

Meridian Planning and Zoning Meeting

August 4, 2016

Meeting of the Meridian Planning and Zoning Commission of August 4, 2016, was called to order at 6:00 p.m. by Chairman Steven Yearsley.

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

Members Absent: Commissioner Ryan Fitzgerald.

Others Present: Machel Hill, Andrea Pogue, Bill Parson, 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> </u> Ryan Fitzgerald
<u> X </u> Steven Yearsley - Chairman	

Yearsley: Good evening, ladies and gentlemen. At this time we would like to call to order the regularly scheduled meeting of the Meridian Planning and Zoning Commission for the hearing date of August 4th, 2016. Let's begin with staff -- roll call.

Item 2: Adoption of the Agenda.

Yearsley: Thank you. Next item on the agenda is the adoption of the agenda. The only thing that we have to change on the agenda is the public hearing for the Laurels Townhomes, file number H-2016-0065, has been asked to be continued to September 1st for a renoticing and, then, with that could I get a motion to adopt the agenda as presented?

Wilson: Mr. Chair?

Yearsley: Commissioner Wilson.

Wilson: I move we adopt the agenda.

McCarvel: Second.

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

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Item 3: Consent Agenda

- A. Approve Minutes of July 21, 2016 Planning and Zoning Commission Meeting**
- B. Findings of Fact and Conclusions of Law for Approval for Walmart Drive-Through CUP (H-2016-0077) by Sunday Bougher of SGA Design Group Located at 5001 N Ten Mile Road Request: Conditional Use Permit for a Drive-Through Establishment in the CG Zoning District**

Yearsley: Next item on the agenda is the Consent Agenda and on that we have to approve the July 21st, 2016, Planning and Zoning Commission meeting and, then, the Findings of Fact and Conclusion of Law for of the Walmart Drive-Thru CUP, file number H-2016-0077. If there are no changes to that could I get a motion to adopt the Consent -- or approve the Consent Agenda.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I move to approve the Consent Agenda.

Wilson: Second.

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

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Item 4: Action Items

- B. Public Hearing for Laurels Townhouses (H-2016-0065) by Northside Management Located at 2116 S Accolade Avenue**

Yearsley: So, we are going to open the public hearing for the -- file number H-2016-0065, the Laurels Townhomes, for the sole purpose of continuing that to September 1st, 2016. And with that could I get a motion?

Wilson: Mr. Chairman?

Yearsley: Mr. Wilson.

Wilson: I move we continue H-2016-0065, Laurels Townhouses, to the date of September 1st, 2016.

Oliver: Second.

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

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Yearsley: So, before we go onto the next items, let me explain the process of what we will do on going forward. We will open each application one at a time. We will start off with the staff report. The staff will present their findings on the project of how it adheres to the Comprehensive Plan and Uniform Development Code and with staff recommendations. After the staff has had a chance to present their findings we will have the applicant to come forward to present their case for approval and, then, comment on any changes or requests for any changes made on the staff report. They will be given up to 15 minutes to do so. After the applicant has had a chance to testify, we will open it up to the public. There is a sign-up sheet in the back for anybody wishing to testify. Anyone wishing to testify will be given up to three minutes to do so. If they are speaking on behalf of an association or for multiple people within the audience, they will be given up to ten minutes to do so. After the public has had a chance to comment on the application, we will -- the applicant has a chance to -- will have an opportunity to come back and comment on the -- the public testimony. He will have ten minutes to do so at that time. After that we will close the public hearing and deliberate and, hopefully, make a decision to recommend -- or to make a decision to the Council on the project.

A. Public Hearing for CentrePoint Storage (H-2016-0069) by Chad Olsen Located 1/4 Mile North of E. Ustick Road and West of N. Eagle Road Approved – Prepare Findings for August 18, 2016

1. Request: Conditional Use Permit Approval for a SelfService Storage Facility on 18.7 Acres of Land in the C-G Zoning District

Yearsley: With that we would like to open the public hearing for file number H-2016-0068 for CentrePoint Storage and let's begin with the staff report.

Parsons: Thank you, Mr. Chairman, Members of the Commission. The first item on the agenda this evening is the CentrePoint Storage conditional use permit. The site is located on the west side of North Eagle Road and in -- excuse me -- the west side of North Eagle Road just north of Ustick Road. Currently this site consists of 18.7 acres, but the applicant is in the process of finalizing their final plat with the city, so once that process is done the actual storage facility will sit on 5.31 acres of land. You can see here in the aerial that the property is

