentation the applicant will come forward to present their case for approval, their application, and respond to any staff comments. The applicant will have up to 15 minutes to do so to make their presentation. After that, then, we will open it up to the public hearing. If anybody wishes to testify on behalf of a homeowner's association, they will have an extended period of time of ten minutes period of time. We would ask that the people that they are representing don't also come up to present. After that the applicant will have a chance to rebut their testimony and anybody else that's speaking individually will have three minutes to speak and you will see the lights up here kind of give you a warning when to wrap it up. After the audience has had a chance we will, obviously, invite the applicant to come back up and respond to any comments and, then, we will close the public hearing and the

Commission will deliberate after that and so we will hopefully be able to make a motion and move this on to Planning -- or the Council for a decision.

Item 4: Action Items

A. Public Hearing for Harmony Hills Assisted Living (H-2016- 0063) by Derk Pardoe Located at 1521 and 1529 S. Tech Lane

1. Request: Conditional Use Permit for an Assisted Living Facility on 1.72 Acres in a C-G Zoning District

Fitzgerald: And now regards -- Josh, do I kick this thing? Oh, you know, what, we are moving to the opportunity to open the public hearing for Harmony Hills Assisted Living H-2016-0063, for continuation to August 4th. Could I have a motion?

Wilson: Mr. Chair?

Fitzgerald: Commissioner Wilson.

Wilson: I move we move Harmony Hills Assisted Living CUP H-2016-0063 to August 4th.

Yearsley: Second.

Fitzgerald: Any comments or -- okay. All those in favor say aye. Opposed? Motion passes. Thank you.

MOTION CARRIED: THREE AYES. TWO ABSENT.

B. Public Hearing for Linder Pet Medical Care (H-2016-0064) by Robert Ormond Located at 3150 W. Sheryl Drive Approved –

1. Request: Conditional Use Permit for an Animal Care Facility on 0.31 of an Acre in an L-O Zoning District

Fitzgerald: Moving on. I will open the public hearing on Linder Pet Medical Care, H-2016-0064 by Robert Ormond and we will start with the staff report.

Parsons: Thank you, Mr. Chairman, Members of the Commission. I'm filling in for Mrs. Watters this evening. She was the assigned planner on the project. The project before you this evening is for a conditional use permit to -- for a veterinary

clinic in the L-O zoning district. The site is currently zoned L-O and is vacant ground that was rezoned in 2004. In 2013 the Planning and Zoning Commission and City Council approved an application for a rezone of this property from the L-O zoning district to the TN-R zoning district to allow for the construction of a four-plex on the site. The developer at that time did not move forward with executing the development agreement and so that rezone never happened. So, the property still remained L-O as it was originally approved in 2004. To the north of this property is a church use, zoned R-4. To the east we have Tiburon Meadows, which is zoned R-4 and R-8 single family homes. To the south is an existing church as well, zoned L-O, and, then, across to the west we have Ten Mile Road and Albertson's shopping center. The applicant is here this evening to discuss the proposal of constructing an approximately 4,300 square foot veterinarian clinic on this 0.31 acres of land in an L-O district. Before you this evening is the site and landscape plan that they have proposed for the site. Along Ten Mile Road the applicant is required to construct a 25 foot wide landscape buffer along the north boundary. Because that is a nonresidential use, there is no requirement for a buffer. Along Sheryl Drive, which is on the south boundary, is a requirement for a ten foot land use buffer and, then, because the property abuts a residential use on a shared boundary between the east -- on the east boundary, they are required to provide a 20 foot wide landscape buffer. The submitted site landscape plan that's before you this evening -- where that 20 foot wide landscape buffer is proposed adjacent to that residential use, the applicant is proposing a solid six foot tall fencing and this will also be the area to be used for recreation of the animals. Under the specific use standards for animal care facilities the animals are to be under supervision at all times during their term -- their time outside, so the applicant will -- and the owner will have to have somebody out there monitoring the animals, so that they don't impact the adjacent neighbors. One of the items that we brought up in the staff report is in this animal area the applicant is proposing artificial turf. One of our conditions in the staff report was requiring the applicant to vegetate that. Under the UDC the applicant does have the ability to seek alternative compliance and work with staff to come up with an alternative, if you will, and so he can do that at staff level as he moves through the process this evening. One other item that I'd like to point out to the Commission this evening is the number of parking stalls on the site. As proposed this evening the site does meet the current UDC standards. In our staff report staff was concerned with the amount of parking that was on the site and so in our discussions with the applicant it is their intentions to reach a shared parking agreement with the church to the south and they are under those discussions. So, one of our conditions of approval for this project is that they submit that shared parking agreement with their CZC application. As you are aware, the applicant will be required to go through design review as well and so the elevations tonight depict a mix of building materials, wood siding, stucco and, then, some stone accents as well and, again, this is generally consistent with the design manual, but final -- further refinement or further study will happen when they come in for design release, so we will make sure it adheres to the design standards and the architectural design manual when they come in for their CZC

