I. CALL TO ORDER

PRESENT: Ansotegui, Stevens, Finfrock, Bratnober, Zuckerman
ABSENT: Gillespie, Stead, Schafer

II. MINUTES APPROVAL

1. Planning and Zoning Commission Minutes – September 9, 2019
2. Planning and Zoning Commission Minutes – September 16, 2019

III. CREATION OF CONSENT AGENDA

A. SUB19-00053 / Edgevale Condominiums
SUB19-00053 / 902 N 8th Street / Preliminary and final plat for a mixed use condominium project with 30 units on 0.41 acres located in an R-ODHD/DA (Residential Office with Historic Design Review and Development Agreement) zone. David Moser

RESULT: APPROVED [4 TO 0]
MOVER: Jim Bratnober, Commissioner
SECONDER: Janelle Finfrock, Commissioner
AYES: Tamara Ansotegui, Jennifer Stevens, Janelle Finfrock, Jim Bratnober
ABSTAIN: Ben Zuckerman
ABSENT: Milt Gillespie, Meredith Stead, Bob Schafer
B. **CUP17-00073 / Liberty RV Storage / Time Extension**

CUP17-00073 / Liberty RV Storage / Time Extension / 2613 S. Liberty Street / Conditional use permit for outdoor storage on a 2.68 acre site in a M-1D (Light Industrial with Design Review) zone. David Moser

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6. **CUP19-00060 / Virtus Services**

CUP19-00060 / 2516 S Apple St / Conditional use permit to operate a health club in an existing building on 1.12 acres located in a C-4D (Planned Commercial with Design Review) zone. Nicolette Womack

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IV. **NEW BUSINESS**

1. **PUD19-00027 / neUdesign Architecture**

PUD19-00027 / 412 S Orchard St / Conditional use permit for a residential planned development comprised of 8 townhomes on 2.08 acres located in a L-OD (Limited Office with Design Review) zone. Karla Nelson

| RESULT:           | WITHDRAWN |

SUB19-00054 / Orchard Villas

SUB19-00054 / 412 and 420 S Orchard St / Preliminary Plat for a residential subdivision comprised of 8 buildable lots, 1 common lot and 1 commercial lot on 2.08 acres located in a L-OD (Limited Office with Design Review) zone. Karla Nelson

| RESULT:           | WITHDRAWN |
2. **PUD19-00026 / Storage Development, LLC**  
PUD19-00026 / 1250 S Division Ave / Conditional use permit for a mixed use planned development comprised of 127 multi-family units and approximately 5,500 square feet of commercial space on 2.89 acres located in a L-OD (Limited Office with Design Review) zone. A height exception is also included. Leon Letson

| RESULT: | APPROVED [4 TO 0] |
| MOVER: | Janelle Finfrock, Commissioner |
| SECONDER: | Ben Zuckerman, Student Commissioner |
| AYES: | Tamara Ansotegui, Jennifer Stevens, Janelle Finfrock, Jim Bratnober |
| ABSTAIN: | Ben Zuckerman |
| ABSENT: | Milt Gillespie, Meredith Stead, Bob Schafer |

3. **CUP19-00057 / Campfire Kids Childcare**  
CUP19-00057 / 5353 W Franklin Rd / Conditional use permit for a large child care center for up to 45 children in an existing tenant space on 0.44 acres located in an R-3D (Multi-Family Residential with Design Review) zone. Leon Letson

| RESULT: | APPROVED [4 TO 0] |
| MOVER: | Jim Bratnober, Commissioner |
| SECONDER: | Tamara Ansotegui, Co-Chair |
| AYES: | Tamara Ansotegui, Jennifer Stevens, Janelle Finfrock, Jim Bratnober |
| ABSTAIN: | Ben Zuckerman |
| ABSENT: | Milt Gillespie, Meredith Stead, Bob Schafer |
Madam Chair Stevens: We'll move onto item number four, this is CAR19-00019 and associated applications at 871 S Five Mile Road. We'll hear from David Moser.

David Moser, Associate Planner: Madam Chair, Members of the Commission. Before you is a planned residential development comprised of 47 detached single family homes on 7.89 acres located at 871 S Five Mile Road. The site is surrounded by detached single-family homes to the east, the south, and the west. And it abuts I-84 freeway to the north.

The application also includes a proposed rezone from R-1B, which allows a density of 4.8 units an acre, to R-1C, which allows up to 8 units an acre. The Planning Team finds that the R-1C zone to be appropriate at this property since it is located along arterial roadway which is scheduled to be widened to five lanes between 2026, or possibly to 2030 and also on which a future transit service route is proposed by Valley Regional Transit.

There is also R-1C zoning located to the north on the other side of the freeway and in addition, there's more intense office and commercial zoning located about a quarter mile to the southeast at the intersection of Five Mile and Overland Road. The increase in density is also supported by the site’s proximity to the existing transit service along Overland Road, and it is within walking distance of numerous retail and commercial services at that same intersection of Overland and Five Mile, which is a community activity center to the south.

This is the preliminary plat. As you can see, it includes 47 buildable lots and 4 common lots. I would note that the larger lots are located along the perimeter of the site, while the interior lots are smaller and alley-loaded product. This creates a larger buffer and larger lots adjacent to the existing neighborhood. It also creates like yard to like yard, rear yards to rear yard setbacks.