currently zoned C-G. In that zoning district it does require an outdoor storage facility and the self-storage facility required a conditional use permit approval. Recently the developer -- or applicant received a development agreement modification to change this portion of the site from a multi-family development -- conceptual development plan to the self-storage facility that we are talking about this evening. In the lower left-hand corner there you can see the -- the final plat and what the configuration will look like once it's recorded with the city and staff has hatched out the area in which we will -- where the self-storage facility will sit. So, on the left you can see there is a site plan. Again, entrance is -- with the approval of the final plat the applicant will be responsible to construct the remaining portion of CentrePoint Way, which will provide access to this development. So, their first main entrance will be located centrally to the development and, then, per these specific use standards the applicant is required to have an emergency secondary access. Staff does have a condition in the staff report that the gate that -- for the second emergency access be solid material, so that it will screen any of the outdoor storage that's proposed with this application. One other item to note, too. When this process went before the City Council it was described to them as a phased project. So, phase one was primarily the southern portion. Phase two was going to be this outdoor storage portion, which is located primarily north of this development. Because of the way that the outdoor storage facility is designed, the structures will range in height -- will be approximately 12 feet tall. So, the outdoor storage itself will be screened by the perimeter buildings, which is consistent with the UDC. Per the development agreement the applicant is required to do a ten foot landscape buffer along the residential uses on the west, which is Champion Park Subdivision. That was negotiated with the Council back in 2006, I believe, by the applicant this evening and so that condition remains in place. The applicant did receive alternative compliance from the directors to reduce the number of planters. When this project was presented to City Council as part of the development agreement modification, Council was concerned with dense vegetation along that perimeter, in particular with people getting back there and maybe -- with visibility so limited. So, the applicant -- Council wanted the applicant -- Council wanted the applicant to gate that area off and put minimal signage in there just to deter people for hanging out in there. So, that is a requirement of this development per the Council's recommend -- or approval. The applicant also received a reduced landscape buffer along the northbound -- a ten foot buffer. To the north is a county residential subdivision and a private street. So, at some point the city envisions that properly redeveloping within our limits, so at some point that private lane would be converted to a public street. So, staff wanted to ensure that there as an adequate buffer along that private street in the future, so the applicant is proposing a ten foot landscape buffer, so that we have adequate landscape buffering along that street in the future with redevelopment. And, then, at the time that this project came through the city North CentrePoint Way was actually designated a local street and under the UDC local streets only require a 25 foot -- or require a ten foot wide landscape buffer and since that time this has been upgraded to a collector roadway and provided a backage road --

it's basically going to be a backage road to Eagle Road at some point. Because they have a vested approval with their final plan, staff honored their request -- the original approval of just requiring a ten foot landscape buffer along that roadway. And, then, as you recall back in 2014 on the south boundary this Commission and Council approved a multi-family development called Timbergrove and now that we have residential abutting this nonresidential development, the applicant is required to construct a 25 foot landscape buffer on the south boundary between the multi-family development on this project. So, the landscape plan that's shown here this evening reflects the required landscape buffer per the UDC. Elevations are -- for this site consist primarily of stucco material with some stone wainscoting. You can see there is some decorative pilasters. The applicant will be required to go through administrative design review. Staff did note in the staff report -- if you look at the site plan some of these buildings do get pretty long and monotonous, so staff is recommending that the applicant provide some type of modulation, articulations to the front façade of those buildings as part of their design review application. Staff cannot support just one long linear blank wall along the perimeter of the site. So, the interior buildings won't be subject to design review, it's really just that perimeter of the complex and, again, the building -- the applicant is proposing to use those as, basically, the -- the screening of -- of the storage units. Staff did receive written testimony from both the applicant and the applicant's representative in agreement with the conditions in the staff report. Staff is recommending approval of the project and I would stand for any questions you might have.

Yearsley: Thank you. Are there any questions? No? Would the applicant like to come forward. Please state your name and address for the record.

Seel: Good evening, Mr. Chairman, Commissioners. My name is Jonathan Seel, JRS Consulting. 2906 Haven, Eagle. I'd like to first mention I worked for Winston Moore for approximately 18 years before I retired and didn't do a very good job of that. But the reason I mentioned that is because one of the projects that I was responsible for was CentrePoint Marketplace. I was involved in all the entitlements. I was involved in overseeing the construction, the infrastructure, the buildings. I handed the -- the property development agreements with ACHD on Ustick Road, both east and west, and also the improvements with ITD on Eagle Road. And the reason I mention that to you is because throughout that entire process Mr. Moore always maintained a high standard of quality in that project and so I think at first blush when you say, well, wait a minute, you're saying you have got a high standard of quality, but you're talking a self-storage facility, how do you potentially square that circle and I think Mr. Moore also kind of shared that first reaction, but I think as I go through this project I think, hopefully, you will recognize, as Mr. Moore has, that we are -- he is still maintaining that quality level. He has not diminished it through the process. So, as I go through that hopefully you will share that. A couple things I wanted to mention before I get to that also. We had our required neighborhood meeting. In the neighborhood meeting I think the reaction of the people who either contacted

