

Meridian Planning and Zoning Meeting

September 15, 2016

Meeting of the Meridian Planning and Zoning Commission of September 15, 2016, was called to order at 6:00 p.m. by Chairman Steven Yearsley.

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

Members Absent: Commissioner Rhonda McCarvel.

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

Yearsley: Good afternoon, ladies and gentlemen. At this time we would like to call to order our regularly scheduled Planning and Zoning -- Meridian Planning and Zoning Commission meeting for the hearing date of September 15, 2016, and let's begin with roll call.

Item 2: Adoption of the Agenda

Yearsley: Thank you. I have -- the next item on the agenda is the adoption of the agenda. I have no changes to that, so could I get a motion to adopt the agenda as presented?

Fitzgerald: Mr. Chairman, so moved.

Wilson: 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 September 1, 2016 Planning and Zoning Commission Meeting**

Yearsley: Next item on the agenda is the Consent Agenda and on that we have to approve the meeting minutes of September 1st, 2016, Planning and Zoning Commission meeting. If there is no changes to that, I would entertain a motion to approve the -- to approve the Consent Agenda.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I move we approve the Consent Agenda.

Wilson: Second.

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

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Yearsley: Before we go on I kind of want to explain this process of how we are going to -- how we will move forward. We will open each item one at a time and we will begin with the staff report. The staff will present their findings regarding how the items adheres to our Comprehensive Plan and Uniform Development Code with staff recommendations. After staff -- after the staff report, the applicant will have an opportunity to come forward and present their case for approval of their application and respond to any staff comments. The applicant will have up to 15 minutes to do so. After the public testimony -- or after the applicant we will have -- we will open it up to the public and there is a sign-up sheet in the back. Anyone wishing to testify -- anyone -- any person will -- let's see. Sorry. The person testifying will come forward and be allowed three minutes. If they are speaking for a larger group, like an HOA, and there is a show of hands to represent the group, they will be giving up to ten minutes. After the public testimony has been heard, the applicant will have an opportunity to come forward and to respond to the public -- the comments. They will be given up to ten minutes to do so. After the applicant has had his opportunity, we will close the public hearing and have an opportunity to discuss and deliberate and, hopefully, make a -- be able to make a recommendation to City Council.

Item 4: Action Items

- A. Public Hearing for Blakeslee Commons Subdivision (H-2016-0066) by Global Senior Housing, LLC Located South Side of E. Ustick Road Between N. Locust Grove Road and N. Eagle Road**

- 1. Request: Annexation and Zoning of 12.01 Acres from RUT in Ada County to the R-15 (Medium-High Density Residential) Zoning District**
- 2. Request: Preliminary Plat Consisting of Seventy-Four (74) Single Family Residential Lots and Twelve (12) Common Lots on Approximately 12.01 Acres of Land in the Proposed R-15 Zoning District**

Yearsley: So, with that I would like to open the public hearing on file number H-2016-0066, Blakeslee Commons, and let's begin at the staff report.

Beach: Good even, Chair, Commissioners. As you said, this is a -- this is an application for annexation and zoning and for a preliminary plat for Blakeslee Commons. The site consists of approximately 12.01 acres of land. Is currently zoned RUT in Ada county. It's located on the south side of East Ustick Road between Locust Grove and Eagle. As you see on the aerial map here, to the north is Ustick Road and single family residential properties in Champion Park Subdivision, which are zoned R-8. To the east are single-family residential homes, zoned R-2 and R-1 and R-1 is in Ada county. To the south we have single family residential properties also zoned RUT and to the west we have single family residential properties also zoned RUT in Ada county. As I said, this is an annexation, so there is no history with the city. The Comprehensive Plan and future land use map designation for this property is medium density residential. The applicant has applied, as I said, for annexation and zoning of 12.01 acres of land with an R-15 zoning district. The preliminary plat is also proposed, which consists of 74 building lots and 12 common lots on 12.01 acres in a proposed R-15 zoning district. Access to this proposed development is via one access to East Ustick Road as proposed here where my pointer is. For future connectivity the applicant is proposing to provide two stub streets -- stub streets, one to the south and one other to the west. So, the south would be here. The stub street to the west here. Staff had concerns with the limited connectivity in the area and, therefore, we are recommending that an additional stub street be provided on the east boundary of the development for increased connectivity, in lieu of the common driveway that's currently proposed. Staff is recommending that the applicant provide a third stub street in this location here, so that this property, once developed, will have access and can remove their direct access to Ustick Road. So, having said that, due to the limited vehicular connectivity to the property and due to the fact the property lacks a secondary access point currently, the fire code limits the development to 30 homes, unless a -- or until a fire emergency access is provided or until a secondary access is provided. So, once a secondary or emergency access point is provided that meets the requirements of the Fire Department, the applicant will be allowed to construct additional homes and the plat indicates an emergency access is proposed across Lots 40 through 42 of Block 3, which if you look at my pointer down here it is in

this location here. Staff recommends that an emergency access will be provided in this location. However, a recorded agreement has not yet been provided. Staff recommends that the applicant provide a recorded copy of the easement with submittal of the first final plat application. So, to rehash, currently in its current location -- current formation, because it doesn't have an emergency access, they are limited to 30 homes. Once they provide that emergency access they can -- they can increase that number. The plat also indicates an emergency access to Ustick Road in this location right here. Staff is not supportive of this emergency access. It really doesn't serve a whole lot of purpose. Fire code -- this can be something that the applicant can ask the fire marshal. That wouldn't really help their -- half the diagonal is what is required to get an emergency access approved. This is close enough to their primary access that it wouldn't -- it wouldn't help them. The applicant has submitted a phasing plan that indicates the emergency access will be in the second phase. The number of homes approved for the second phase -- or 40 total lots between phases one and two, we will be greater than the 30 allowed prior to the required emergency access easement. Therefore, the applicant will need to provide a recorded emergency access out to Wingate Lane prior to submission of the second final plat application. The applicant is proposing five common driveways for this project. All common driveways should comply with the standards listed in UDC and staff has reviewed the dimensions of the common driveways depicted on the plat and they are consistent with those standards, but unless affected by a significant geographic feature or separated by a five foot wide landscape common lot, all properties that abut those common driveways need to take access from them. There is a couple locations and as we move through this a little bit more where they may have to make some changes to make that work. For single-family developments off-street parking is required in accord with the standards in the UDC. The applicant is proposing to construct all two and three bedroom single family homes on the property. Therefore, four parking spaces per unit are required and at least two in an enclosed garage and, then, two in a driveway. The submitted site plan depicts five common driveways from which the applicant is requesting to allow a five foot garage setback. These lots include 34 through 36, 37 through 39, 40 through 42 and 43 through 45 of Block 3 and Lots 21 to 23, 24 through 26 and 28 through 31 of Block 4. And lots 8 through 10 of Block 5. The applicant is asking for alternative compliance to reduce the parking on 25 of the lots within the development and to allow the parking to be located in a number of parking lots to be located in close proximity to the subject homes. For the number of lots the UDC requires that the applicant provide 50 off-street parking spaces in the driveway. The applicant is proposing 19 off-street parking spaces to be located in close proximity to those 25 homes. Staff is recommending that the applicant provide two parking stalls at the end of each of the five common driveways. This change will bring two of the spaces closer to the units that will utilize them and, then, provide the other units within the development. Staff's recommendation will bring the number of off-street parking proposed for these 25 homes to 29 or a little greater than 50 percent of what the UDC requires. A certain number of those 19 proposed off-street parking spaces