application. Staff did receive written comment from the applicant. He is in agreement with all the conditions of approval, except for the one that requires the artificial turf along the east boundary. So, again, they are amenable to the condition, they just want the opportunity go through that alternative compliance. So, we have it written that way, to have them seek the alternative compliance or educated per code. So, I think everything is in order for your decision this evening and staff is recommending approval and I will stand for any questions you may have.

Fitzgerald: Are there any questions?

Yearsley: I don't have any.

Fitzgerald: Would the applicant like to come forward? Please state your name and your address for the record.

Hertel: Good evening, Commission. My name is David Hertel. My address is 1435 East Shenandoah Drive in Boise. I am the architect for the project and the representative for Robert Ormond on the Linder Pet Medical Center. The applicant does agree with the staff recommendations for approval, with the exception of the revised landscaping plan, for which we do plan on submitting an application for alternative compliance. We felt -- we do have trees in that area as a buffer. We are building a six foot solid fence and there are reasons of help, safety for the -- for the area and with this permeable turf that we are -- that we are going to be installing, they will be washing -- or my client will be washing that area every day after use. As far as the shared parking agreement goes, my client Robert Ormond has already met with the neighbors and they had a verbal agreement to share the parking in their parking lot. It's just we are in the process of getting a written document for that. So, if you have any questions I will be glad to answer them. Otherwise, that's all that I had for this evening.

Fitzgerald: Are there any questions of the applicant? Commissioner Yearsley, do you have any questions?

Yearsley: No, I don't have any questions.

Hertel: Okay. Thank you.

Fitzgerald: Thank you very much. I do not have anyone else signed up to testify. Is anyone interested in speaking on this application? Seeing none, can I have a motion to close the public hearing?

Wilson: Mr. Chairman?

Fitzgerald: Commissioner Wilson.

Wilson: I move we close the public hearing.

Yearsley: Second.

Fitzgerald: We have a motion and a second. All those in favor say aye. Opposed? Motion passes.

MOTION CARRIED THREE AYES. TWO ABSENT.

Fitzgerald: Comments? Thoughts? Commissioner Yearsley, you want to take a shot?

Yearsley: You know, I think it's a good fit for the area. I like the building style. I think it will work and if we can show an easement to the parking for the -- with the church, I think it works well. So, I'm in favor of it.

Fitzgerald: Thank you, sir.

Wilson: I'm also in favor. I like the style of the building. I think it fits with its surroundings and I'm in favor of it also.

Fitzgerald: And I tend to agree. I think there is -- it's better than I think what had been proposed there in the past and so I think the neighbors will probably be happy and maybe utilize the facility. So, I think we are all knowing where we are heading. So, I would entertain a motion.

Wilson: Mr. Chair?

Fitzgerald: Commissioner Wilson.

Wilson: After considering all staff, applicant, and public testimony, I move to approve file number H-2016-0064 as presented in the staff report for the hearing date of July 7th, 2016.

Yearsley: Second.

Fitzgerald: I have a motion and a second for the adoption of H-2016-0064. All those in favor say aye. Opposed? Okay. Motion carries. Thank you very much. Congratulations. Thank you.

MOTION CARRIED: THREE AYES. TWO ABSENT.

C. Public Hearing for Velvet Point Subdivision (H-2016-0068) by Mussell Construction Located East of S. Locust Grove Road Between E. Time Zone Drive and E. Lake Street

1. Request: Combined Preliminary/Final Plat Approval Consisting of One (1) Building Lot on 0.19 of an Acre in the R-4 Zoning District

Fitzgerald: Okay. We will now move on to public hearing for Velvet Point Subdivision, H-2016-0068, by Mussell Construction and I will turn it over to Josh.