me or attended the meeting I think was positive. I think they all recognize that in the C-G a self-storage facility is truly the least intrusive use that you could have. In fact, if you go back to the original concept plan that we did, this corner was intended to be a family fun center, which would have meant something open from potentially 9:00 o'clock in the morning until 9:00 or 10:00 o'clock at night with traffic and lights and noise. So, that the reaction we got from everyone was, yes, you know, it can't be a horse pasture, it's not going to be residential, but as far as least intrusive, noise, sound, traffic, this is probably the -- as you switch into C-C zone, which it is. Also as Bill mentioned to you, we are in the process -- or I am in the process of overseeing the construction of CentrePoint Way. In fact, we just selected our general contractor today. I'm going to start my free time with -- the city's plans have been approved by Ada County Highway District in the City of Meridian and, hopefully, within the next couple weeks we will start construction at CentrePoint Way. So, we are committed to that. So, I wanted to mention that also. As far as the project itself and, hopefully, this will work -- as Bill mentioned to you, along these -- well, I guess it doesn't work. So, along the perimeter of it he talked about at 12 foot stucco wall and every approximately 35 feet there will be a 14 foot tower. This goes the entire perimeter of it. So, this is not only along CentrePoint Way, but this is also on the west to Champion Park, to the south, as well as to the north. So, one of the beauties that I think we saw on this is from a visual standpoint you won't see anything that's inside the structure. What you will see is I think a nice architectural design with -- with the architectural relief, which, you know, the term is that's the right one to it. So, I think from a visual standpoint I think it's -- it's going to be an attractive facility and, again, you're not going to see anything. As Bill said, within the -- within the perimeter -- around the perimeter of it that's an enclosed self-storage facility. The lower section is also self-enclosed storage facilities, whereas the upper portion is open. But, again, even though that's open, as you're driving down the street or if you're a resident in the community, you won't see that. It will be blocked by a 12 foot structure -- a wall that is made out of stucco. With respect to the entrance, Bill, if you can pull up the entrance. Again, if you look at this entrance -- and there is -- as Bill said, there is one main entrance and we have an emergency entrance in it. If you look at this entrance I don't think this is typical that you customarily see within a self-storage facility. Again, I think the time, the effort and the expense that's going to go into creating what I think is an attractive structure I think speaks not only to Mr. Olson, who is the developer, but I think also the demand of Mr. Moore who wants this type of quality. And, again, as I have said, this is why we feel we are maintaining that standard of quality. We are not diminishing it. So, I think this is very attractive. It's certainly not typical of it. It will have a monitored gate, with a card. It also has -- which is unusual -- is a 24-hour residential facility, so somebody can be there 24/7. Also we will have the administrative office, so they can, again, monitor who is coming in, who is going out, what's going on in there. It will use the low impact lighting. So, again, this is not going to be an impact to the residents within the community. So, I think that as you look at this project, hopefully, you will share the same overall reaction that I think Mr. Moore did, that, yes, this is a quality project that I think it speaks to -- to the quality of the city and

what I know that the community wants. I think it speaks to the quality of CentrePoint Marketplace and I think also it will serve a practical use for many of the residents within the City of Meridian. So, with that, unless you have any questions, I will sit down.

Yearsley: Are there any questions?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: If I could go back and look at the layout. Again, because the south will be enclosed --

Seel: Yes.

Oliver: -- and looking more to the north it will be open. Is that a canopy that will be over that for each individual --

Seel: Commissioners, it will -- it potentially will be covered, but the definition of open storage is whether it is covered or is not covered, that's still deemed as open storage. But, again, one of the concerns we had in the beginning is, okay, you have open storage, how is that going to look as you're driving down CentrePoint Marketplace. The fact that you had a 12 foot stucco wall there, which is far higher than what you would typically have, you won't see that. So, that may or may not be, so I can't really directly answer your question, but I will be candid with you, I suspect it ultimately will be.

Oliver: And each unit will have lighting?

Seel: Yes. Each unit will have lighting. Essentially, it's like an enclosed garage. You have seen those before. You roll your garage door up -- so, the beauty of it, too, is it goes around the perimeter, so you have -- you have also got that buffer, because in addition to the 12 foot wall that roof is going up at an angle like this, so, essentially, that roof is -- you know, I'm estimating 14, 15 feet at the top of it, because it goes up towards the garage door. So, you have got even more of a buffer. So, anything within the project won't be visible. And, again, that was one of the appeals to us -- or to Mr. Moore, that, yeah, it's not going to look like your typical -- well, like I -- last time I was here I showed a picture of one where it had the chain link fence and they backed the RVs up to it. We would never -- he would never have had that.

Oliver: And it's my concern looking at the neighborhood to the west and thinking that if you got lighting that's going to be intrusive in the backyards.

Seel: It will be low impact lighting. In fact, when we talked to -- when we presented the DA modification in front of the City of Meridian Council, there was a little -- what they were asking for originally -- they were suggesting there be lighting back there along that buffer and what the direction now is is, no, because, one, that's going to be enclosed. Two, with lighting there that's -- again, that's going to be an annoying thing to the neighbors to the west. So, that's been eliminated. The lighting within the thing will, then, be low-impact, down lighting and, again, won't be visible. Again, you go back to the fact that the possibility that this could have been a family fun center with 20 foot lights and a parking lot shining, in a C-C zone, which would have been an allowed use. So, I think this is a very -- if I was living over there this -- this would be -- I would be happy with this, so --

Oliver: Thank you.

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

Seel: Okay. Thank you very much.

Yearsley: I don't have anybody signed up to testify. Is there anyone wanting to testify on this application? With that, I don't think we need the applicant to come forward again, so I would entertain a motion to close the public hearing on file number H-2016-0069.

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: FOUR AYES. ONE ABSENT.