Here is the site plan. Access to the site will be from a new public roadway, off of Five Mile Road, which will include sidewalks on both sides. An emergency access will be provided on the southeast corner of the site, which will generally provide pedestrian and bicycle connection to the adjacent neighborhood. This is an emergency access only and will not be serviced by normal vehicles. So, mainly it's just a pedestrian and bicycle access. In case of emergency it will provide vehicle service for fire.

Here is the landscape plan. A playground with benches will be provided on a common lot to the southeast corner of the site. A landscape buffer
planted with trees and shrubs will be provided along the east and north property boundaries, buffering the homes from Five Mile Road and the freeway to the north. To provide additional buffering from the freeway, a berm, and with a concrete sound wall will be located along the north property line to abate noise from the freeway, and its impacts on to the site.

I would also note that the Planning Team did receive some letters of opposition. They came in late. The letters generally expressed concerns with traffic impacts from the project, and about the proposed R-1C zoning and how it impacts the rural character of the general neighborhood.

I would also note, too, that there was a late correspondence letter requesting that an additional condition be added allowing for the garages interior to the site to maintain a 20-foot setback from the back sidewalk instead of the front property line.

In conclusion, the Planning Team recommends approval of the project. As a reminder, the Commission will make a final decision on the planned unit development and makes recommendation to the City Council on the rezone and the subdivision. Thank you.

**Madam Chair Stevens:** Thank you David. Is the applicant present? Would ten minutes be okay to start?

**Jim Conger, Applicant:** That's just fine. Madam Chair, Members of the Commission. Jim Conger, 4824 West Fairview Avenue. We're glad to be in front of you tonight to present our Voyager Neighborhood. Mr. Moser did a great job of running through it all. I'll hit on a couple of points again. We are an infill project with actually a mix of two housing types, consisting of the 47 homes. This project located on Five Mile, as you saw, in that Overland region, but, again, adjacent to the I-84 freeway.

Clearly the development of this infill property will be better for the environment – not only the environment, but for the community, with our development. It's one of the bigger eye sores if you drive down the freeway, or even Five Mile Road freeway, basically as you enter into the City of Boise. The blight clearly will be cleaned up with the development of this property, and certainly needs to be.

As noted, the Voyager has a mix of types – I'll walk you through that quickly. The 25 single-family homes in the blue which was the transition to the county neighbors, again, like backyards to like backyards. These homes are a little bigger lots providing the transition and then we made slightly smaller lots in the northeast corner in blue as we abut the I-84 freeway – they're slightly narrower.
We have the 22 single-family alley-loaded homes in the tan. We took an opportunity in the core of this development to put slightly smaller lots and with an alley-loaded product. Two reasons, one, for a little bit of density to be able to transition in the blue, and the other was to just have a second housing product – two different price points for the citizens.

You can see a glimpse of the alley-loaded product, very attractive. It’s quite interesting and a little more intimate to the neighborhood, for sure. This neighborhood will provide, again, the variety of housing and then those two different housing, two different price points.

Next. Voyager will have that neighborhood park, as Mr. Moser pointed out. The amenities will function as the core gathering area and play area of the neighborhood. In this particular case, with the alley-loaded homes being a little bit smaller you definitely have to have a great amenity to help support that and we do. That is very important for the sales of our homes and for the livability of the homes.

It’s going to have a rock bouldering area in this area, seating benches, so parents can sit while their kids play. The active area will be fenced in as well, for child safety. At the same time, this project does have over 15% open space as well. Zoning. Touching on the zoning, as you heard from Staff and the Staff Report that recommends approval, the requested R-1C zone is compatible not only with the surrounding environment but also the comprehensive plan as well. It’s a more appropriate zone as we get near the I-84 freeway.

The actual land planning process with this particular project was a little bit more challenging than normal. We had the compatibility issues of the county subdivisions to the west and the south. At the same time we had to transition our way to the very busy Five Mile Road and the very busy I-84 freeway. It’s truly a perfect infill location to have more Boise residents at this location, especially with the benefits of what’s on Overland Road as well.

In closing, what you see tonight is a result of about a year of planning and collaborating with your City Planning Staff, Fire Department, Public Works, several meetings with Suez Water, and the Ada County Highway District. It’s also important to note that the Ada County Highway District Commission has approved this project, and its setbacks from Five Mile and the access entry roads.

We respectfully request your approval of our Voyager Neighborhood, and we thank you for your time this evening. I would be happy to further clarify any items or answer any questions you may have.

Madam Chair Stevens: Thank you, Mr. Conger. Are there any questions for Staff or the applicant?
Commissioner Bratnober: Madam Chair.

Madam Chair Stevens: Commissioner Bratnober.

Commissioner Bratnober: I have a question about the lot widths, and I guess I’m directing this to Staff. It looks like there are two different exceptions here to the Code. One is going from 50 feet to 46 feet in lot width, and then the other one for the alley-loaded, we go from 50 feet to 22 feet. Do I have that correct?

David Moser, Associate Planner: Madam Chair, Members of the Commission. That is essentially correct. The perimeter lots range from 50 to 40, or slightly under 50. And the interior ones are 22 feet wide.

Commissioner Bratnober: Madam Chair.

Madam Chair Stevens: Commissioner Bratnober.