Beach: This is an application for a combined preliminary and final plat. The subject site consists of 0.19 of an acre of land. It's currently zoned R-4 and is located at 2795 South Velvet Falls Way. The property is located within the existing Salmon Rapids Subdivision No. 4 and it's surrounded by single-family residential parcels, which are also zoned R-4. The preliminary plat for this Salmon Rapids Subdivision was approved in 1994 and the Salmon Rapids No. -- Final Plat No. 4 was approved in 1995. The Comprehensive Plan future land use map designation for this parcel is medium density residential. The combined preliminary and final plat is proposed consisting of one building lot, as I said, .19 of an acre of land in the R-4 zoning district for the Velvet Point Subdivision. The proposed subdivision is a resubdivision of Lot 5, Block 7, of Salmon Rapids No. 4. This specific lot in the current Salmon Rapids No. 4 is designated as a common lot for that subdivision. In doing the research this is designated as a common lot currently on the plat, but it was never -- it was never calculated as part of this -- as part of the required open space. So, there is a distinction between a common lot and acquired open space for a subdivision. This up until recently was a -- a well for the Nampa-Meridian Irrigation District, has now been vacated, so they are not using that as a well anymore. It's been closed off. Having said that, the applicant has indicated that they are going to build a single family residential home. This is a concept plan. This is not -- not an approved plan. We will have to work with the applicant a little bit to get this where it needs to be, but the staff is in favor of the application and I will stand for any questions you have.

Fitzgerald: Do we have any questions for Josh?

Yearsley: Mr. Chairman, I don't have any questions.

Fitzgerald: Okay. Would the applicant like to come forward? Please state your name and your address for the record, please.

Mussell: My name is Kent Mussell. I am representing Mussell Construction. My address is 320 11th Avenue South in Nampa, Idaho. I am here to discuss the proposed project, which is intended to be a personal residence for my wife and I. It's going to be a 1,750 square foot single level home. It will be approximately 19 feet tall. And I believe that design was showed on the screen earlier. This file is in line with the surrounding homes, using similar traditional siding with stone accents. And Josh did a pretty good job of describing the history of this parcel,

that it was originally a -- a pump lot with an irrigation well and pump house that have since been removed. Because of those situations, that's the reason for the common area designation on the original plan. The plan also stated originally that the property was to be held in the -- the homeowners association, but that -- because that didn't happen, the -- the only deed that's ever been recorded for this parcel is in the name of Nampa-Meridian Irrigation District and since the -- the irrigation well has been removed from the property they sought to sell the property. Their first choice was to try to reach an agreement with the homeowners association and because that was unable to occur, because that -- the property was listed for sale to the public and as you are aware Mussell Construction has a purchase agreement with the irrigation district for the property. The -- the one concern that I am aware of from the surrounding homeowners has been that the resulting subdivision from this plat may not be governed by the existing Salmon Rapids covenants and so because I understand that concern and I believe it to be a reasonable concern, I intend to annex the property into the Salmon Rapids covenants and I am working with Greg Ferney, my attorney, to determine the exact process that needs to occur, but in the best case it should be a simple matter of an agreement between the -- the subdivision's board of directors. Otherwise, it may require a vote by the -- the members and if -- if a vote is required, then, I will only be able to join if the vote is for approval, but under any other circumstances I fully intend to join, so -- my wife and I are really excited to get started on this project and so thank you for your consideration and if you have any questions I would be happy to answer them.

Fitzgerald: Are there any questions for the applicant?

Yearsley: Mr. Chairman, I don't have any questions.

Fitzgerald: Thank you, sir. I have two people signed up. Erick Shaner. Come and testify? Mr. Shaner, can you state your name and address for the record, please.

Shaner: You bet. My name is Erick Shaner. My address is 1488 East Lake Creek Street, Meridian, Idaho. I'm here just as a homeowner. I'm not here for my job or my official capacity. Just wanted to make that clear. Our home lies adjacent to the subject property directly to the south of the property. My wife and I, we bought the home -- our home about ten years ago and about -- oh, about half of our -- the homes in our window face this property and we have enjoyed the -- you know, the open -- the open area. When the home goes in it will, you know, limit our view and it will also increase the density in our -- in our little area of the subdivision there. We -- we support the permit with conditions and one of those conditions is that the -- without question that the home be underneath the CC&Rs of the subdivision. We feel like with the R-4 designation, from what I understand it to be, it would be wholly inconsistent for it to be there without the CC&Rs, you know, preventing uses that would be inconsistent with what homeowners are able to do and Kent -- Mr. Mussell has been great to work with