Yearsley: Thoughts or comments?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I think it -- as the gentleman testified and was speaking to the location and the low impact it will have on the neighborhood, I think it is fine. It looks very nice. And I think the entrance is a very modern-looking and is a very good design as well. I think that's a perfect fit for that area, as well as like say that it won't affect the neighborhood and the values of the property. So, I think it's a nice-looking storage facility.

Yearsley: Thank you. I also agree. I am -- you know, I always try to put myself in the neighbors and would I like that being in my backyard and I think for what -- what use could go there I think that's the very least intrusive development to go in against of the residential. So, I think it does look good. 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 approve file number H-2016-0069 as presented in the staff report for the hearing date of August 4th, 2016.

McCarvel: Second.

Yearsley: I have a motion and a second to approve file number H-2016-0069. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

- C. 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**

Yearsley: Next item on the agenda is the public hearing for file number H-2016-0063, Harmony Hills Assisted Living, and let's begin with staff report.

Beach: Good evening, Chair, Commissioners. As you said, this is an application for a conditional use permit for an assisted living facility. The site consists of two separate properties with a total of 1.72 acres of land. It is currently zoned C-G. The addresses are 1521 and 1529 South Tech Lane. To the north we have the Overland Park Apartments, which are currently under construction, which are zoned C-G. To the east is vacant property, also zoned C-G. To the south is Overland Road and Sagewood Subdivision, which is currently under construction, zoned L-O and R-8. And to the west is a vacant industrial property zoned I-L or light industrial and is the future site of a recently approved Bish's RV Sales. On July 19th of this year the City Council approved a development agreement modification and, therefore, the new concept plan and conceptual level for the proposed development -- to date the amended development agree has not been finalized. The Comprehensive Plan future land use map for this property is commercial. The applicant has submitted an application for, as I said,

a conditional use permit for a 72 bed residential care facility. It's two-stories. It's approximately 48,700 square feet and City Council had recently approved a concept plan change through the development agreement modification process. Access is proposed to the site via a -- a future access to Tech Lane and the shared access point East Overland Road that was approved with the preliminary plat in 2013 -- or, excuse me, 2007. It is important to note that the property to the west has been approved to develop with a vehicle sales facility and the recorded plat approved an access to West Overland Road and annotates a cross-access to the property to the west. A submitted concept plan here was revised to allow the interconnectivity of the shared access and interconnectivity requirement of ACHD, as well as staff, that the applicant work with the developer to the west of the RV sales to combine their access points into one. They were too close together for ACHD's requirements and we just saw there to be some potential negative impact on the closeness of those two access points. So, this concept plan here shows the assisted living facility here at the southwest corner, as well as two commercial pad sites to the east and the Overland Park Apartments, which are currently under reconstruction here, just for -- this is Tech Lane here, just for your perspective. Off street parking is required to be provided on the site in accord with the UDC and for age restricted or elderly housing for a one bedroom unit half of a parking space is required, with 72 bedroom units that are proposed, therefore, a total of 36 parking spaces are required. The proposed landscape buffer along the frontage of West Overland Road does not show the required mixture of vegetation. There is -- go back here to the site plan. See it better on the landscape plan. There is an irrigation easement that roughly follows my mouse here and so the condition in the staff report reads that the applicant will provide an additional five feet of landscaping outside of that easement and install the required plantings or ask for and apply for alternative compliance to modify what would be allowed along the frontage there. The irrigation district won't allow the trees to be planted directly in their easements for purposes of not destroying their tiled irrigation facility there, but there is opportunity to modify that, so that's the condition in the staff report. The amenities for the proposed assisted living facility include a hair salon, activity room, heater room and entry lounge with a fireplace and an additional common area with a fireplace. A minimum five foot wide sidewalk is required to be provided from the perimeter sidewalk along East Overland Road to the main building and crossing over the parking lot should be distinguished from the driving surface by the use of pavers, colored or scored concrete or bricks. Building elevations provided for the future building are shown here. The development agreement requires that these elevations closely match what has been approved for the Overland Park Apartments to the north, so staff will review that with a future certificate of zoning compliance application and the design review application. With that staff is recommending approval. Did not receive any written testimony on this and with that I will stand for any questions you have.

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

Barfuss: My name is Brent Barfuss. 10100 Foothill Road, Middleton, Idaho. And I will be representing Derk on this. I don't have really anything to add, other than you can look at the quality of the Overland Park Apartments there and I can -- I am the site superintendent for that project and I will be operating this one also if it's approved and I can tell you Derk cuts no corners when it comes to the quality. Any questions you might have?

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

Barfuss: Okay. Thank you.

Yearsley: I do not have anybody signed up to testify. Is there anybody wishing to testify on this application? I guess with that we don't need to bring the applicant back forward, so I would entertain a motion to close the public hearing on file number is H-2016-0063.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I move to close the public hearing -- public comment on file number H-2016-0063.

Wilson: Second.

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

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Yearsley: Any comments or thoughts?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: Just a quick comment is that I know where the apartments are that they are building and to me it's just a compliment to the structures that are being currently built to add a facility such as this along with what's being built. So, it gives more opportunity, more balance to younger people moving into the more assistance living. So, I think it's a natural place to put it and I think it would work well, especially out on Overland in that area.