Commissioner Bratnober: How problematic is it for us to see this kind of – the 22 feet is the one that concerns me. How problematic is that kind of exception in neighborhoods like this?

David Moser, Associate Planner: Madam Chair, Members of the Commission. The 22 feet is pretty common for that type of product that they’re proposing. In this area, I think this particular design has buffered it within the center of the project so it’s not on the exterior and would not impact the neighbors. To put this type of product in a different situation, it might be more problematic, but they did a really good job in buffering it and transitioning it.

Commissioner Bratnober: Thank you.

Jim Conger, Applicant: Madam Chair, I offer one item. As far as the perimeter lots and the 46 feet, Madam Chair, Commissioner Bratnober, that is only against I-84, that is not reducing any lot widths against the west boundary. So there against I-84 is the 46 footers, not against the west boundary or the south boundary.

Commissioner Bratnober: Madam Chair.

Madam Chair Stevens: Commissioner Bratnober.

Commissioner Bratnober: Thank you. Like I said, that exception I think is reasonable. I’m just concerned, because in addition to the smaller lot width, a lot of the setbacks – the street yard, the rear yard – those setbacks are way under what’s required by the Code.

Madam Chair Stevens: I have a question for – I guess I’ll direct it at David. But I may need your help too, Mr. Conger. The images up on their screen
right now, I'm just hoping – I haven't heard, and I don't remember reading in the packet anything about the access road along the freeway, or about Lot 16. So can you just explain what that is, and then maybe that will be good enough.

David Moser, Associate Planner: Madam Chair, Members of the Commission. I believe Lot 15 and Lot 16 – one's the access or common lot, and then one of them is the actual cell tower lot.

Madam Chair Stevens: I see. And is that why the access road is necessary is to get to that cell phone tower?

Jim Conger, Applicant: Yeah, Madam Chair, Members of the Commission. We did inherit a cell tower that’s been existing on this property. It has a right to access that from the north side, which is the freeway side. And the way the facility is built it’s impossible to access from the roadway.

Madam Chair Stevens: Thank you for that clarification. Any other questions? Thank you.

NEIGHBORHOOD ASSOCIATION

Madam Chair Stevens: Is there anybody here from the Northwest or Southwest Neighborhood Association – is that right, David? Southwest County Alliance?

David Moser, Associate Planner: Southwest Ada County Alliance Neighborhood Association.

Madam Chair Stevens: Thank you. Will 10 minutes be enough for you, Ms. Bermensolo? That’s what we gave to the applicant.

Betty Bermensolo, Southwest Ada County Alliance: I think so. Good evening, Commissioners. My name is Betty Bermensolo. I live at 1970 S Canonero. I’m speaking on behalf of the Southwest Ada County Alliance. I am hoping that Staff was able to provide you with the letter that was sent initially to Staff - Brent Moore, a couple of days ago. If you have that before you, then I won’t be redundant. But we have two –

Madam Chair Stevens: You know what, Ms. Bermensolo, I’m going to interrupt you. Mr. Moser, it looks like you have something you want to add.

David Moser, Associate Planner: We retrieved that, I believe, late this afternoon out of Brent's email, so we didn’t get it to you. I apologize for that.
Madam Chair Stevens: Okay, so no, we haven’t seen it. So please do be redundant and let us know what was in that, thank you.

Betty Bermensolo, Southwest Ada County Alliance: Thank you, Chairman. There are two concerns that we have, I’m not sure that one access onto Five Mile is going to safely accommodate morning residents, if even half, roughly 23, are turning north on Five Mile. I’m going to ask Staff if they can bring up – it’s in the staff report, and it’s a view of Five Mile just as you would come over the overpass. And it is the intersection of Five Mile and Martingale.

It’s very telling, and so if people were trying to turn north on Five Mile in the morning, they might have a difficult time. In fact, at ACHD, this project did not go before the commissioners for review. That decision was based on the lone number of trips. One new planner, the applicants and the ACHD’s engineer passed on an approval. Additional land is required for future widening.

But that will not be immediate. As staff said, it’ll probably be 2026 to 2030, I think I read. And the project will have nearly six dwelling units, or maybe over that, to the acre adjacent to less than two dwelling units an acre of existing residential development. Although we always appreciate when the developer does put the larger lots up against existing development, this is still not compatible. This location is isolated from parks and would be greatly improved by increasing the internal functional open space which would lower the overall density, improve compatibility and safety of the residents.

I’m going to expand upon this a little bit because I didn’t know for sure whether I’d be here at all because of my throat. At first look, this project seems like the perfect place for increased density. I appreciate, we always appreciate, seeing existing lots having larger lots in the newer development. So that is something I want to acknowledge. However, in taking a closer look, there are major concerns that we feel the commissioners should consider.

This is another project that lacks the road infrastructure that basically is not in place now and will be in the future. So, the density is not a good fit at this point. A number of district policies that were waived at ACHD in the staff report, you can look at it, were to accommodate this project. It was only a staff approval, and I’m not belittling that, but there was no traffic impact study. The location of Martingale doesn’t pose a problem when you have one trip a day.

But with 444 trips a day on Five Mile Road when the level of service is F at peak hours currently, is a major concern. I would suggest that staff view Five Mile Road at 5:30 going north from Overland as I did tonight. It was
backed up coming across I-84 as it was being backed up going north on Five Mile. This looks really good, but I assure you that we haven’t, I haven’t seen – and maybe staff has seen a build out of what that center lane is going to look like as it comes over the overpass.