will be allocated to the proposed clubhouse and a number of required spaces for the clubhouse is based on the UDC requirement for one space for every 500 square feet of gross floor area. To just explain a little bit -- and it's a little bit difficult to see in this. Let me see if the landscape plan shows it a little bit better. So, as you can see, some of the off-street parking that the applicant is proposing is around the clubhouse with several other areas. They will be allowed to park along the street in this location. The street is wide enough and several of the other locations -- let me back up a little bit more. So, the 25 homes that are in the plans -- or this southern portion here kind of surrounding where my mouse is, so we would ask that they provide additional parking -- two at the end of each of the common drives to help alleviate some of that -- some of the stress that -- they are asking to reduce the number significantly from what our code requires and they have also provided several other places where folks can park. This is a 55 and under -- proposed 55 and under community, so reducing that parking isn't as big a deal as it would be, but we still want to make sure that it's adequately parked and so that's what they asked to reduce the parking to. Having said that, without the square footage of the clubhouse, which staff did not have, we wouldn't be able to tell you currently the number of parking spaces that would be required for the clubhouse. So, it's very likely that the majority of the parking around the clubhouse would be required for the clubhouse, so I'm not sure that that's going to get us any additional parking for the folks that are on these common drives. Just -- just to clarify that. So, considering the alternative compliance staff report, as I said, the development is going to be marketed to 55 and older demographic, which limits the number of vehicles that will be needed to accommodate per unit. The width of the proposed streets -- specifically streets G and F as the proximity to the lots for which alternative compliance is required and can accommodate parking on one side of the street. A 25 foot wide street buffer is required along East Ustick Road, which is considered an arterial roadway and is required to be landscaped in accord with the standards of the UDC. Staff recognizes this would be constructed with the first phase of development, a second adjacent to East Ustick Road between the sidewalk and the curb needs to be removed and landscaped according to the UDC. Currently ACHD's policy is to kind of replace it with what was there and so there is -- there is gravel there and it needs to be removed and landscaped, similar to what we did with the Verado Subdivision just west of this. They had the same condition. The existing fence along Ustick Road also needs to be removed and relocated to the interior edge of the landscape buffer. There is an existing fence that doesn't meet code that needs to be removed as well. Landscaping is required along all pathways in accord with the standards of the UDC. The irrigation district does not allowed landscaping within their easement. The applicant needs to provide an additional five feet outside of the easement for landscaping, so if you see on the far south side here, there is a pathway proposed on our pathways masterplan, again, similar to what Verado did on their north side. There is a section of pathway that needs to be installed and we had a condition in the staff report that requires that the applicant provide that ten foot multi-use pathway along the north side of the South Slough. As you see in their landscape plan currently, it shows that it will

connect with a five foot pathway and, then, continue and the Parks Department won't allow them to do that, so the ten foot needs to go from the west property line to their south property line as it curves. In addition to that, staff recommends that the applicant consolidate two common lots, which are Lots 11 and, so as you see I believe this is Lot 11 and Lot 19 is on the other side -- into a single common lot in the general vicinity between Lots 14 and 15 of Block 2 to create visibility on Lot 4, Block 2. So, just to kind of clarify we wanted to, essentially, mirror what they did on the north side here and we have conditioned them to provide a pathway that will run from Ustick Road through the development and run to their clubhouse and so we are asking that they move their common lots to the interior here to provide a visual corridor. A minimum of ten percent qualified open space is required to be provided for this development. Based on the area of the preliminary plat, which, as I said, is approximately 12.01 acres, a minimum of 1.2 acres of qualified open space is required. A total of 12.5 percent as proposed, consisting of half the street buffer along Ustick Road. The regional pathway along the South Slough, as I mentioned. A micropath lot, an internal common open area, with a 50-by-100 foot size complying with that requirement. And, as I said, to increase the usability of the central open space lot, staff recommends that the applicant consolidate those two common lots into a single common lot and provide that five foot pathway from the north to the south there on that common lot. Developments consisting of five acres or more are required to provide a minimum of one site amenity. One additional site amenity is required for each additional 20 acres per the UDC. Based on the area of the plat, which is, as I said, is 12 acres, staff requires a minimum of one qualified open space -- or one qualified site amenity be provided. The applicant has proposed a central common area, a clubhouse, a pool and a segment of the city's multi-use recreational pathway on the south boundary and, as I said, we have also conditioned them to run a pathway through their common lot. Staff is supportive of the amenity package for the development. However, staff recommends that the clubhouse and pool on the central open space include a walking path, as I said. The developer is responsible to construct fencing adjacent to all the micropath areas and to distinguish common open space from private areas. The South Slough runs along the south property line -- or the South Slough lies within an 80 foot wide Nampa-Meridian Irrigation District easement and which staff is requiring a ten foot multi-use pathway along. The development of Lot 20, Block 4, which was where the pool is located -- or the clubhouse and pool are located, requires CDC and design review approval separate from this and since homes on lots that back up to East Ustick Road will be highly visible, staff recommends that the rear or side of the structures that face Ustick Road incorporate articulation through changes in material, color, modulation, and architectural elements. Written testimony was received from Wendy Shrief. Staff is recommending approval of this with those conditions and I will stand for any questions you have.

Yearsley: Thank you. Are there any questions?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: Josh, if I could ask you a couple real quick. Just, again, the first phase, I was looking at what you want to put as an exit from the -- going to the east up at the top there, if you have your mouse go to the top right on the east side of the road exiting onto the next subdivision.

Beach: This guy?

Oliver: The other side.

Beach: Right there?

Oliver: Yeah. That you feel like in the first phase they need to put that in?

Beach: Don't necessarily need that within the first phase.

Oliver: Okay.

Beach: No. In the phase, as I said, there are allowed up to 30 lots before they need to provide an emergency access and so --

Oliver: Okay. And, then, you said, the emergency exit, if you're looking at it, it's just right -- or left of the opening.

Beach: Right here.

Oliver: Yeah. Okay. But you said up at the top that you were looking at that possibly, but it was too close to the existing --

Beach: Correct. It's too close to their primary access.

Oliver: So, will that be a lot right there backed up or will that be an opening?

Beach: This is proposed as a common lot.

Oliver: Okay. Okay.

Beach: To access a couple of homes. Actually, just -- just the one home. As I move forward in my slides I have got a little bit more -- actually, I should have mentioned to you -- got some conditions from the highway district that I wanted to go over. So, I apologize. So, these are the proposed elevations submitted by the applicant. Conceptual building elevations for the development. In the last day -- we received the staff report from the highway district -- might even have

been today and they have got some -- some concerns with the way that the developer has laid out their subdivision. So, if you want to read this -- this is the - - the area that we have required them or conditioned them to put the access -- or the stub street to the east. The way this is laid out by the highway district they have -- they have left it up to the city, essentially, if the city requires that, then, they need to put a sign up that says we will be extended in the future and so they haven't contradicted our requirement, they have just said if we -- if we do require it there are some things that they need to do. So, that's one. Secondly, as I mentioned, emergency access on their plat -- on the north here, that doesn't really help them. So, we are -- we are not recommending that that -- that that stay highway district. You can -- I think all three of these slides has indicated that they need to redesign their -- their road a little bit. They need to make it more of a 90 degree with a common driveway. In this particular case if they are going to do a common driveway to the north -- one, two, three homes need to take access from that common driveway, unless this lot here provides a five foot landscape strip. And this will not punch through ever to Ustick Road. That would simply be a common driveway.

Oliver: Okay.

Beach: So, we don't need that and we don't want that to be an emergency access.