Yearsley: Thank you.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I agree. It seems like they have done something about making this blend in with the others and I'm sure we are going to need just as much assisted living as family residences out there. It would be nice to have something close to the residential area out there.

Yearsley: Thank you. I agree. I think it -- it compliments the area. I think they have done a good job and so -- so, with that, I would entertain a motion.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: After considering all staff, applicant, and public testimony, I move to approve file number H-2016-0063 as presented in the staff report for the hearing date of August 4th.

Wilson: Second.

Yearsley: I have a motion and a second to approve the public hearing for file number H-2016-0063. All in favor say aye. Opposed? Motion carries. Thank you.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

D. Public Hearing for Roundtree Place Subdivision (H-2016-0081) by Trilogy Development Located at 755 S Linder Road

- 1. Request: Annexation and Zoning of 5.78 Acres of Land with an R-8 Zoning District**
- 2. Request: Preliminary Plat Consisting of 23 Building Lots and Four (4) Common Lots on 4.99 Acres of Land in the R-8 Zoning District**

Yearsley: Next item on the agenda is the public hearing for the Roundtree Place Subdivision, file number H-2016-0081 and let's begin with the staff report.

Beach: Good evening, Chair, Commissioner. The site here consists of 5.78 acres of land, which is currently zoned RUT in Ada County. It's located at 755

South Linder Road and to the north is single-family residential properties in the Tapestry Subdivision, which is zoned R-8. To the east is South Linder Road, single-family residential zoned properties in Mallard Landing Subdivision, which is zoned R-4. To the south are single-family residential properties in the Primrose Subdivision, which is zoned RUT in Ada County and to the west is the Peregrine Elementary School, which is zoned R-4. The Comprehensive Plan future land use map designation for this property is medium density residential. The applicant has submitted an application for annexation and zoning of 5.78 acres of land with an R-8 zoning district and a preliminary plat consisting of 23 residential lots and four common lots on five acres of land. Vehicular access is proposed for the site to be an extension of South Flintstone, which is here, and if --- excuse me -- a vehicular access to West Waltman Street. No direct lot access to South Linder Road is proposed or permitted for the proposed development. A 25 foot wide street buffer is required along South Linder Road, which is designated as an arterial roadway and is required to be landscaped according to the UDC requirements. The applicant is proposing to construct a ten foot wide landscaped buffer adjacent to West Walnut Street. To ensure uniform landscape buffer alongside said roadway in a previous landscape plan the applicant had not indicated that they were going to provide a common lot as indicated here. They have since removed their plan. So, they are now proposing to install a common lot all the along West Waltman Street. One condition that I would like to add -- or have you Commissioners add is to insure that they meet the landscaping requirements of commons lots and that they install trees along this -- along this boundary. The landscape plan does not indicate that. So, I just wanted to make sure that was understood. So, I guess discussing the landscape plan, as I said, it's been revised since the staff report came out, they have now widened the common lot. Our code requires that if there is a minimum of five foot -- or at the five foot threshold the applicant for a subdivision is required to provide ten percent open space, as well as at the five acres one amenity. So, they have included the tot lot. They have since widened the common area, as well as they widened this area. It will be a grassy area here. Code does require that there be a five foot landscape buffer along the common drive for any property that does not take access to a common drive. Staff is recommending -- and if you could add this condition or consider this condition, that there be a pedestrian pathway installed on this common lot here out to South Linder Road. Right now there is sidewalk -- an internal sidewalk that will go through the subdivision. This is an extension of the sidewalk that's here on Flintstone from the Tapestry Subdivision. Staff did not see the need for a pedestrian access to the school from this direction. There is an existing sidewalk from the Tapestry Subdivision to the school's property and, then, there is sidewalk along Waltman Road. Waltman Street will also up to the -- to the school, so we did not see the need there, but having an access out to South Linder Road may make some sense here. With that -- as I said, the development does consist of five acres. The applicant has submitted four conceptual building elevations. Of the four one is -- would not likely meet our design standards. We are asking that that be taken out of the development agreement and that these three be added, with the exception of the

one down here in the bottom left corner. Because some of the lots the sides or rear face South Linder Road, which are Lots 1 through 3 and 6 of Block 1, and in Lots 1, Block 1, Lots 1, 7 and 9 of Block 2, these lots will all be highly visible. Staff commends that the side of those structures that face the public streets in these lots incorporate articulation through changes in material, color, modulation and architectural elements, both horizontal and vertical, to break up monotonous wall plains and roof lines planned. Provides that these standards will be verified prior to applying for building permits for said lots. I did receive a response from the applicant Mr. Shawn Brownlee in agreement with the staff report, with a couple exceptions and I believe they will go over those. Staff is recommending approval with conditions and with that I will stand for any questions you have on the proposed application.