on that. I think he will be great to continue to work with on that. Also that as planned it's a one level and I would ask that that be a condition as well, you know, in part because of our view, that it be at least only a one level and that's what he's got planned for, so -- so, that's great. But ask that that be a condition. Other couple of points I wanted to address -- aren't so much conditions, but just - - this is an attempt to make sure that this is fully vetted. One is that the deed from the irrigation district -- from the subdivision to the irrigation district and, then, the other -- another issue is what's your -- Josh? What Josh spoke to about the open area requirements. I have spoken with -- a Josh -- I don't know if it's you, Josh, but, you know, the people from your staff, I believe, you know, several times over the past months, if not longer. One of the main issues that we have talked about is whether or not this meets the open area requirements and I was always told -- or I was under the understanding that there would be a report on that as to whether or not it did meet the city's requirements for the percentage of open area if you were to remove this out of the common area. And so I just want that -- that issue addressed. The other -- like I said, Mussells have been great to work with. They will be great neighbors and, you know, we look forward to being their neighbors. Is that two minutes or three minutes?

Fitzgerald: That's the three minutes, sir.

Shaner: Three minutes? So, my -- that is? All right. Thank you.

Fitzgerald: Thank you very much. Kimberli Shaner, if she wants to testify or -- okay. Is there anyone else wishing to testify on this application? Okay. Josh, real quickly, can you, just for the record, state on the common area versus open space percentage? I think we covered that earlier, but I want to make sure.

Beach: We did. Again this is designated as common lot for the subdivision, but it is not included in the required open space for the subdivision. So, that's a distinction that needs to be made. Yes, it's a common lot, but it was a common lot for the purposes of a well for the Nampa-Meridian Irrigation District and the practice -- we do not include that as required open space, because it's not open space.

Fitzgerald: Thanks. Would the applicant like to come up? Do you have any other closing comments? Please state your name and your address for the record again, please.

Mussell: My name is Kent Mussell. 320 11th Avenue South. So, one thing I -- I don't know how to use this.

Fitzgerald: Push a color with the pen and then --

Mussell: Color. Oh.

Fitzgerald: And, then, circle or draw.

Mussell: Well, I have -- I guess I will bring these up. So, I wanted to project these on the screen.

Fitzgerald: Oh. Okay.

Mussell: So, the reason why I showed you these images -- these are images of the state of the property when I originally made the offer on the property and, then, what we have done since to clean up the property. So, I just wanted to make sure it was -- it was known that -- the Nampa-Meridian Irrigation District has a minimal amount of maintenance into the property over the past years and -- and this is the graphic evidence of how that's going to change going forward. And that was it.

Fitzgerald: Mr. Mussell, do you -- in regards to this picture -- and you can see it. Obviously, the gravel set up right now would go away. Do you -- are you maintaining the fence set up on both sides?

Mussell: I will be, yes.

Fitzgerald: Okay. Are there any other questions for the applicant? Commissioner Yearsley?

Yearsley: No, I don't have any questions.

Fitzgerald: Okay. Josh, one more question for you. Is there -- in regards to any kind of agreement going forward on -- per the conditions about having this be a single level home, is that something that's in there now or is that something --

Beach: It's not in there now.

Fitzgerald: Okay.

Beach: That was not something that we required as part of this in the conditions of approval. That's definitely something that you folks, should you feel that's needed, can add that as a condition of approval.

Fitzgerald: Okay.

Beach: Having said that, if you look at the homes here, just in this Google Earth shot, most of them are single-family homes, so --

Fitzgerald: Okay. Thank you. I'm sorry.

Mussell: If that's a requirement that the Commission would like to add to the application, I have no objection to that, so --

Fitzgerald: Okay. Thank you very much.

Parsons: Mr. Chairman, if I may interject here.

Fitzgerald: Yes, please, Bill.

Parsons: It may be easier just to say comply with the submitted elevation and we can -- and that single story, we will leave it down there. It's typically what we do. He represented something -- he testified that's the home he was going to build on the site. Let's just tie him to his elevation.

Fitzgerald: Thank you very much. With that could I get a motion to close the public hearing.

Wilson: Mr. Chair?

Fitzgerald: Commissioner Wilson.

Wilson: I move we close the public hearing on H-2016-0068.

Yearsley: Second.

Fitzgerald: I have a motion and a second. All those in favor say aye. Opposed? Okay. Motion carries.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Fitzgerald: Comments? Thoughts? Commissioner Yearsley, you want to start?

Yearsley: Sure. You know, I think this is a -- a good in-fill project, you know, the home looks nice. I think it will fit well with the community and glad that he's willing to be part of the HOA. I think that makes a big difference and so I would be in favor of the project.

Fitzgerald: Commissioner Wilson?

Wilson: Mr. Chair, I would also be in favor of the project and I would be willing to make in my motion complying with the submitted elevation.