Oliver: Okay. Moving down to this slide here, the highway district has some concern with the way that they have proposed -- kind of like a three-quarter cul-de-sac instead of a full cul-de-sac, and they don't -- it doesn't meet their policies. They have suggested here that it be a private street or a long common driveway, which won't meet our city code. We allow up to six homes on a column -- on a common driveway. So, this would be over that. So, the applicant I believe has reached out to the highway district to try to come to some solution to these. I'm not sure what -- they will have to address those. But there are some things that need to be addressed there with the highway district. And, then, their concerns on the project before they receive any approval from -- really from the city. So, with that, as I said, we have reached out to Wendy and she's aware of these things and she's spoken with the highway district as well to make sure that she's getting what they need, as well as what the city needs. So, with that -- again, we are recommending approval with -- with conditions. Some of those are on your comfort level on the alternative compliance. Staff feels that that would work, but there is some other things with other agencies that need to be resolved as well.

Oliver: And just one last question. Just some clarity. You said I think twice it was 55 and under. Did you actually mean 55 --

Beach: Fifty-five an older. Correct.

Oliver: All right. Thank you.

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: Josh, in regards to the common lots you want to combine into one in the middle, is that going to include the parking in the middle as well? And, then, we are moving lots to the side or are we losing parking?

Beach: They would be losing parking.

Fitzgerald: Okay. And so -- and, then, in regards to the emergency access in the middle of the -- to the southwest, that green space in the middle, is that going to be grasscrete or what's -- I mean that's basically what your option is for fire trucks is grasscrete?

Beach: That's a question for the applicant, but that will need -- and I don't know if you're familiar -- let me go back up to the vicinity map, so you can kind of see what -- what is going on there. Prior to this application the applicant did own a sliver of property that came along through the lot -- it's kind of a funky little like sideways T and they showed the property length this way. I don't believe it touched Wingate Lane. She has since sold that property to those -- to those property owners and they are asking for an emergency access, so -- and, again, the fire marshal is not here, but that grass area shown needs to meet the fire department's requirements for the road and so, yeah, again, gravel, grasscrete - - it isn't -- essentially it's a landscape area. In the past we have been working with them, they have shown trees in that area, which they can't have, because it needs to be an emergency access and it's, essentially, going to be the front door for both homes that front that, so -- before they need the emergency access. Absolutely. But, again, as I said, they need to acquire that emergency access easement from those property owners out to Wingate Lane, which the fire department already has access to -- to Wingate, but they don't have the access for the emergency access as of now. They have indicated that they are going to do that as soon as it gets entitled, but you can ask Wendy that question as well.

Parsons: Mr. Chairman, Members of the Commission, it's our understanding from the applicant it will be grasscrete, because it is part of the front yards of those homes.

Fitzgerald: Thank you. Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: So, the half cul-de-sac that's down to the southeast -- or kind of middle east, so could that be the punch through, instead of having it -- could that

be an access point to make it -- I mean a public road? Is there a connection point going up into the --

Beach: So, Commissioner Fitzgerald, you're asking if that cul-de-sac can punch through this way? There is a single family home here and those are not going to go away, so they won't have an opportunity to do that. In this case this is a larger lot, so staff --

Fitzgerald: Well, can you take it north is what I'm saying, like instead of where that would be common or a private road that you're asking, could you take it north and make it a public road? Because it would be a public road going up. Instead of punching to the south -- I mean to the east directly off of B and D, take it up and that could be a connection point. So, where that park is right there, make that a road. I mean is that -- you're going to the same lot. I don't know. I'm just thinking development wise. It would make more sense.

Parsons: Mr. Chairman, Members of the Commission, that is an option for the applicant. The one thing that we have to be cautious -- we have to be cautious about is the fact that if the road gets over 150 feet you're going to have to have a turnaround there and so that's either going to restrict lots or encumber -- encumber some of these lots or they may have to work with the adjacent owner to try to get a temporary turnaround for that road, so that they can do something in the future. So, yes, it's possible, but, again, it will take approval from the highway district and the fire department on how to handle that turnaround.

Fitzgerald: And the last question, Mr. Chairman.

Yearsley: Absolutely.

Fitzgerald: Is the 55 and older piece of this going in as a DA or just being marketed that way? I could ask the applicant, but --

Beach: We have not included that in the development agreement.

Fitzgerald: Okay.

Beach: But from -- the developer she's indicated that that's what it's going to be marketed as.

Fitzgerald: Okay.

Beach: Very well could go in the development agreement if that's your -- your desire, but that's not what we have --

Fitzgerald: Just worried about the parking situation and I know that's an issue. If we are going ask for significant reduction, that may be something that we look at. I don't know.

Parsons: Mr. Chairman, Members of the Commission, if I could elaborate on the parking a little bit. Code gives us flexibility, so in this particular case Josh and I -- or at least the planning staff has analyzed the parking based on a typical traditional single family development. In our code we do have a provision for age restricted development where we only require two parking stalls per -- per unit. In this particular case those are -- we used a more restrictive parking standard for this development. So, I don't want to give you the impression that there is nothing in code that would allow them to reduce their parking and the problem for us is that we don't define age restricted developments in our code and so that leaves us a little vulnerable and so I at least want to put that on the table that that's still in your purview tonight to act on that, even though the director has approved the alternative compliance and we are requiring more parking at the end of the common drives. It's still within your purview to make a recommendation to Council on what -- your thoughts and how you view the parking for this type of development. But, really, that -- if it is going to be 55 and older, as they are marketing it, you're right, parking is a big question, because we really have nothing in code that says you're going to be 55 and older. I mean we can't pick out a demographic and restrict that development to that. And I will turn to the attorney on that comment. I don't believe we can, but do you have anything that -- are we able to do that, Andrea, in your view if someone proposes 55?

Pogue: I would agree with Josh, that it could be put in the DA.

Parsons: It can be put in the DA? All right. So, that's something, again, you could recommend as well, that this be marketed as that or is approved as a 55 plus as proposed by the applicant.

Fitzgerald: Thanks, Mr. Chairman. Thank you.

Yearsley: Any other questions? I actually had one. The parking that they are showing on the off-street, is that actually allowed by ACHD? I thought we had talked about a couple of other subdivisions that were proposing that and it wasn't allowed.

Beach: We did get comments back from the highway district that said they could not do that, so --

Yearsley: Okay. So, they would have to do something different, more like a parking lot, instead of it being right off the street?

Beach: Correct. Yeah. In their staff report from the highway district they have indicated a couple areas where the parking won't work the way they have proposed --

Yearsley: Okay.

Beach: -- because it's still within their right of way.

Yearsley: Okay. All right. Anymore questions? Thank you, Josh. Would the applicant like to come forward? Name and address for the record, please.

Kirkpatrick-Shrief: Okay. Good evening. My name is Wendy Kirkpatrick-Shrief and I'm with Horrocks Engineers. I'm a planner. My address is 5700 East Franklin Road, Nampa, Idaho. And just to kind of give you an overview or -- I want to thank staff, they have been great to work with. We have gone through a lot of changes with a couple different product types and layouts before we finally settled down on -- on the 55 and over detached single family that you see here this evening, but we had looked at attached and we looked at multi-family before finally settling on this product and staff has worked with us this whole way. So, it's been a process and they have been really good to work with. Bill especially has been great. So, I want to thank them. Again, we are -- we are looking at a piece of property where directly off of Ustick Road between Locust and Eagle Road with a 12.01 acre piece of property and we are proposing 74 single family homes. So, these are all detached homes. We are requesting R-15 zoning and in this area we are really asking for the R-15 zoning, not for -- not for the density, we don't need the density and if we need to have that capped for the development agreement, we would be amenable to that, but we need it for the dimensional standards. We are doing a smaller -- a smaller product. It's aimed towards a senior -- senior market. These are going to be -- especially popular in the senior market are smaller homes with single story homes on a small lot with a minimum maintenance for the yards or for patios and the R-15 standards let us get the reduced side setback for those homes and for the housing project, but we -- we do not need the density. This is -- this is an area where -- if you can put up the vicinity map. I want to talk about some of the surrounding areas. This is an area where we are currently in the county and we have some existing county rural subdivisions near us, but it's an area where because we are off of Ustick, off a major roadway, there is a lot of fairly dense development in the area. There is some R-8, some R-15 zoning. There have been some -- some townhome developments, some smaller single-family lots in the area. So, that's really been the nature of the development that's happened recently in the area. This -- this really in a lot of ways is ideal for a senior community. It's -- it's excellent road access, access to services and commercial and smaller lots. I have -- my parents retired here in north Meridian and this would have been a perfect product for them. They ended up buying a 2,000 square foot home in -- I think in Vienna Woods and they wanted a -- they needed single story. They needed a nice master bedroom. Entertaining areas. They by no means needed 2,000 square