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

Watkins: Thank you, Mr. Chairman and Commissioners. Thank you, Josh. That was very descriptive. My name is Kristi Watkins. I am from J-U-B Engineers at 250 South Beachwood Avenue in Boise. I am here tonight representing Trilogy Development and their proposed project the Roundtree Subdivision. It's a small in-fill project with 23 lots on five acres. We are requesting annexation with an R-8 zoning, because our density is just slightly over that which would be allowed in the R-4. So, are density is 4.61 dwelling units per acre. Since it's a five acre parcel we have provided the required ten percent open space on a half-acre parcel and various landscape buffers with a playground. Sewer and water services exist in the street and so we will be connecting to that. Irrigation services will be provided by Nampa-Meridian Irrigation District. The changes that were requested in the conditions have been addressed with the new site plan that you saw. Those were, you know, widening the landscape buffers and adding a little more open space to our plan and the additional amenity. In regards -- I want to draw your attention to another one -- let's see. 1.2.9 regarding tree mitigation. We did have a discussion with Elroy Huff and as of August 1st there were no existing trees on the site, except for a cluster of poplars, but he didn't mind those were not mitigated. According to the pictures on Google Maps it looks like there were two trees that have been removed from the property and so he did request that those be mitigated and my client was fine with that. So, that won't be a problem. And we will add that to our landscape plan also. Overall we agree with the conditions as stated. Like Josh said, there were a couple of requests that we would like to make. The first one 1.1.1, item C, removal of the structure upon an annexation. We would like to have that removed from the development agreement if possible, only because mobilization gets kind of expensive and it's easier to remove a structure when all the equipment is already on site. So, if we could do it at the time of construction that would be great. The Public Works Department had a condition 2.2.5, it does require removal of structures prior to plat signature. That's -- it will be done well before that happens. So, it would be done during the construction phase. If

that's possible. The other change is to 2.2.3 that states that water and sewer easements must be submitted and approved prior to approval of the development plan. We would like to respectfully request that this condition be revised to state prior to final plat signature. That gives us a chance to get all of those easements in place and get the final plat through the approval process and make sure that everything is where everybody wants them to be. With that we would like to request approval for our annexation and preliminary plat applications and I will stand for any questions.

Yearsley: Thank you. Are there any questions?

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: Josh, does staff have any objection to such a request on 1.1.1 and 2.2.3?

Beach: So, for 1.1.1C, I think we can work with him on that. 2.2.3 is a Public Works conditions, so we will have to -- I don't know if Bill has any input on that, but I don't.

Parson: Mr. Chairman, Members of the Commission, this is a -- I know what Bruce Freckleton is going to say, he's going to say, no, he doesn't want that change. That's a typical requirement for development. They want their easements in place prior to getting signature on the final plat. So, I'm happy to wear his hat this evening and say he probably wouldn't support that. But, again, you have the ability to change that if -- if you so choose so. And so does the Council. So -- but I know Public Works land development would not be supportive of that request.

McCarvel: I mean if this is the way -- is there a reason you guys need it --

Watkins: I think just knowing that the process needs to -- those easements need to go through City Council to be approved and the process can take a little bit longer and they want to start construction as soon as we can, we were just kind of hoping that they would run those two at the same time. Get started on construction and, then, run the easements through City Council.

McCarvel: That's all the questions.

Yearsley: Okay. Thank you. Sorry. I do have a question. Josh has asked to add the two additional requirements. Are you okay with those ones to -- for the landscape requirement in the common lots and, then, also the pedestrian pathway, are you okay?

Watkins: Yeah. I don't see a problem with that.

Yearsley: Okay. Okay. I think that's all I had. Anymore questions? Thank you.

Watkins: Thank you.

Parsons: Mr. Chairman?

Yearsley: Bill.

Parsons: Before we move forward -- move on with those conditions I just want to chime in before you open up to the public testimony. But the one condition that Josh was alluding to we need to change is our original recommendation to you was that they lose a buildable lot in order to meet the ten percent. Based on the revisions that we showed you this evening they do comply with the ten percent open space without having to lose that buildable lot. So, we just want to go on record and say that it's actually condition 1.1.3 be -- that we need to strike that recommendation from losing lot -- Lot 3, Block 1.

Beach: They have since revised -- like I said, revised their site plan since the staff report. They looked at it and made their changes prior to Commission. So, if that would be stricken that would be great.

Parsons: Just remove the portion that says lose Lot 3 in Block 1. The other -- they comply with ten percent, which they did, they testified this evening that they were doing that and what they were doing. So, they need to -- again, staff -- as Josh pointed out, we would like that pathway amenity added to that common lot and that would allow them to count that towards their open space, because it's now a micropath lot and they would have to landscape it in accordance with the landscape ordinance and as the applicant testified and as Josh alluded to, that ten foot buffer along Waltman would be a great opportunity for the applicant to mitigate for the loss of the trees, so they can definitely work with us at the time they submit their final plat.

Yearsley: Okay. Thank you. I do have a couple people signed up, but they have asked not to testify. Is there anybody wishing to testify on this application? Please come forward. State your name and address for the record, please.