Fitzgerald: And I agree with you guys. I think it's a good in-fill and it sounds like Mr. Mussell is going to be a good neighbor to the -- into the community, so I think -- I think it looks good. With that I think we are all on the same page. So, could I get a motion?

Wilson: Just for clarification, I need to have that modification; right? Okay.

Fitzgerald: Probably put that in your motion.

Wilson: Mr. Chair?

Fitzgerald: Commissioner Wilson.

Wilson: After considering all staff, applicant, and public testimony, I move to recommend file number H-2016-0068 as presented in the staff report for the hearing date of July 7th, 2016, with the modification that the applicant comply with the submitted elevations.

Yearsley: Second.

Fitzgerald: I have a motion and a second to -- second approval for H-2016-0068 to the City Council. All those in favor say aye. Okay. Opposed? Okay. Motion carries. Congratulations.

MOTION CARRIED: THREE AYES. TWO ABSENT.

**D. Public Hearing for Silverstone Apartments (H-2016-0058)
by DevCo, LLC Located at 4225 E. Overland Road**

- 1. Request: Amendment to the Comprehensive Plan Future Land Use Map to Change the Land Use Designation on 25.97 Acres of Land from Medium Density Residential to Mixed Use Regional and to Change the Land Use Designation on 42.18 from Boise's "Suburban" Comprehensive Plan Land Use Designation to Medium Density Residential**
- 2. Request: Annexation and Zoning of 14.41 Acres of Land from the RUT to the C-G Zoning District**
- 3. Request: Conditional Use Permit for a Multi-Family Development Consisting of 312 Dwelling Units in the C-G Zoning District**

Fitzgerald: Okay. Moving on to opening the public hearing for Silverstone Apartments, H-2016-0058, and we will start with the staff report.

Beach: Mr. Chair, Commissioners, this, as you said, is an application for Silverstone Apartments. The three application types that are before you tonight for this are a Comprehensive Plan map amendment, annexation and zoning, and

a conditional use permit. The overall site consists of 25.97 acres of land, which is currently zoned RUT in Ada County. It is located at 4225 East Overland Road. To the north is East Overland Road and single family homes in the Rolling Hills, Subdivision, which is zoned R-1 in Ada County. To the east is commercial property zoned RUT in Ada County. To the south is agricultural property, zoned RUT in Ada County, and to the west is commercial property in the Silverstone Business Park, which is zoned C-G. There is no history on this property. Been agricultural land for a long time. The Comprehensive Plan future land use map designation for this property currently is medium density residential. The applicant proposes to amend the future land use map contained in the Comprehensive Plan, to change the land use designation on 25.97 acres -- have an exhibit here -- 25.97 acres of land from medium density residential to mixed-use regional. So, if you look here on the -- on the left, on the top map here, this is the existing land use. As you see this yellow it's currently designated medium density residential. The proposed land use here is to amend the portion adjacent to Overland Road, that 25.97 acres, as well as include a portion of what was previously included in the city of Boise to medium density residential designation. Just as kind of a -- as an explanation to that, the city of Boise and the developer and Mr. Conger will discuss this as well I'm sure. They are agreeable to coming to the City of Meridian because of an issue being able to facilitate the sewer on this property due to the -- due to the canal along the -- along the east side of the property and so Boise agreed to have that come into the City of Meridian and so that will be, I believe, a future project Mr. Conger is working on. So, as you see the map here, the blue area is Boise city. The red box is what we are changing the Comprehensive Plan to mixed use regional and the black box are the apartments and that application is for the conditional use permit and for the annexation, just to clarify a little bit. So, we did receive an overall concept plan for the area that the applicant is requesting to modify the future land use map. The apartments are here on the left and this area here, about -- to about right there is in the City of Meridian and this is a concept plan. Now, we can't tie them to this concept plan, this is their general idea of what they would do in the future and when this property comes through and it actually becomes annexed in or they apply for annexation we can, then, tie them to a concept plan that they provide. But this is just for -- just for a visual at this point. So, concept plan for the entire proposed mixed use regional area was submitted as you see here. The concept plan depicts a number of buildings. As I said, we are not tying them to this, but this is a -- a general idea of what -- what could happen on the property and, as I said, some of the area in this concept plan remains in the city of Boise. The applicant requests approval to annex and zone 14.41 acres of land with a C-G zoning district, which is consistent with the proposed future land use map designation of mixed use regional to develop the multi-family portion of the property, which is -- which is as you see here to the left. The applicant requests a CUP for mixed -- or multi-family residential on the 14.41 acre of property in a proposed C-G. The multi-family residential development is proposed to consist of 312 dwelling units within 15 three-story structures on 13.51 acres of land. The units will consists of 204 two bedroom units and 108 one bedroom units and all