feet or an 9,000 square foot lot. So, they are in their 70s, you know, paying the neighbor kids to take care of the lawn, didn't need three bathrooms, but for that senior -- a senior who wants to age in place and, you know, in a single-story home, the options are very limited and our clients are -- the developer is going to talk about some of their experience in other communities they have worked with, but this is the perfect location where you're -- you're near services, have a smaller lot to maintain and it's a really desirable location, really close to the center of Meridian. And this is an area where we are proposing smaller lots, but they will do the CC&Rs and through the development agreement are amenable to -- to having that stick with the property. We are going to talk a little bit -- a couple things that came up. We received a -- the ACHD staff report yesterday. I think about 5:00, so we -- we haven't had a chance to work through everything with ACHD, but we are definitely -- having a condition where we will meet all conditions of approval with ACHD. We have a couple parking areas where we will make sure the parking areas are kept out of the right away. They had a couple modifications they wanted to see and that one cul-de-sac area -- if I can go ahead and get the plat back up -- or landscape plan. We will work with ACHD to make sure that we meet dimensional standards for -- for that turnaround area. So, we -- and, actually, what ACHD reviewed -- they had an older copy of the plat, so I think that was part of the confusion. They asked for curb, gutter, sidewalk. We will make sure that we -- we meet their conditions and that will be ironed out prior to City Council. But we are definitely in agreement. We will work with ACHD to -- to work through that and make sure we meet their dimensional standards. The developers worked closely with the neighbors. We have been -- two neighborhood meetings on this project and we have got a couple neighbors here this evening, but we are -- they have been great to work with and I think really pretty happy that they are proposing a 55 and older community in this location. This is an area where I think it would have been conceivable to come in and do multi-family, do smaller rental townhomes and, instead, they are having 55 and over single-family, owner-occupied homes. So, I think that they are glad to see that out there. Speaking to the parking, we -- we are proposing -- and I should -- I want to point out only -- it's 25 out of 74 lots we are asking for the reduction of the parking pad and we have worked with staff and come up with a way that they think we can secure those additional spaces that we need to go forward with it and kind of through a quirk in the code if -- if we were off an official alley, whether they are a common drive, there would be a way for us to go in and -- and have that without the waiver that we are asking for. But this is because we are coming off of a common drive, this was sort of our mechanism to have a reduced parking pad and I wanted to point out -- anyway, someone from Boise can hear, that -- I'm sure he knows this, but -- but the trip generations and typically the number of vehicles in a senior community, it's about -- it's about a third of that of a traditional community. So, you're going to get far fewer trips that are generated, fewer vehicles. These are empty-nesters who pare down. It's not a home where you have got three teenagers with cars and two cars to the parents. You have folks who have downsized. This is their home where they are going to age in place. They don't have the same storage requirements that --

that a younger family would. So, it's -- it's going to be a pretty different type of area and we are only requesting this for -- for 25 of the 74 lots. So, we worked with staff and I think they have -- they are generally pretty stringent on these things, but they think that we meet the standard with additional spots that we will be proposing. We did have a couple things I wanted to bring up with the conditions and for the most part I'm very happy with the staff report and the conditions. There are a couple things I want to talk about and we have got Mr. Blakeslee, who is the -- the property owner who is selling -- who is currently living on the property and he is selling the property to the developer. I think he's probably going to get up and speak to this. His home is currently in the middle of the central open space area and he and his wife currently are living there and they would like to remain in that home until we get to one of the later phases. It's likely we were going to be combining in our phasing plan phases one and two into one plan and his home and that area we will be developing in phase three. What we would like to propose is in the initial phase one we would be putting in landscaping off of Ustick and will be putting in the clubhouse area -- clubhouse open space area, but we would like to put in the open space area -- the central open space area later on in the phasing, so that Mr. Blakeslee can stay in his home. He is proposing actually to construct a home in phase three, so he wants to stay there in place until we are able to construct his home. So, that's -- I think he will get up tonight and talk about that, but I wanted you to think about that and I don't think we have anyone from Public Works here this evening. I spoke with Bruce Freckleton and let him know I had another condition I was going to bring up with condition 2.12, it has to do with the -- the waterline. We would like to propose -- Public Works has requested that we bring -- that we bring a water main down Wingate Lane. There are a couple reasons why that's difficult. We -- we don't have ownership or official access to Wingate Lane and what -- what we have proposed is to go ahead and take two -- two water mains off of -- off of Ustick. We will have adequate pressure and it will be looping the system through there. Someone from Public Works isn't here tonight to talk more about it. So, we would like to modify this condition that developer -- developer shall provide a second water main connection to the project to create a loop system and, then, have maybe a period after that and -- so that we have some flexibility in where we are going to bring that loop and we will work with Public Works to make sure that we have adequate pressure for -- for that area, but this is something that -- because of the Wingate Lane and the ownership issues in that area, it's very onerous for us to -- to secure easements in Wingate Lane to bring that water line back down Wingate Lane and if we did bring it down Wingate Lane, it does not actually have a connection point to the south presently. So, that's something we want to discuss and since we don't have someone from Public works here to talk about it. And the other item we wanted to -- to bring up, we -- this is kind of an afterthought after we made the application. We are proposing a clubhouse and we -- classified as a swimming pool, one of our amenities. We would like to have the option to -- rather than a swimming pool, they have an -- an open kitchen area. The developer had another project where that -- some of the seniors were actually concerned about the maintenance and upkeep of a swimming pool, so

they would like to proceed -- go ahead and put in an open kitchen and proceed with that condition or if you have another amenity you wanted to propose we can talk about that. But rather than committing to the swimming pool when -- they had a recent project where the neighbors -- the residents were opposed to the upkeep of a swimming pool. So, it's -- again, it's different in a senior community. We have fixed incomes and unpredictable expenses is kind of how they view the swimming pool. So, that's something we'd also like to discuss and look at. But I have got -- the development team is here and we want to talk a little bit about other senior communities that they have done and why they think this is an especially good location for doing senior housing and we are definitely here to ask for your approval. I want to thank staff for all the work that they have done with us over this project. So, I'm going to bring the developer up.

Walsh: Thanks, Wendy.

Yearsley: Name and address for the record, please.