Ockerman: Jeanette Ockerman. 2070 West Waltman, Meridian, Idaho. Are we able to go back to a map? Maybe one where you see the lots and just -- and a little bit more. Thank you. So, I have more than one concern. My first one starts with the density on this area. The applicant said there was going to be 23 lots on five acres or roughly 4.61 houses per acre, but if you will notice directly south, our homes are all on acre lots and so it seems a little bit like there is not much of a transition, we go straight to a much deeper density, four and a half houses per lot, compared to one house per lot. My next concern is along Waltman Road you

mentioned there would be a buffer. I didn't hear anything about fencing or what type of buffer that would be. So, for your information Waltman Road as it starts in at Linder and, then, goes to the school, that is the direct path for the majority of the students to go Peregrine Elementary School. They cross over Linder Road with a crossing guard and they walk that sidewalk all the way to Peregrine Elementary and so I think asking for a fence would be reasonable along there. I also wanted to point out my other even bigger concern is the street that comes out onto Waltman Road is not very far from the corner of Linder and Waltman and I feel that that is a huge safety issue. As I mentioned, the majority of the kids that walk come down that road, they congregate at the corner of Waltman and Linder waiting for the crossing guard. There are a lot of kids there before and after school and the traffic on that road is excessive. The parents back up. They literally park along Waltman all the way down to Linder waiting for their turn to get into the school to drop off their kids. So, that street that's right there will be blocked by cars morning and night and until that -- that is a safety issue for the students who will have to cross over it and, then, get to the crossing guard on Linder, that they are just -- it's going to be like a blind spot, especially if people want to come out of that neighborhood. I live on Waltman and I have a hard enough time just getting onto Linder, let alone having cars that they are going to try and cut through the line of traffic to get onto Waltman, to get onto Linder, you know, or they want to get on so they can go to the school -- whatever their issues are. I feel like the design -- the current design is a safety concern. I know that they said the street couldn't go out onto Linder. I'm not sure what the reasoning is for that, but there is a street that is directly across from this lot that comes out of the Mallard Landing and comes onto Linder, so I'm not really clear of why this subdivision doesn't exit straight to Linder Road. I feel like that would be safer than the current design for the children that go to that school. I think those are my main concerns. The density, the roadway, and the buffer along Linder Road. So thank you.

Yearsley: Thank you. Did I see somebody else wanting to testify? Please come forward. Name and address for the record, please.

Hohnstein: My name is Ron Hohnstein. I live at 1655 West Waltman Street, which is the second lot west of the corner of Linder and Waltman. My big concern is the proposed road coming out to Waltman, like the other one lady said. There is a lot of traffic through there morning and in the evenings with the school and I'm wondering why the -- if that subdivision was approved why the traffic can't go out through the Tapestry Subdivision. There is about 22 homes in there and if a proposed subdivision was approved to be back an additional there is, A, which would maybe be 44 going out through the Tapestry Subdivision. Presently the Whitestone Estates Subdivision, which is approximately a quarter of a mile north of Linder and Waltman there is somewhere between 95 and 100 homes in there and they all exit with one exit to Linder. So, that's -- that's what I would like to bring up and see if there is a possibility of almost eliminating that road coming out to Walton. Thank you.

Yearsley: Thank you. Is there anybody else that would like to testify on this application? Please come forward.

Gowens: Andrew Gowens. I live at 1701 Waltman Street. My neighbors really voiced all that very well. I don't have a great deal to add to it, I have two daughters that have completed all the grades at Peregrine Elementary. It is running at capacity, so as you consider this, with the homes that are going there, the homes will be going over from the Primerose Subdivision all the way over to Ten Mile, we are going to be trying to pack all those kids into Peregrine probably. They don't have room for it. The other one was also the street coming out onto Waltman. I think they failed to say that all of the buses use that road as well going into drop off the kids, as well as all the parents, as well as all the kids. It is a serious safety concern. So, maybe it can be explained why it can't exit onto Franklin or farther down the road.

Yearsley: Thank you.

Gowens: Thank you.

Yearsley: Anybody else? I guess with that would the applicant like to come forward?

Watkins: Thank you again, Mr. Commissioners, Chairman -- or Mr. Chairman and Commissioners. Excuse me. I will just go down these in order. As far as density goes, an R-8 zoning exists to the north and we wouldn't be filling at capacity, so it wouldn't necessarily be out of line with what the surrounding properties are zoned. Fencing -- the majority of the projects that we do all have fencing around them. I imagine there would be a six foot vinyl fence around the entire project and the street location, as you know, ACHD does not allow access onto main arterials like that in such close proximity to one another, so we were not allowed to do another access onto Linder. Each property is responsible for its own ingress-egress and so because this is an individual development from the one that was there previously, we are required to provide some sort of access to the property. I can't speak to school capacity. We did get a letter from the school district stating that, you know, their usual -- this is how much it's going to increase and we are all aware that that's going on all over the valley. Other than that I think that was all of their questions. Do you have any other questions for me?

Yearsley: I think one of the questions was on like the roadway coming out onto Waltman so close to the intersection of Linder. Can you address that one?

Watkins: Yeah. The way that property is laid out and where Flintstone comes down from the north, to be able to access all the lots and still be able to have them meet the city standards for minimum lots sizes and those kind of things, the

configuration -- we tried it 16 different ways and this was the only way we could get it to come out to meet those minimum lot size requirements.

Yearsley: Thank you. Did ACHD review this and they are okay with the intersection right there?