the units will be between 500 and 1,200 square feet and a 4,389 square foot clubhouse is proposed that will contain a business center, leasing office, exercise room, enclosed bike storage with a covered patio and several -- also include associated garage and carport structures that are proposed. The commercial portion of -- the commercial portion of the site is not proposed for development at this time. The primary entrance for the development is off of Overland Road. The applicant has also proposed cross-access to the future commercial development to the east, as you can see here on the site plan. And moving back one slide, on the southwest corner of the apartments the applicant is also proposing an access down to the existing Pewter Falls Street in the Silverstone Office Park to provide some additional access. Staff has not yet received comments or a staff report from the Ada County Highway District on this application, with the anticipation that they are going to want some additional access and this access point gets residents -- future residents out to a light on Topaz, which will really alleviate that Overland Road access point. Because of the proposed units, 312, they contain between 500 and 1,200 square feet of living area, a minimum of 7,800 square feet of common open space is required to be provided. A total of 2.55 acres of passive and active open space is proposed, which is approximately 111,383 square feet of common open space. So, the application exceeds the requirements of the UDC. The applicant also proposes, as I mentioned previously, to provide the following amenities. A Clubhouse. A fitness facility within the clubhouse, a swimming pool, a children's play structure, an additional 50-by-100 foot open grassy area, enclose bike storage within the clubhouse with the capability of storing approximately 60 bicycles and a business center, which is also within the clubhouse, which falls under the quality of life and recreation categories. Excuse me. The applicant has provided seven amenities as detailed and staff believes that this is sufficient for the -- the size of the development. The applicant -- Mr. Conger did -- did actually not receive comments back from them, but in speaking with them they are in agreement with the staff report. I have not received any -- any additional comments from the public and with that I will stand for any questions you may have.

Fitzgerald: Do I have any questions for Josh? Commissioner Yearsley?

Yearsley: Mr. Chairman, I don't have any questions. Thank you.

Fitzgerald: Thank you.

Parsons: Mr. Chairman?

Fitzgerald: Yes, sir.

Parsons: Just one. Just one clarification. Josh, if you could go back to the comp plan amendment. Thank you. In speaking with the -- I just want to make it clear on the record that what we are actually proposing with the comp plan amendment -- the exhibit that you see that -- where it says proposed changes,

Josh has a highlighted area there that says MDR. That was not part of the applicant's request. So, disregard that in your motion this evening. It's really only this portion up by Overland. He will have to come in with a future comp plan amendment when he comes in with that property to the south to request that designation. So, I just want to clear it up on the record that you're only acting on the mixed use regional change from MDR to mixed regional and not including that portion as part of this application.

Fitzgerald: Thanks, Bill.

Parsons: And with that I will turn it back over to the applicant.

Fitzgerald: Mr. Conger, you want to give us your thoughts?

Conger: Yes. Mr. Chairman, Members of the Commission, Jim Conger with DevCo at 4824 West Fairview. Thank you. And we are definitely excited to be in front of you today with this specifically placed multi-family project here on Overland Road adjacent to Eagle Road and I guess the Overland intersection, with easy access to the freeway. This application is similar to our last approved multi-family housing project that was adjacent to The Village. We would definitely like to thank Josh and all the staff for their assistance and code experience. We have had numerous meetings throughout the process. Like I said, our last project, multi-family by The Village, we have been in your office and I think it's been good for all of us to work with the codes and understand, which I think is why we have a staff report in front of you that's recommending approval and no outstanding issues. Usually there is one or two and there is -- there is nothing that -- that's left outstanding. So, in an effort to respect your time and a possible 7:00 p.m. deadline, I would hold portions of my presentation for questions or rebuttal. We are in complete agreement with the staff report as written and are excited to gain your approval and move this to the next step. So, I will stand for any questions.

Fitzgerald: Does anyone have any questions for the applicant?

Yearsley: Mr. Chairman, I have no questions.

Fitzgerald: Thank you, sir.

Conger: Thanks.

Yearsley: I have three people signed up to testify that's on the list. Donna McDonald, do you want to testify? Please come forward, ma'am, and state your name and address for the record, please.