Walsh: My name is Ron Walsh. I live at 1485 North Eagle Creek Way in Eagle. Tonight, Chairman and Members of the Commission, I would like to just tell you a brief history about our company and what our reasoning is behind this particular project and why we are here in Meridian. I'm an Idaho -- Boise native, actually. Idaho native. And lived through my entire life -- all the way through Boise public schools and BSU and I have done 4,400 lots in Treasure Valley, so I have a long history in development, but when the great recession came we decided to move into an asset class that was more about what we call a coupon clipper. So, we got into assisted living and memory care and we build those communities across the nation and to that process our consultants, a group out of Denver, Colorado, pointed out that there was an incredible need for this downsizing home for anyone 55 plus. It's five times the demand of our assisted living and our memory care facilities. There is a -- I'm sure you're aware of this silver tsunami 12,500 baby boomers enter into over 65 age group every year -- or every day. Seventy-eight million need to find places to live in the next 14 years and the -- this particular age cohort of 55 plus is five times as many as our assisted living. So, we developed this product through a franchise company that is out of Chicago, Illinois, and have built 20,000 of these units across the county and we brought it here -- there has been two projects built in greater Boise -- and they call them The Orchards. One is at Ustick and Cloverdale and one is on the old BMC head -- or lumber yard up on Fairview and those projects had a particular style to them, but predominantly they are on private drives and they are clustered in fours and when we came to Meridian we discovered that in order for us to have a single family detached fee simple ownership -- or fee simple ownership, we could not put them on a private drive. So, we instantly got put into a predicament of putting public roads in and that changed our whole dynamic. So, we shifted from attached or clustered homes into single-family detached and tried to give people their space that they could have side yards that they could share. The product itself we are real proud of -- is that my timer?

Yearsley: That was your time. I will give you a few more minutes.

Walsh: Okay. I just want to say that really the only point that I wanted to make it the Blakeslees have been wonderful to work with. They are selling us -- we have purchased the Hansen property. We own it ourselves now, but the Blakeslees, our other sellers, have been wonderful to work with. They have lived there for 35 years and it's been their home, so they have raised all their children there. We would just ask if we could put the -- the park in in phase three. That would allow them to stay there until we get their home built back in phase two and so that's really about the only major concern I have. Staff have been terrific to work with, although they had to educate us, which took some time and, then, we can completely comply with ACHD and their parking requirements. It's more of a -- we brought them into the right of way a little, rather than being disallowed. So, we had a bunch of adjustments we needed to do and we didn't get that -- their report until 5:00 o'clock last night. So, I think there is nothing really broken here and just appreciate your time and thank you for letting us come into Meridian and we hope you approve us. Thank you.

Yearsley: Thank you.

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: Could I ask a question?

Yearsley: Absolutely. Sorry.

Fitzgerald: Could I ask you some questions? In regards to the emergency access to the south --

Kirkpatrick-Shrief: Okay.

Fitzgerald: -- so since you don't own that -- or the Blakeslees own that property, what's the -- is there an easement in place or do you have documentation that --

Kirkpatrick-Shrief: So, they have -- they have reached an agreement. They didn't want it -- they didn't want to execute the easement until the property was entitled. It was going to -- they didn't want to tie that up in case the deal fell through, so they would not be proceeding with this project if that wasn't in order. They are very aware that when we hit home number 30 that has to be in place. So, they probably, as they go to City Council, go and execute that easement.

Fitzgerald: Okay.

Kirkpatrick-Shrief: So, they know they can develop the property.

Fitzgerald: Mr. Chairman?

Yearsley: Absolutely.

Fitzgerald: So, do you have a phasing plan we can see? Because we understand -- because I think -- and I will just be honest with you --

Kirkpatrick-Shrief: We sent one to staff, if they can put it up.

Fitzgerald: -- the challenge I had with the common area not being built in the initial -- I will be quite frank is that is a difficult situation when we are asked that until phase three. Understanding where you're going --

Kirkpatrick-Shrief: And we have got -- if I can put this up here. Phases one, two, three and four. Most likely we would be combining phases one and two, constructing those together. What we do have the potential to -- we have got -- if you look at the landscape plan you can see where Mr. Blakeslee's home is located. We could potentially go ahead and landscape the southern half of that open space area without disturbing Mr. Blakeslee's home.

Fitzgerald: Okay.

Kirkpatrick-Shrief: It's just to -- to let him construct it per the landscape plan, we would have to demolish that house and the point of this is to let him stay in place until we get to phase three.

Fitzgerald: One more question, Mr. Chair.

Kirkpatrick-Shrief: Okay.

Fitzgerald: So, moving the lot that Josh talked about consolidating and putting a pathway in the middle of that big central common area, does that impact you? Do you lose lots or are you shifting --

Kirkpatrick-Shrief: Well, we -- we would be shifting open space areas. We would be losing a couple parking spaces, but we are going to be adding those two additional parking stalls at the end of each common drive, so it more than makes up for it and we are going to have parking that's closer to -- to the homes than with those -- that area.

Fitzgerald: Okay.

Kirkpatrick-Shrief: So, we will not lose a lot.

Fitzgerald: Thank you very much.

Kirkpatrick-Shrief: Okay.

Yearsley: I have a question. The access to the east --

Kirkpatrick-Shrief: Uh-huh.

Yearsley: -- making that, do you have issues with that?

Kirkpatrick-Shrief: Our preference really was to -- was to dedicate right-of-way and have that be something that potentially could be constructed to have a common drive there. That was our preference. That was ACHD's preference. If Meridian really sees that it's critical, we could go ahead and construct that. If we -- if we could just dedicate the right of way, have a common drive there, that's -- that's our preference. We are more than willing to if it's critical issue. But our preference would be to have a common drive and dedicate that right of way for future construction.

Yearsley: Okay. Any other questions? Thank you.

Kirkpatrick-Shrief: Okay. Thanks.

Yearsley: I don't have -- I had people signed up, but none to testify. Is there anybody that would like to testify on this application? Please come forward. Name and address for the record.

Blakeslee: My name is John Blakeslee and I am the co-applicant. My dear wife and I have lived there for a long time and I thoroughly enjoyed the experience and it's a multi-level home we live in. My wife's health is such now that we need to get her on one level and low and behold about a year ago Mr. Walsh contacted us and here we are before you today. This development, as we analyze our roots that are so deeply formed here in this -- in this location, seem to accommodate not only the needs and wishes that we have as a family, not just my wife and I, but the neighbors who we are vitally concerned about as well. You're aware that you recently approved the -- behind Kohl's there a development of 20 two story four-plexes and that is really what we were concerned about happening to the property immediately to our east, that three plus acres that is now part of the application before you this evening. We think that this is going to make a lot of people happy who would be concerned, as we are, for the multi-family implications that come when you're a single family resident and so we would encourage you to consider this application favorably. The fact that we could not develop it as we had hoped -- The Orchards that were earlier cited by Mr. Walsh -- has caused it to be more painful to comply with the requirements that are established both in Meridian and with Ada County Highway District and with the fire department. But I think the -- the development team has

indicated to you how they are going to try to fulfill all those expectations. Thank you very much for listening to me and if you have any questions I would be more than happy to answer them.

Yearsley: Thank you. Are there any questions? Thank you. Is there anybody else that would like to testify? With that -- Wendy, could you come back up? I want to just talk about a couple of other items. The phasing plan, can you pull that out again? I didn't get a chance to see that very well.

Kirkpatrick-Shrief: So, most likely, again, we -- we would be combining phases one and two. My advice to clients is always to go ahead and -- and identify a couple of phases, because it's hard to come back and get them later and it's -- it's much easier to combine them as you start construction. So, that's the reason we have four phases.

Yearsley: Okay. With phase three this -- this actually does make a little easier sense. Josh, just real quickly. Do you have issues leaving that house until phase three the way they have got it phased?

Beach: Mr. Chair, typically we want to get as much -- as many of the amenities for the earlier phases of the development that we can. That's what we do with just about every application. We want those amenities to be in place for those folks who live there. We really have no idea when a third phase could get developed. It could be ten years. It just depends on lots of things. And so typically we ask for the frontage improvements and all the amenities to be installed right away so that we don't have to worry about folks going without those amenities.