I haven’t seen it. Maybe Dave has it. But the only condition that I saw from the Highway District is that there were a number of waivers of district policy that went forward in the staff report and a request for additional easement that would come into play when they widened it. Maybe staff can tell us or show us a rendition of what the center lane is going to look like as you come in to that area. The level of service is F in going south from Franklin.

If you’re not familiar with that area, when Mr. Conger said it’s a very busy Five Mile, just now, I thought, obviously this is a major consideration. I think I can foresee a terrible situation with stacking up on any center lane to allow residents to turn left into Martingale while traffic is backed up going south over I-84. It’s a terrible situation and it’s worse, certainly, in terms of the evening timeframe or the peak hours in the evening.

With the additional land requested by ACHD, I had asked Brent what the overall density will be. It’s certainly going to be over six to the acre, and this is a location where the existing development is less than two to the acre. What we have found, and what I think would be a nice compromise, is that there be additional functional open space, maybe just on the south side of the existing lot that is going to be functional open space in the project. There’s a pedestrian pathway and then another lot right on the other side for something that might additionally take care of the needs of older children, a basketball court or something. But something that gives a better transition to a neighborhood that has less than two to the acre and is now looking at, at least six to the acre.

I still would like to see for myself if staff has a rendition of what this area’s going to look like before they actually are looking at building permits. It would give me a sense of seeing what that project is going to look like, because I know that there have to be some traffic considerations, just given the current situation in that area. So, could I ask if staff has something, could you put it up so that we see –

**Madam Chair Stevens:** Ms. Bermensolo, that’s not part of this. We have the information and I think the commission, unless they want to state differently, knows what a three lane centerline road looks like. It gives us dimensions in the report. So, I don’t think that staff needs to do that. Unless you have it handy at the ready, but I don’t think that that’s something that they need to do in this particular case.
Betty Bermensolo, Southwest Ada County Alliance: I appreciate you being concerned about these items and thank you for your time.

Madam Chair Stevens: Thank you Ms. Bermensolo. Okay, with that we’ll go ahead and start the rest of the testimony. Is Elisa Pharris present? Great, if you could step up and then followed by Lynn Schneidermann.

PUBLIC TESTIMONY

Elisa Pharris: My name is Elisa Pharris, I live at 10776 Sandpiper Street which is one small residential street directly across from this proposed development. I am raising a third generation of Pharris in this home. And we bought our home in the Boise area so that we would have that lifestyle that we wanted coming out of a larger metropolitan area. We have so appreciated seeing the wildlife and the animals growing up.

I recognize that Boise is a very popular place and we want to bring more people in. We want them to have that same quality of life we came here for. My concern is 47 homes taking the place of one current resident. I am aware that the one current resident is struggling to maintain that property as we saw with the Blight photos earlier. But 47 homes is just too many to have in this particular neighborhood.

I find myself a bit jealous, from the previous testimony, of the apartment complex and the way the developer met with the neighborhood, met with the community, heard their voice, heard their concern. At no point has there been any attempt to reach out to the neighbors and that worries me a bit, that this developer – the only way I knew about it was I saw some surveyors coming through, saw some surveyor marks. Then a few weeks ago there was a small sign posted directly across from my home. I am the only resident that could have seen that small sign posted for this particular meeting and that I find troublesome. It seems a little underhanded not to have let the larger community know that this development was coming, though we did get postcards in the mail. It would have been nice if the signage had been on Five Mile.

You’ve heard before from the previous person that Five Mile road is just not equipped to handle over 400 extra trips. There are so many times I sit in that center lane and wait to turn in to my subdivision for several minutes and I just have to zip across. To have to contend with another several hundred trips in the morning or in the afternoon makes entrance into the subdivision on Sandpiper Street all but impossible.

So, I’m not opposed to having a development in that area. It is an eyesore in the Boise area. But 47 homes is just too many. I would hope that we could consider, perhaps, a proposal or a re-proposal and perhaps
contact the neighbors and get their input prior to this coming to this meeting. Thank you.

Madam Chair Stevens: Thank you so much, Ms. Pharris. Ms. Schneidermann, or Mr. Schneidermann.

Lynn Schneidermann: How much time do I get?

Madam Chair Stevens: Three minutes.

Lynn Schneidermann: My name is Lynn Schneidermann, I live at 1128 South Kingfisher Way. The backyard of my property will look over the neighborhood back there, thank you. Thank you Madam Chair and P&Z members for allowing us to come today. I have to say, my beef would be – I’m all for the development in general, I think it’s a great idea. I’ve been hoping somebody would put something in there because there’s a lot of noise that comes through there to our backyards all along there.

So, the idea isn’t unappealing at all. However, as somebody stated, 47 lots, 47 homes, the federal government census tells us that the average home has 1.8 cars per household, so that gives us another – if you take the 1.8 cars per household times 47 homes, now we’re up to 84 cars trying to get in and out of that – the picture that was there earlier, the overpass, that’s really going to be a problem. There’s no suicide lane as they call the turn lane that people use now coming out of Sandpiper to try to get to, if you’re trying to go north. People will jump on that and try to ease back in to continue to go north.