McDonald: Good evening. My name is Donna McDonald. I live at 1530 South Topaz, Meridian, Idaho. We met with Mr. Conger when they first came out to talk

about this. My concern is the amount of traffic that's going to be dumping out onto Overland. We are talking over 300 units there. I'm assuming most of these people work jobs. The quickest way to get out of there is going to be on Overland Road headed towards Eagle, more than likely, to get on the freeway. We have -- we have got traffic problems already morning and evening at peak hours with people turning south to go into Silverstone with the big Citicorp and everything else when they have shift changes, traffic gets a little dicey out there. We have had a number of accidents. The first I have heard of possibly having a traffic light at Topaz is tonight. That's just my biggest concern is the traffic. I know we are talking about having, you know, potentially another -- another way out through the back of the apartment complex. I don't know how much of a reality that is for people to go out the back and wind all the way around to get back down to another light. The quickest way is going to be Overland and that's just my biggest concern is the traffic. Okay.

Fitzgerald: Any questions for Mrs. McDonald? Mr. Yearsley, do you have any questions?

Yearsley: No, I don't have any questions.

Fitzgerald: Thank you.

McDonald: Thanks.

Fitzgerald: I have Janice Glenn or Gary. Do either one of you want to testify or -- come up to the mike and give your name and address for the record, please.

Glenn: I guess first of all, there is three different items on here, which one are we covering?

Fitzgerald: All of them at the same time.

Glenn: Okay. My name is Gary Glenn. I live at 4072 East Pine Bluff. It's in the Sutherland Farms Subdivision just to the south of the canal. What I didn't quite understand was what is being discussed on the south side just north of the Sutherland Farms. There is -- I understand that there is houses that are going to be built just north of us back to the canal and our concern with that is that it will impact our property value in the fact that it will obstruct our view of the mountains and whatnot. So, what we would suggest is having a conditional requirement that the houses that are being built just north of the canal be one story and that's -- that's the one concern that we have. The second concern is the light pollution that is going to come from that subdivision built just to the north from -- from this development and what is being done to try to control that.

Fitzgerald: And, Josh, you can clarify this. This is not going to deal with that land right now at all.

Glenn: Okay.

Fitzgerald: So, this is only the chunk of land, the 25 acres right on Overland Road.

Beach: Correct. So, tonight before you is not an application for any single family homes. It's specifically for apartment -- a conditional use permit for apartments upon the northwest corner of the property.

Glenn: Okay.

Beach: A Comprehensive Plan future land use essentially changes the types of uses that are allowed on the Overland Road frontage and annexation of a piece of property. Again, up in the northwest corner. So, nothing right now is being discussed as far as single family homes going directly north of the canal.

Fitzgerald: Okay.

Beach: I assume that will be a future application that he will be notified of and can come comment on it at that point.

Fitzgerald: Mr. Glenn, that section is -- it's surrounding the boxes, that yellow area is not being discussed tonight at all.

Glenn: Okay.

Fitzgerald: So, when an application comes forward on that issue, but we are not talking about that tonight.

Glenn: Okay. So, the only other comment I have with regard to the apartments is I -- we have the same concern with regard to the traffic on Overland, given that we live in that Sutherland Division. So, I don't have any other comments.

Fitzgerald: Thank you very much. I have Jerrod Judkins. If you could state your name and address for the record, please.

Judkins: It's Jerrod Jenkins. 12600 West Muir Ridge Drive, Boise. My home backs up to the canal there and we do have a lot of traffic coming through -- cutting through our subdivision going to Citibank and T-Mobile and all those kinds of things and in Boise the speed limit is 20 and no one drives 20 down our -- our lane. But just to -- I know you said this was not what -- about the homes in back, but yet this development met with us several months ago and they didn't include this in their plan and so what they are planning on doing is adding 312 apartments in here, but what they are submitting later is another plan for 350 homes in the rest. So, they do kind of go together, because there is more traffic.

They left out these 312 apartments. That wasn't in their plan when they presented it to the neighbors and that sort of thing. So, they are doing it in piecemeal, but it's still part of their process and everybody knows what their plan is. Just like to leave that with you.

Fitzgerald: Thank you, sir. Is there anyone else -- I don't have anybody else signed up. Anybody else want to testify on this application? Seeing none, would the applicant like to come forward and close out the discussion.