Kirkpatrick-Shrief: And Chairman and Commissioners, they would be going ahead and putting in the clubhouse, which is by far the most expensive amenity and it's -- this is really, you know, a post-recession kind of a condition. They want to make sure that -- that residents do have this completed. If you -- you know, if you need a bond for the improvements that could happen, but, really, the whole point of this is to let Mr. Blakeslee stay in his home and -- and if we need to construct the southern half of that open space area, we -- we could do that.

Yearsley: Then the -- you will be constructing the full frontage with the phase --

Kirkpatrick-Shrief: Correct.

Yearsley: Okay.

Fitzgerald: Wendy, you're okay with bonding? Because that's -- I think the -- the city wants to make sure it had -- it needs to go in -- if it needs to do it itself it has the ability to do it and that's -- I think per Josh's comments.

Kirkpatrick-Shrief: So, let me -- let me turn and ask my client. It's not my bond. Okay.

Yearsley: So, just so we could have it for the record, could you just, basically, state that he said yes so it's on the record?

Kirkpatrick-Shrief: Chairman, Commissioners, Mr. Walsh, who is the developer of this project, has -- has agreed to put a bond in for -- for the landscaping of the central open space area.

Yearsley: Thank you.

Kirkpatrick-Shrief: And if we want to go ahead and define the conditions, that is - - let's see. We are Lot 4, Block 2.

Beach: Mr. Chair, quickly if I may just respond to that. For staff bonding for those improvements doesn't really make a whole lot of sense. We are not -- we are not worried about them not going in, it's the timing --

Yearsley: Right.

Beach: -- that becomes the issue and so not too much concerned that the -- that the applicant is not going to construct them. As I said, we just have no idea of timing as far as the phasing is concerned and that makes us a little bit nervous.

Parsons: Mr. Chairman, Members of the Commission, under our ordinance we can only hold a bond for 180 days for nonlife safety issues, so we don't want to be tracking this thing for two to three years and holding up the developer's money. That's not the intent here. Certainly you have it within your purview tonight to modify the DA -- recommend the modification to that DA provision to allow the park to be constructed with phase three and to allow the home to stay on that lot. Staff is supportive of that request. As long as we -- we have commitment from the developer to get the frontage improvements in, which is huge. It's an entry into the development and the clubhouse, which is a huge expense to put in with phase one. So, that was staff's best guess at requiring what we think is best for the city at this point with phase one. So, if you think you can live with that being changed or being modified, we can support that change without having a surety in place for that.

Yearsley: Okay.

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: Bill, just one question in regards to what you just said. Would it be easier for us to have the bonding on the back half of it and the other half to get done, the house is there and it's -- a portion of it's there and, then, my second question, if you can answer it, is it causing you any concern that we are now taking a full amenity away and having something else in?

Parsons: Mr. Chairman, Members of the Commission, the first part of the question -- I don't think we should do any part of the park, because we want it to mature at one time. Get that in on time. There is one thing we have to be cautious of in your motion if you allow the home to stay is typically we required the home to hook up to utilities. So, if that home is going to stay there for an extended period of time we need to know sometime before a connection that if you're fine with it not be connecting and being removed with phase three, we can live with that, too. It's just something that needs to be addressed in the DA as well. Again, going -- as far as the pool amenity, it's something they proposed. We tied them to that. Based on what they are proposing with the clubhouse, the walkway to the central park and the multi-use pathway, they -- they exceed what city code requires. So, we are not -- we don't have any heartburn with the pool leaving, we just tied them to what they proposed. Now, the application could add a sitting area or something to the central park if they wanted. It's just a suggestion out there. But, again, even if the pool was to go away I'm sure they would do a nice patio and a barbecue or something on the back for the residents to use and the other thing that we called out in the staff report is we didn't have the details of the clubhouse. We don't have a floor plan. So, we don't know what other internal amenities they are going to provide. They may have a gaming room, a rec room, and fitness facility in there. So, maybe the applicant can -- you can ask -- tell us what the footprint or what the square footage of the clubhouse is and what they envision as part of that -- the use of that clubhouse.

Kirkpatrick-Shrief: Chairman, Commissioners, our client has an example for the - - for the clubhouse. As we have -- we have not engaged an architect at this stage to -- to design the clubhouse, but we do have a couple examples that he could be held in substantial conformance with all the amenities and with the clubhouse and the size and the style, so -- and I think you guys have those -- you have the examples in your packet.

Yearsley: I was just looking at this. Do you have the square footage that you're anticipating?

Kirkpatrick-Shrief: Chairman, let me ask my client. Okay. Okay. So, Chairman, Commissioners, we can commit to a minimum square footage of 1,700 square feet and that's -- that's based on the size of the clubhouse, which is similar to --

Yearsley: Okay.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: That would include an inside kitchen, as well as possibly an outside kitchen?

Kirkpatrick-Shrief: That could be just -- the interior footprint would be something that would be in the 1,700 square feet and, in addition, they would like to propose an outside kitchen, barbecue area.

Oliver: But no kitchen inside?

Kirkpatrick-Shrief: There will be a kitchen inside.

Oliver: Okay.

Kirkpatrick-Shrief: Right.

Yearsley: Okay. I guess my big concern is the parking and I still don't have a level of comfort of meeting parking spaces. As I understand you got 25 units that you're going to have less parking and understand the 55, but what happens on holidays when you got family coming and -- where do you put them? Not that it may be needed -- and I will tell you where I'm coming from. I am the president of our HOA. We have got patio homes and we are always having issues with parking. It's not a 55-type situation, but we always have issues with parking in the 55 -- in the patio homes. So, I guess how do you anticipate to address the parking?

Kirkpatrick-Shrief: Okay. Chairman, Commissioners, again, it is 25 of the 74 homes we will be proposing the reduced parking pad. On the street that is -- that the common drive takes access was 25 -- will take access off there will be parking allowed on one side of that street. The street along the clubhouse that runs just west there is parking on both sides of that street and we will be providing two additional stalls at the end of each common drive. In addition to the parking that is clustered around the clubhouse and there is several other additional areas where we are proposing parking. But we -- we have -- the addition 19 spots that we are proposing and that was before we worked with staff on adding the two additional stalls to the end of each common drive and, then, we have -- we have parking on one side of the street that -- that stubs to the south. So, there is -- there is quite a bit of parking in -- in that vicinity and, then, I think realistically you're not going to have residents driving to the clubhouse I think that's -- you know, the normal -- if you have kids -- like I drive my kids to the clubhouse. I think you're going to get seniors where they are out walking to the clubhouse to go play Bridge or to, you know, see friends. I think -- I think you're not going to see as many vehicles driving to the clubhouse as you would in a typical more normal subdivision. So, there are additional stalls, in addition to the

two stalls that we are going to have at the end of each common drive. So, I think for your Thanksgiving scenario I think we have got more than enough parking in the area. If we actually do -- or a senior development off of an alley we would be allowed to propose this ratio. It's just a little quirk in the code where we have to go through this waiver.

Yearsley: Okay. And then -- I had one other question and I can't remember what it was.

Fitzgerald: Mr. Chairman?

Yearsley: Commissioner Fitzgerald.

Fitzgerald: While you're thinking --

Yearsley: Thank you.

Fitzgerald: Hey, Josh, with a minimum of 1,700 square feet, how many parking spots do we need?

Beach: One for every 500. So, you're only looking at four.

Fitzgerald: Okay. So, from what I count up in looking at -- when he holds the around the central core you have got 25 lots, is that what I gather? Is that right?

Beach: That's approximately what we came up with is -- even with removing, as I said, removing the common lots --

Fitzgerald: Yeah.

Beach: Even with removing those I think with the addition, as Wendy said, of the parking at the end of each of the common lots, I think it's going to be roughly half of what would be required by code, with the understanding that a majority of the streets in there they can park on one side of.