There have been accidents there already. I don’t know if there can be some – if there was or should be some kind of study on that. It seems to me that that would be an important thing for staff to consider if it hasn’t been considered already. Also, again, keeping in that neighborhood, we have – my home is a little over half an acre. A lot of the homes are an acre or better.

To jam 47 homes into that eight acres is pretty – it’s a lot different, let’s put it that way. And right now, with the zoning being R-1B which allows 4.8 units per acre, I think that’s the point at which we need to hit this and not allow the zoning to change to the R-1C, which starts the traffic jams, starts making things not the same in the neighborhood as they are now and really, I think, makes a big problem for the neighborhood.

So, I would respectfully ask you all to think about that for us and it does change the tenor of the neighborhood in a way that doesn’t positively affect things around us other than to cut the noise down that comes directly from the highway. Right now, because there’s no big berm or no buildings to speak of, in general, putting something there I think is a great
idea. But I think the density is way too much and to change that zoning would be a mistake. So, thank you so much.

**Madam Chair Stevens:** Thank you. That’s it for the signup sheet. Is there anybody else here this evening who cares to testify? Okay, go ahead and just come forward. And if anybody who wants to testify could just line up in these chairs and we can just go through them. And be sure, because you’re not on the signup sheet, to fill out one of the white forms. Thank you. You guys are on it tonight. I love it.

**Pascaul Navaln:** Good evening, my name is Pascaul Navaln, I live at 9999 Big Wood Drive. I’d like to say thank you for having us here today. One of the things that we have as part of the concern for those of us that do have to travel Five Mile so much is the amount of traffic flow that’s on there. We know that we’ve been educated and informed that in 2026 up to 2030 that Five Mile will be widened out finally.

And we’re looking forward to it. Even though none of us really like construction, we’d really like to see this get fixed. One of our concerns that we have is that for those of us that are in management, such as myself, putting in the development this dense puts our drivers at risk. We are looking at having them dodge traffic because there’s not a light there to help guide them over into the lanes that they need to be in.

So, there’s been many times where I’ve had drivers have to give me a call to let me know that they’re on Martingale, that they actually had to take a hard swing on to Martingale to avoid someone who was trying to move out on to Five Mile. So for us, it is kind of a concern as far as that goes. And we would like to see about more information that we can have as residents but also as people who are working our professional lives there as well. Thank you.

**Madam Chair Stevens:** Thank you, and don’t forget to hand that up to staff or some of us up here. Hi, how are you?

**Angie Hobson:** Hi, great. My name is Angie Hobson. I live at 10622 West Sandpiper Street. Our family has owned that property there for over 30 years. And so we’ve seen the area change and grow and just get very, very busy on Five Mile.

So my two concerns have been voiced. First, that just having the density of those many houses there is not fair to the neighbors that have the larger homes on Sandpiper and around the corner there on Camas. To have a house on 22 feet, my goodness, that’s just jam packed. That’s crazy. To have 47 homes in that 7.8 acres is just way too much. I suggest that the development happens but not with changing the code that’s already there, not changing the zoning.
Then also I don’t know if you guys have been on Five Mile to check out where they are proposing for the street to come out, but it’s right at the bottom of the hill of the overpass, and it is a very dangerous place to be having a lot of cars coming out, especially if you’re coming out of that development and turning left because it’s a hill, it’s two lanes, there’s not a turn lane to fit in to. So that’s been said. But I just wanted to echo that, too, that is a big concern to have that many cars trying to get in and out of there. Thank you.

Madam Chair Stevens: Thank you.

Angie Hobson: I will fill this out.

Madam Chair Stevens: Okay, thank you. Anybody else who would care to testify? Okay, great. Come on up.

Tannya Cluff, South West Ada County Alliance: Good evening, my name is Tanya Cluff and I live at 10800 West Smoke Ranch Drive. I live in close proximity to this property. I oppose the rezone because it’s not compatible or consistent with the current housing in the area. The housing that surrounds it are all one acre and half acre lots. Putting more than four houses per acre is not consistent or compatible with the surrounding area.

I also have concerns about the traffic. It’s hard to even see with the one picture they showed of the entrance going into the property. It’s literally right at the base of the overpass. I tried to research and find something to back up the distance you could have a driveway or a road be from an overpass. I wasn’t able to find anything, but I’m sure it’s out there because I know the existing resident there already has problems entering and exiting the property. And it’s just one family there.

I also had an issue about earlier when Mr. Moser was saying that it meets the requirements for planning and zoning because in the future the road will be increased to five lanes, and there will be, in the future there will be bussing. But in past meetings, they’ve always told us when we brought that thing up that they have to go by what’s there now.

So I think the decision needs to go by what’s in place now, not what’s going to be there in the future. Because we don’t have any bussing there. There is no transit. There’s no sidewalk, there’s no pedestrian access across the overpass. I just ask that you oppose this and maybe consider keeping it the current zone of the R-1B. Thank you.

Madam Chair Stevens: Thank you. Please don’t forget to fill out a little white sheet. Is there anybody else? Okay.

Tyler Clements: Hello.
**Madam Chair Stevens:** Hello.