Conger: Yes, Mr. Chairman, Members of the Commission. Again Jim Conger, 4824 West Fairview Avenue. We are sympathetic to traffic and, you know, what we have here is -- is the -- just taking a look and kind of readjusting COMPASS's plan up against Overland only with the busy five lane roadway. As far as ACHD, we have had numerous meetings. Most of them were actually held at the City Meridian with ACHD attending. We just don't have their official report, but there were only two items that were ever on the table was making sure our main entry on Overland aligned across with Rolling Hills, which it does, and, then, the late item, which is what Josh put up, which we designed. They wanted an access point out to the south and so -- you heard one of the neighbors saying that's -- that's a possibility. That isn't a possibility. That is a requirement. We modified it and got it back in of city record. Your approval tonight of just the staff report condition as written would require this. So, it's not something you would have to add, it is in the package for approval and what that does is facilitate probably a good portion in ACHD's mind of traffic that would go into Silverstone, which that is where the collector is that goes out to the signal at Overland or goes straight west to the signal on Eagle Road. So, you know, in hindsight that probably should have been in our original design, because it is going to facilitate the traffic and pedestrian a little better out the south end, but the goal of that from ACHD's point is to get to the collectors, which is what they are supposed to do is transfer the traffic to Overland or Eagle Road. Both are signalized. There is no talk of -- we heard talk a signal in front of this or at Topaz or one of those, that's not a discussion on the table and we haven't heard that. I will stand for any further questions. We can go as deep or not as deep as anything you want, so --

Fitzgerald: Commissioner Wilson, Commissioner Yearsley, do you have question for the applicant?

Yearsley: No, don't.

Fitzgerald: Thank you, sir, very much. Well, being that, I will entertain a motion to close the public hearing.

Wilson: Mr. Chair?

Fitzgerald: Commissioner Wilson.

Wilson: I move we close the public hearing on H-2016-0058.

Yearsley: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2016-0058. All those in favor say aye. Opposed? Motion carries. Thank you.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Fitzgerald: Well, gentlemen, it's before you. Any thoughts? Commissioner Yearsley.

Yearsley: Mr. Chair, thank you. You know, looking at this site, it's been -- it's a stark contrast to the one that we reviewed a couple weeks ago. I like the fact that it accesses off of a major arterial. I understand the traffic issues are there. I live just to the south of that development, understanding traffic. I do believe in the future land use map ACHD has Overland Road scheduled to be done in lanes in the future, so, you know, I think they are understanding increasing traffic through that area, but, you know, I like the looks of the development. I like the amenities that are proposed. I think it fits for the area and a good place where people could live there and walk to work in that respect, so I think I'm in favor of the project.

Fitzgerald: Thank you, sir. Commissioner Wilson?

Wilson: I'm also in favor and I agree with what Commissioner Yearsley said.

Fitzgerald: And I -- I think in this -- when we are trying to do a land use map shift, we are trying to get where people can walk to work and be close to amenities and I think this site has been sitting vacant for a while, but I think it fits perfectly in regards to live, work, and, hopefully, reduce traffic a little bit and so I -- I like it. I think the layouts are very impressive. They are modern looking. I think it will be a good -- I mean the people are working at T-Mobile and Citibank, it may give them a living option that may not be available right now, so I will also be in favor of -- of moving forward, so I think we are all on the same page. With that, unless there is any other comments or thoughts, I would entertain a motion.

Wilson: Mr. Chairman?

Fitzgerald: Commissioner Wilson.

Wilson: After considering all staff, applicant and public testimony, I move to recommend approval of file number H-2016-0058 as presented in the staff report for the hearing date of July 7th, 2016.

Yearsley: Second.

Fitzgerald; I have a motion and a second to approve to City Council Silverstone Apartments, H-2016-0058. All those in favor say aye. Opposed? Motion passes. Congratulations.

MOTION CARRIED: THREE AYES. TWO ABSENT.

Fitzgerald: And I will entertain one more motion.

Wilson: Mr. Chairman?

Fitzgerald: Commissioner Yearsley.

Yearsley: Mr. Chairman, I motion -- I move that we adjourn.

Wilson: Second.

Fitzgerald: I have a motion and a second to adjourn the meeting. All those in favor say aye.

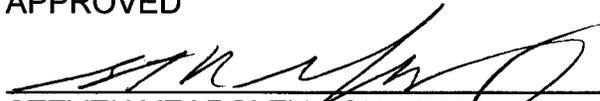
MOTION CARRIED: THREE AYES. TWO ABSENT.

Fitzgerald: Thank you. We are adjourned.

MEETING ADJOURNED AT 6:50 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

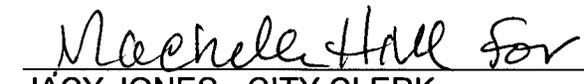
APPROVED



STEVEN YEARSLEY - CHAIRMAN

7 | 21 | 2016
DATE APPROVED

ATTEST:



JACY JONES - CITY CLERK
Jaycee Holman