Fitzgerald: Okay. Thank you.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I'd like to ask staff first a question just to make sure I understand that you said if the house remains, then, it must hook up during phase one to sewer?

Beach: Typically our -- requiring the code is that they hook up to city utilities upon annexation, which will be immediately -- so, that poses a potential issue as

far as connecting immediately, because they are, essentially, the center of the -- the process.

Oliver: Yeah. So, how would that be done? First of all -- I guess that goes to Wendy as far as saying who pays for that and who gets and -- because I would assume that from the -- you ready have to do that side, you got to take all that back out.

Kirkpatrick-Shrief: And, Chairman, Commissioners, our -- I mean our preference would be for that parcel to remain on their existing well and septic until that phase is done. If you could entertain hooking up now, but just until -- for them you could -- you could put a start clock on it, that they would within -- you know, within two years of -- of the final plat being recorded for that phase. We did not want to set a time limit on how long they can stay on the remaining well and septic.

Yearsley: And I guess the question to staff, if we actually say that they have to hook up within two years, that puts the onus on you to make sure that that's tracked; is that correct? And preferably --

Parsons: Mr. Chairman, Members of the Commission, that's correct. Our preference is to demolish it when it's phase three, no hook up and City Council have to -- be a lot easier for us. We don't want to be tracking -- again, there is -- there is nothing that's going to trigger anything. I mean we will come in with phase three. Josh and I aren't around, who is going to -- if there is no one to catch it, I mean it's just one of those things where our preference is to tie it to a phase and if you don't feel that you're going to keep the home, that's typically what we do on a lot of these. It's -- that's the way it is and we can cross it with that phase.

Yearsley: Okay. Well, I can't think of my other question, so I guess I will -- any other questions before we close the public hearing? Thank you.

Parsons: Mr. Chairman?

Yearsley: Yes.

Parsons: Also, I wanted to touch bases on Wendy's concerns about the Public Works comments. We did speak with Bruce Freckleton this afternoon and it appears that Public Works will support a secondary connection off of Ustick, but his direction to Josh and I this evening was the fact that leave the condition the way it is now and just add verbiage to say work with Public Works and get it worked out prior to the City Council hearing. They have some language they want to -- some options they want to discuss with the applicant before City Council.

Yearsley: Okay.

Kirkpatrick-Shrief: Okay.

Yearsley: Thank you. I guess with that I would entertain a motion to close the public hearing on file number H-2016-0066.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I move that we close the public hearing on H-2016-0066.

Wilson: Second.

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

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Yearsley: Comments?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: In viewing what we have here I have a tendency to lean in favor of the proposed motion by the staff to complete as they directed us. I believe we are kind of getting away from a lot of different activities there in the subdivision that are confusing to me as far as when we do phase one and phase two and phase three or phase four and leaving the house there and whatnot. I just believe that if you're going to put in a subdivision do it the right way the first time and don't have to look back on it. I also wonder if we send this to Council -- City Council and they look and they -- what are these guys in Planning and Zoning doing, you know, now they send it back to us to clean it up. So, I think if it looks right to staff it looks right to me to go the way they directed, rather than piecing it out.

Yearsley: Thank you.

Fitzgerald: Mr. Chairman?

Yearsley: Mr. Fitzgerald.

Fitzgerald: First I commend to Mr. Walsh and his company. I think The Orchards products are a great product, so I think if they are going to bring that kind of product to this area I think it's great. We definitely are in need of it. It

sounds like this has been a challenge to get processed anyway. I am a little concerned about the parking, but I understand where we are, so -- and I think the staff have done a good job of compromising there. The house situation is difficult, because it's -- it's one of those things I understand the reasoning, but I think in our precedence we probably -- we try to just make it clean. To develop you have got to make a choice to either fish or cut bait kind of thing. So, it's hard -- and so I would love to get the opinions of the other councilmen and I appreciate Commissioner Oliver's position and I would -- I would definitely request that we put in that everything gets resolved from ACHD's perspective before this thing moves forward -- or before Council. I think that's my initial thoughts.

Yearsley: Thank you. Commissioner Wilson?

Wilson: I don't know. I have a little heartburn about it. I don't know if I could keep everything straight that needs to be done, which is concerning when you're talking about something like this. I mean I think it looks good. I like that they worked with, you know, the property owner and the property owner had in mind the other neighbor and trying to create something that had a good fit here. On the other hand, there is a lot of outstanding questions that have to be ironed out that, again, gives me some heartburn about and I would be -- I wonder what our Chairman might say on some of those.

Yearsley: You know, I -- I like the style. I like the opportunity to have the diversity, the deal. I am concerned about the parking. I would be less concerned if we put the 55 and over in the DA and -- and forced it into a 55 and older. I don't know how enforceable that is for selling and buying homes and that stuff, you know, because, you know, they are going to market to 55, but who says the 55 and older are going to buy there and so you may get single family with no parking and so -- so that's -- I think that's my concern. My initial reaction was maybe to table this until they get everything worked out and come in with a new plan to meet ACHD's requirements. As we have talked I am not as concerned with that where they're willing to work with staff and ACHD to come before City Council with an approved layout. With the house, I understand the desire to still want to live there while they are working with the other phases and I guess I'm not quite sure how I feel about it. Initially I was no, but looking at the phasing and it could work. The phasing on it is kind of funky if they do it that way. I guess if push comes to shove I would recommend we remove the house per staff's recommendation and, unfortunately, I understand -- you know, maybe you could rent one of the homes from the owners until you get yours where you want to live as an option. So, something to think about. So, I guess I kind of went around the block with a lot of my comments and I apologize for being kind of scatterbrain this evening. But, no, I like the layout and I like the look, I like the house style. I think it's a great location and a great fit. So, I guess to me is how do we implement it is I guess my concern and I guess from -- you know, from the city

attorney, she says we can put it in the DA agreement, but how do we -- how do they enforce that --

Pogue: All you are requiring is holding them to what they have said.

Yearsley: Okay.

Fitzgerald: And they can come back in and change the DA if --

Pogue: Exactly.

Yearsley: Okay. Because, personally, if we are going to reduce the parking I think we have to go to --

Fitzgerald: Agreed.

Yearsley: -- the 55 and older in the DA. So --

Parsons: Mr. Chairman, I don't mean to interject on you, but if you do that as well staff would request that you hold them to 74 units as well.

Yearsley: And I think that makes sense as well.

Parsons: Cap them at their density as they proposed.

Yearsley: Yeah. So, I guess those are my thoughts. I would I'd be --

Fitzgerald: Mr. Chairman, do you have any thoughts on the stub street versus the right of way common area -- or common lot -- common drive -- I'm losing my mind already, too.

Yearsley: I guess the only issue that I would have on that -- and they can leave it as a stub street as long as they provide the right of way and have a sign at the end of it saying this will be continued in the future, because I don't want someone buying that home and not realizing it's to be opened up in the future.

Fitzgerald: Exactly.

Yearsley: Would be my recommendation is -- is -- you know, I don't know if I have a preference, because you never know if that property across the street will ever redevelop or anything like that. So, I'm okay doing that and making the adjacent homeowner or adjacent property owner reconfigure that portion of the street if he wants to develop. But I still think --

Fitzgerald: Common drive with a sign?