**Tyler Clements:** My name is Tyler Clements, I live at 1000 Kingfisher Way. I will have – I live in the house that is in the northwest corner of the new development. I’ll have two new neighbors. I have just a little under three-quarters of an acre. In general I agree with most everybody else that there’s a whole lot of worse things that could be put there. And my kids will no longer get to feed the horses, and I won’t have goats running around my yard anymore as they come over the fence that’s never been maintained.

But my biggest concern is the irrigation that exists and there are irrigation ditches that service this neighborhood along the interstate on the north side and on the entire west side of the property. I haven’t seen anything that addresses that at all. I don’t care to have my irrigation disrupted. I have almost had a head-on collision with the current occupant of the property as I’m trying to turn left on to Five Mile because they’re just darting out of that road, desperate to try to dodge these cars that are dropping in off of Five Mile because it is so steep.

My concern really is if they do what they did on Cloverdale, which is they reduced the pitch of the road. Instead of having this hop over, it reduces out, then there is no place for that road to come on to it. Anyway, I accept the development. It’s going to happen. I don’t object to the rezone. I would just like to see the irrigation addressed and the ingress and egress study. Thank you.

**Madam Chair Stevens:** Thank you. Don’t forget the white sheet. Is there anybody else who would care to testify tonight on this item? Okay, five minutes for rebuttal for you.

**REBUTTAL**

**Jim Conger, Applicant:** Thank you Madam Chair, members of the commission, Jim Conger back again. Kind of run through some of the concerns. As far as the ACHD, taking that one first and Five Mile, this project actually sat in the queue for an extra two or three and even four weeks for ACHD to get away from their planning staff and actually to their engineering and transportation staff to study the Five Mile overpass and what additional right of way they may need at some day, at some time, and where this access point is. With that, you will see on our plat there is additional right of way on Five Mile. There will be no negotiating with neighbors at a future date or even a homeowners’ association at a future date. There will be a set aside area that we will negotiate with ACHD on when that time comes. It will not impact any neighbors.
As far as turning in and turning out, ACHD studied that ad nauseum. With this being only 47 homes, it doesn’t trigger into traffic studies. ACHD at that point actually does probably, quite honestly, more work on a small project than they have to on a big one because they end up having to do by de facto the traffic study.

This is important to say, and I never said it earlier, this land is landlocked. The previous planning of the Ada County subs, not City of Boise subdivisions, did not accommodate connectivity. You see a cul-de-sac get near it. It is – we only have 18 foot of frontage. In fact, I had to negotiate two feet of easement with Suez for the fire.

What we did is procure a fire and a pedestrian access to that cul-de-sac. But if we were able to negotiate with that landowner, which I don’t blame him for not. I don’t know that I would if I were him, so I’m not casting stones, we would have our access road out to that cul-de-sac. But that is not an option and I respect that private property rights of not being an option. We would prefer that as well.

ACHD ran through all the studies of where we’re accessing and what they will – they will be the ones with the phone calls if it did not work. So, that went through and, again, that has been approved at Ada County. Comment of getting rid of one of our lots for more amenities, amenities are extremely important to us, specifically in certain products that we produce. We don’t take them lightly and we certainly have the right amenities for this project.

Reach out and neighborhood meetings, we had a neighborhood meeting. We have that process that’s required by the city. That does happen and it happens on every project. What I think we’re here talking about transition, we believe and your staff believes we transitioned as appropriate as possible with our larger lots on the perimeter. In neighborhood meetings it is the same thing every time. It is about the transition for sure. That was discussed at the neighborhood meeting.

Our goal, again, on the transition, that was our goal to start with and I’ll be fast. The goal was the transition to fit in to the neighborhood. We had to fit in not only to the Ada County subdivisions that you heard from on the west and south, we had to get to the I-84 freeway and you’re not going to have half-acre lots on the freeway in this new world.

Irrigation, very much respect that. We’ve already had our civil engineer looking at the irrigation. Irrigation works in a three-phased prong. And you’ll hear this in the next project I’m on here tonight. If we get through the planning process, we then go through the civil engineering process and all the approvals for the irrigation and then there would be
construction of that. But Idaho water law will – he is getting his water today and he will get it tomorrow from me.

I think this, in closing, this infill location next to services on Overland, yes it’s a future bus stop. But the only way you get transit in this town is to have – and I know you know that, I’m kind of saying that for neighbors, is you have to build homes and then bus follows. You have to build homes and then services follow. With impact fees, that’s going to help pay for the overpass. Putting homes here in Boise is actually the right location and would help with the others.

This, again, is access only to Five Mile. We don’t move through any existing neighborhoods. With all the great things this project achieves, we respectfully request that you approve our project tonight in accordance with the staff report that we have no issues with. Thank you.

Madam Chair Stevens: Thank you so much. With that we’ll go ahead and close the public portion of the hearing. And what does the commission want to do?

MOTIONS

Commissioner Ansotegui: Madam Chair.

Madam Chair Stevens: Commissioner Ansotegui.

Commissioner Ansotegui: A procedural question, do you want two motions for rezone?

Madam Chair Stevens: Yes, we’re going to have to take them separately. So we should start by discussing the rezone because without it we can’t support the density. So we should probably start with that discussion and then take each motion separately.

Commissioner Ansotegui: Okay, with that, Madam Chair, I move to approve CAR19-00019 with all findings and conditions in the staff report.

Madam Chair Stevens: Okay, we have a motion by Commissioner Ansotegui. Is there a second?