Watkins: They did. They have got conditions in the staff report and, you know, they are pretty standard dedicated 48 feet of right of way on Linder and make improvements. Add the sidewalk on Linder. Construct the internal streets at 33 feet. Repair any deficient sidewalks on Waltman. Their standard conditions for -
-

Yearsley: And, then, you're required -- because you will actually also have an access into the subdivision to the north; correct?

Watkins: Correct.

Yearsley: So, you will have two ways of in and out of that subdivision and that's required by ACHD; correct?

Watkins: And the fire department.

Yearsley: And the fire department. Okay.

Watkins: Yeah.

Yearsley: Just want to make sure that -- I think trying to address the comments that were out there to make sure that we understand.

Watkins: Oh, absolutely.

Yearsley: Any other comments or questions you might have? Well, with that -- thank you.

Watkins: Thank you.

Yearsley: With that I would entertain a motion to close the public hearing for file number H-2016-0081.

McCarvel: So moved.

Oliver: Second.

Wilson: Second.

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

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Yearsley: Comments or thoughts?

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I think as far as the comments on density, I think, yeah, it's going -- it's going to be an R-8, but, like you said, it's a 4.61, so it's kind of closer to an R-4 and, really, those lots that back up to the R-1, you're almost -- just the way those are designed you're almost looking at a wider lot there anyway and it's -- the transition kind of flows nicely through there and I'm guessing on that street -- I mean I'm very sensitive to kids and maybe, you know, an extra crossing guard -- if they have got one at Linder already, have an extra crossing guard right there -- I'm guessing at those residents, if it's really that busy out there, are probably going to funnel out the other way directly to Linder anyway if that traffic is backing up there. But it might be helpful to have an extra crossing guard there just at those peak times.

Yearsley: Okay.

McCarvel: Might be a solution to that. I'm not so sure -- on the request for changing from plan -- plan approval to final plat signature, you know, going through all the reviews and specs on it, there is probably a reason that all that takes time and that's the time to catch all that, but it will give staff and the people that have -- that commented on that, the time to do that. I'm thinking that one should probably stay in there, but the rest of them -- the 1.1.1C and the other staff requests are probably more reasonable.

Yearsley: Just one clarification. So, the 2.2.5 for the easements was one that you were saying that should -- that you would say Bruce Freckleton would want to keep the way it is, but the 2.2.3, is that the same thing or -- or was that a different --

Parsons: Mr. Chair, Members of the Commission, I think the 2.2.3 was the condition for the easement. The 2.2.5 was the requirement that said that structures need the city engineer's signature and that's why staff is supportive of striking that DA provision C because we have got it covered in the Public Works comments.

Yearsley: Okay.

Parsons: So -- but, yeah, 2.2.3 is to remain -- staff's recommendation is to leave that as it's written in the staff report.

Yearsley: Okay. I just want to make sure I understand that clarification. Any other comment?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I agree with Commissioner McCarvel as far as the way the lots are set out. I think it -- it won't be a problem. I think it's a really good in-fill for that area. I think it will be a nice fit. I just -- I'm saying this is just sad is that if they make a landscape plan -- by the city, stay with 2.2 points, really, leaving that end as well and making sure that's a designated pathway put in, which they already agreed and I think pretty much everything looks fine.

Yearsley: Thank you.

Wilson: I agree. I think in-fill is difficult and I think that they have come forward with a plan I think that works with the neighborhood and -- and, then, I also think that we should keep 2.2.3.

Yearsley: Okay. Thank you. You know, the density -- you know, it's hard to match densities on a one acre lot and I understand -- I grew up on a one acre lot, so I know what it's like and watched everyone develop around you. So, it's coming and I apologize for that. It's just catching up to you guys. So, we try to make the best we can with those conditions. I do think that the -- the subdivision actually looks

-- and it is laid out fairly well and I think with the way the side lots are there on the -- on the Waltman -- it does try to mitigate for some of that acre lots and with the two exits either out to Waltman or out through the north -- subdivision to the north, I find traffic kind of flows like water, you know, the path of least resistance and so if Waltman gets busy people will find additional ways to get out. So -- so, we do actually -- they do provide another way in and out of the subdivision. So, I think it looks good and I also agree keeping the 2.2.3 as well. So, with that I would entertain a motion.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2016-0018 as presented in the staff report for the hearing date of August 4th, 2016, with the following modifications. That landscape meets all staff recommended plans

along Waltman and that a pedestrian pathway is added in the grassy area to South Linder. That we lose 1.1.13D as recommended by staff. And that 1.1.1C -- revise the --

Yearsley: At time of construction.

McCarvel: At the time of construction. Right. And that 2.2.3 remains in the recommendations.

Yearsley: Okay.

Oliver: Second.

Yearsley: I have a motion and a second to approve file number H-2016-0081. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Yearsley: With that we have one last motion to make.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I move we adjourn.

Oliver: Second.

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

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Yearsley: We stand adjourned. Thank you.

MEETING ADJOURNED AT 7:01 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED


STEVEN YEARSLEY - CHAIRMAN

9 | 1 | 2016
DATE APPROVED

ATTEST:

Machele Huel for
C. JAY COLES - CITY CLERK