Yearsley: Yes. Because that way at least it lets people know if I'm buying the property that this could be or maybe a road in the future would be my recommendation, so --

Fitzgerald: And I -- Mr. Chairman, I tend to agree with you on the parking situation on tying them to the lot number and the 55 and older piece together. Those three things need to go together to make this thing function. I -- I was a little bit leery about the pool being removed, but if it's turned into a nice outdoor kitchen I'm okay with that piece. I think the -- we will iron out the ACHD hammerhead issues and the emergency road shift between now and Council. I think the question comes down to the house tonight. And, then, I give the Blakeslee family -- I mean this is a difficult decision. They have been there for a long time and it's -- the challenge is that the house is right in the center of that community -- it's right in the middle and it's one of those things where hoping a sale ends for development purposes is difficult to build around that without making it a change, so --

Yearsley: Well -- and as they start to build he may not want to, given all the construction around him and stuff like that, so it could be challenging, so --

Fitzgerald: I think either we have got to -- I think that's the direction to take the staff's perspective and go that direction.

Yearsley: Okay. Any other thoughts or comments? If not, I would entertain a motion.

Parsons: Mr. Chairman, before the motion --

Yearsley: Yes.

Parsons: If we can highlight some of those DA provisions that need to be modified if you're so inclined to do that. Going back to the stub street on the east boundary, ACHD's condition is construct the road. It's not do a common drive and put a sign at the end of that.

Yearsley: Okay.

Parsons: So, it has to be built with the sign and in place. So, that -- that needs to be taken into account that if you stay with staff's recommendation. The other thought is if you don't require the stub street and you're okay with the common drive, they still need to build a common drive to their east boundary and keep in mind that you're capping that property to a density of four dwelling units, basically, because only six can take access off a common drive. So, you're hampering the development potential to that adjacent property owner.

Yearsley: Okay.

Parsons: So, that's -- that's why staff was pushing for that stub street. One, to close an access off of Ustick. There is no other options to get a road to that property, because next to that property is county -- county residences that probably won't be developing. They are zoned R-2, so -- I guess they are in now, they are R-2, but there is no other opportunities for connections here and that's why we were pushing for that, to make sure, one, we can get in-fill in the future and, two, set it up to where we could have a townhome or something there to maximize density at some future date and not impact Ustick Road any further.

Yearsley: Okay.

Parsons: So, keep that in mind. So, anyways, going back to DA provisions --

Fitzgerald: One quick question on this before you go -- Bill, sorry. Mr. Chairman. If we stub that over -- if we don't stub it over you're saying there is no access into Ustick at all. Would ACHD give them other access in the future or is this the only access point that's going to be -- I mean I can't give you a crystal ball and -- I mean an access point -- we got three subdivisions in a row and, then, you got the R-2 next to it. There is a number of accesses right there. So, I'm just -- from a staff and planner perspective --

Beach: Sure. From staff's perspective we don't want that lot to keep their access to Ustick. It just -- it's an arterial roadway, we want to keep those flowing. The more access points you have the more traffic gets slowed down. If there is opportunity to provide cross-access through another development, that's what our preference is. So, we are trying to set ourselves up for success here. We are trying to -- at the same time we are trying to allow that property to develop with as many lots as it can. As we said previously, we only allow six lots on a common driveway. So, if that's constructed as a common driveway, one, maybe two of those lots are going to be required to take access from that common driveway, leaving only four allowed on the adjacent property. So, they may only get four anyway, but we want them to have the opportunity to maximize that density.

Fitzgerald: And, Josh, the next -- in the acreage is three, right, to the east? Oh, total acres --

Beach: Yeah.

Fitzgerald: Oh. Okay.

Parsons: That's why ACHD is not real -- not in favor of a stub, because it's not the best use of taxpayers' dollars to stub the street to one acre parcels. Exactly. They see that as a road to nowhere and we are -- that's why they are at least

giving you the flexibility in your decision tonight, whether you want it or you don't. Again, our conditions say provide a stub street.

Yearsley: So, in our condition it says that shall be a stub street --

Parsons: Absolutely.

Yearsley: So, what we could actually do is maybe modify it to provide that stub street or an alternative -- alternative stub someplace else, because there was the option of potentially going to the north as well.

Parsons: They could potentially do that.

Yearsley: Or the south. I'm sorry.

Parsons: The south boundary is a one acre parcel. Yes.

Yearsley: So, we could potentially do that condition as well. Stub there or go stub there.

Parsons: The DA provision that speaks to the construction of the central park is the E-3 and it also mentions the pool. So, if you were inclined to not require the pool, then, we need to strike that pool from the requirement of the DA.

Yearsley: Okay. So, I think we are all in agreement to -- to remove the house and --

Parsons: Construct the common space in phase one?

Yearsley: Yes.

Parsons: But you want to remove the requirement --

Yearsley: But allow -- yeah. To allow for --

Parsons: And the condition for the stub street --

Beach: Is 1.1.2E. It says the applicant shall provide a stub street to that parcel.

Yearsley: Well, at that point --

Beach: So, you have got flexibility I think there.

Yearsley: I don't know if we even modify that. If we just state that.

Parsons: We can put in there either north or east -- or south. South boundary or east --

Yearsley: East boundary. Okay.

Oliver: As far as the pool, could it be pool slash outdoor kitchen or do you have to state -- you could put either one, it would be --

Beach: The requirement is for specific and I know that Wendy said -- asked if you had any suggestions for amenities that are -- we want something specific and I think that's what we -- because we will be tying them to the amenity package in the DA, so we want that fairly specific.

Oliver: It's changed from pool to outdoor kitchen or -- okay.

Yearsley: Okay. And then -- so, what was the condition for the -- the DA provision for the pool? What was that number?

Parsons: D-3. Provision D-3.

Yearsley: Okay. Okay. Someone have all the information?

Fitzgerald: So, we are good with the common area being -- or the central common lot, shrinking those lots down?

Yearsley: Yeah.

Fitzgerald: Okay.

Oliver: Shall we --

Yearsley: I'm willing. Anybody wanting to go for it?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: After considering all staff, applicant and public testimony, I move to recommend to approve to the City Council of file number H-2016-0066, as recommended in the staff report for the hearing date of September 15th, 2016, with the following modifications: That on D-3 we change that from a pool to an outdoor kitchen and that we have our stubs as an option, either going to the north, south or east --

Yearsley: Or, no, north or south.

Oliver: North or south.

Yearsley: Oh, no. North or east.

Oliver: Yeah. We will get it right.

Yearsley: Okay. And, then, adding the DA provision to keep it at 74 lots and 55 or older.

Oliver: Okay. Keep it -- with the DA keeping it at 74 lots and 55 or older. And that includes, of course, in the motion that the house goes.

Fitzgerald: Clarification on the motion. Is that also the parking as the applicant has proposed? Okay.

Yearsley: That one I'm assuming he has to get a waiver for; is that correct? Or do we recommend that --

Parsons: Mr. Chairman, we have already approved the alternative compliance, I believe, so it's already --

Yearsley: It's already in your recommendation.

Parsons: It's already in there. Yes.

Yearsley: Okay.

Fitzgerald: And one more clarification is that the applicant be required to meet all ACHD requirements that they were making recommendations on; correct? Does that requirement need to be added there, Bill?

Beach: I don't know if you need to make that motion. They have to.

Fitzgerald: Okay. I just wanted to make sure your finding. Okay.

Yearsley: Okay.

Fitzgerald: Second.

Yearsley: I have a motion and a second to approve file number H-2016-0066. All in favor say aye. Opposed? Motion carries. Congratulations.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Yearsley: With that we have no other issues. I have one last motion.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I move that we adjourn.

Fitzgerald: 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.

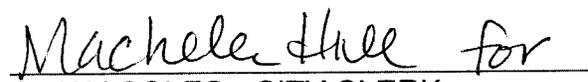
MEETING ADJOURNED AT 7:27 P.M.
(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)
APPROVED



STEVEN YEARSLEY - CHAIRMAN

10 | 6 | 2016
DATE APPROVED

ATTEST:



C. JAY COLES - CITY CLERK