Commissioner Finfrock: Second.

Madam Chair Stevens: Second by Commissioner Finfrock. Discussion?

Commissioner Ansotegui: Thank you. Placing aside for the moment the discussion of traffic and where the ingress and egress is, this seems like an appropriate rezone in terms of density, just for the reasons stated in the staff report. We’re right in the center of R-1B with R-1C across the road. The way that this PUD is laid out, although we’re not there yet, it seems the
way that it’s laid out, it would support a higher density with the smaller lots in the center.

**Madam Chair Stevens:** Okay, further discussion?

**Commissioner Finfrock:** Madam Chair.

**Madam Chair Stevens:** Commissioner Finfrock.

**Commissioner Finfrock:** So I’m very familiar with this area. I drive it every day. I can appreciate their comments about being in an area where they have larger properties and they enjoy that. I understand that but at the same time, we are right on Five Mile and this is a nice piece of land. And it is an eyesore right now.

There’s a farm and it’s not being taken care of, and it’s a pretty large piece of property. And I think that even zoning it to the R-1C, we’re not putting apartments on there, we’re not putting anything along that line. We’re actually putting R-1C houses, which is a pretty good use of the mixed development in the area and the main arteries that go – Overland and Five Mile, there’s lots of options for getting in and out of that area.

**Madam Chair Stevens:** Commissioner Bratnober.

**Commissioner Bratnober:** Thank you. In looking at the zoning, I kind of ran into a hard spot relative to the freeway, because if look around that and omit the part north of the freeway, it’s R-1A and R-1B. The freeway might as well be a mountain in some cases. So adjacency to R-1C really, in my mind, really doesn’t apply here. It looks like it’s plopped in the middle of R-1A and R-1B for all intents and purposes.

**Madam Chair Stevens:** I’ll jump in. You took the words, actually, right out of my mouth, and you said them better than I would have. I’m looking at our findings for a rezone and we have to meet three things. One, compliance with the comp plan, two best interest of public convenience and general welfare, and three, maintains and preserve compatibility of surrounding development. I’m frankly having a really hard time with those last two.

I think we can probably find things in the comp plan that do support putting this density there. But I also know the area and have driven it lots and I do worry about the safety and the welfare. I certainly don’t think it’s for public convenience. I don’t agree with the staff report in that particular place. I think that the developer has done a really good job of trying to make that transition, but I don’t think that putting these kind of numbers on to an already over-impacted street – if you look at ACHD’s report, hang on a second, I’m going to pull it up. I know that in 10 to 11 years this is going to be built out and we’re going to have a bigger road,
but in the meantime, how many people are going to get in accidents and get hurt by putting this many houses here?

So, I’m having a hard time with it as well. And I agree that we can’t look across a mountain which, in this case, is a freeway. I love that, I think that’s exactly perfectly said to say that this is compatible because it’s just a completely different universe. This is not the neighborhood. This is separated by how many, 11 lanes or something?

So I don’t think I can support the rezone. I think, and I’m obviously, as I’ve shown many times, very much in favor of density. But I think we have safety issues here that I am not comfortable with and can’t personally get past. So I’m hearing a tie. So I think it might be useful to have a little more discussion on this from everybody from both the makers of the motion as well as perhaps Commissioner Bratnober.

**Commissioner Finfrock:** Madam Chair.

**Madam Chair Stevens:** Commissioner Finfrock.

**Commissioner Finfrock:** So along what Bratnober said, I think I agree that the – as far as the ingress and egress, I think there are concerns coming out of that neighborhood. Not so much the artery of Five Mile and Overland and that kind of traffic pattern. So I think if we address that I would – I think that maybe that’s your main concern as well is just that area when they’re leaving that subdivision versus getting on that actual Five Mile and moving along it as far as the traffic flow goes on that level.

**Madam Chair Stevens:** Yeah, that’s definitely a huge part of it for me. I think we can’t do anything about the ingress/egress. That’s something that ACHD has decided where that’s going to go. So what we’re dealing with is a two-lane road. Vision problems because of the angle of the overpass, there’s no middle third lane at this point, and we’re talking about dumping 444 more trips onto that.

That just feels really unsafe to me. And that does get backed up. I’ve been on it. I’ve been backed up on that myself many times, and I’ve shopped at the community activity center below and some of the commercial that’s there. It just seems really unsafe to me. Currently there’s no sidewalks. It’s just – it seems really – I think it would be irresponsible of us to put 444 more trips on to that two-lane road right there.

**Commissioner Bratnober:** Madam Chair.

**Madam Chair Stevens:** Commissioner Ansotegui then Commissioner Bratnober.
**Commissioner Ansotegui:** Thank you Madam Chair. You know, I have the same concerns about putting traffic on to this place. I also am familiar with this. It’s hard to see where we get the crossing. The question that comes to mind, is does it make a real difference whether or not it’s going to be 220 under the current zoning or 440 under the proposed zoning? We’re going to come up against the same issues with ACHD, I don’t know, does it come up – will ACHD see this after we discuss it or not?

**Madam Chair Stevens:** They won’t see it, no. Commissioner Bratnober did you want to add something?

**Commissioner Bratnober:** Thank you. It seems to me that the zoning kind of drives the density, which exacerbates the safety problems as you look at this thing. So that’s why I think in addition to compatibility with the surrounding area, I think the zoning of R-1B will take it down to it was 4.8 per acre, I think. And so, that will help to mitigate some of the problems here.

You’re still going to have – you have a place where people turning left out of the development are going to have a real challenge scampering across Five Mile to start going north. You look at this and in 2026 they’re going to have to move a lot of stuff, because I think that probably entails widening the overpass as well as widening the road that leads out of there.

**Commissioner Ansotegui:** Madam Chair.

**Madam Chair Stevens:** Commissioner Ansotegui.

**Commissioner Ansotegui:** I’m going to withdraw my motion.

**Madam Chair Stevens:** Okay. All right, so I don’t – does the seconder have to approve a withdrawal, procedurally? James?

**City Attorney:** You just take a vote.

**Madam Chair Stevens:** Okay, a vote? Okay, why don’t we just go ahead and do that? That sounds fine. Why don’t we go ahead and call – so the motion is still on the table, then. It’s a motion to approve. Why don’t we go ahead and call for that motion, call the vote?

**ROLL CALL**

**Commissioner Finfrock:** Aye.

**Commissioner Bratnober:** Nay.

**Commissioner Stevens:** Nay.
Commissioner Ansotegui: Nay.

Clerk: Majority in opposition, motion fails.

Madam Chair Stevens: Doesn’t pass, fails. Okay, so let’s try again then.

Commissioner Bratnober: Madam Chair.

Madam Chair Stevens: Commissioner Bratnober.

Commissioner Bratnober: I move we deny CAR19-00019 for the reasons we’ve discussed in terms of safety and compatibility.

Madam Chair Stevens: Okay, is there a second? I’ll second it. I can actually second motions. Okay, any further discussion?

Commissioner Ansotegui: Madam Chair.

Madam Chair Stevens: Commissioner Ansotegui.

Commissioner Ansotegui: I feel like I should put on the record why I changed here. In looking at our criteria again for discussion and decision on a rezone, you named a couple of them, but there’s one in here under general about promoting coordinated and efficient government. In that sense I’m thinking, it’s like, if we – cart before the horse, if the road is widened, if ACHD has provided us a clearly safe means of ingress and egress out of this property, then I could approve or feel like I could support the rezone.

Madam Chair Stevens: Thank you. Any further discussion? Okay, I’ll just say one final thing, and that is that I definitely am supportive of development here. I just would like to meet those two things of the rezone. Or I don’t want to exacerbate things by making it more dense. So, okay, if there’s nothing further, could the clerk please call the roll?

Commissioner Finfrock: Nay.

Commissioner Bratnober: Aye.

Commissioner Stevens: Aye.

Commissioner Ansotegui: Aye.

Clerk: Majority votes, one in opposition, motion carried.

Madam Chair Stevens: Thank you. We’re going to go ahead and take a five-minute break and we’ll be back to take up item number seven. Oh, sorry, yeah, I guess we need to take up the PUD as well. Well, yeah, if the rezone fails, doesn’t the whole thing fail?
**City Attorney:** [Inaudible 01:52:57] process both applications [inaudible 01:52:59].

**Madam Chair Stevens:** All right, apologies. So we’re going to have to also take up the PUD and the SUB so we’re going to entertain a motion on each of those separately.

**Commissioner Bratnober:** Madam Chair.

**Madam Chair Stevens:** Commissioner Bratnober.

**Commissioner Bratnober:** I move we deny PUD19-00029 for the reason that it will no longer fit – the area’s still zoned R-1A and this will not fit.

**Madam Chair Stevens:** I’ll second that. Any discussion? Will the clerk please call the roll?

**Commissioner Finfrock:** Nay.

**Commissioner Bratnober:** Aye.

**Commissioner Stevens:** Aye.

**Commissioner Ansotegui:** Aye.

**Clerk:** Three in favor, one opposed, motion carried.

**Madam Chair Stevens:** And can we finally take up the subdivision? Anyone?

**Commissioner Bratnober:** Madam Chair?

**Madam Chair Stevens:** Yes, Commissioner Bratnober.

**Commissioner Bratnober:** I move we deny SUB19-00048 for all the reasons we’ve had under discussion.

**Commissioner Ansotegui:** Second.

**Madam Chair Stevens:** Okay, any discussion? Clerk please call the roll.

**Commissioner Finfrock:** Nay.

**Commissioner Bratnober:** Aye.

**Commissioner Stevens:** Aye.

**Commissioner Ansotegui:** Aye.

**Clerk:** Three in favor, one opposed, motion carried.
Madam Chair Stevens: Okay, now we’ll take a break, thank you. We’ll take up item seven when we come back.

**RESULT:** DENIED [1 TO 3]
**MOVER:** Jim Bratnober, Commissioner
**SECONDER:** Jennifer Stevens, Chairperson
**AYES:** Janelle Finfrock
**NAYS:** Tamara Ansotegui, Jennifer Stevens, Jim Bratnober
**ABSTAIN:** Ben Zuckerman
**ABSENT:** Milt Gillespie, Meredith Stead, Bob Schafer

First Motion: Commissioner Ansotegui moved to approve. Three voted opposed. ONE IN FAVOR FOR DENIAL, MOTION FAILS

Second Motion: Commissioner Bratnober moved to deny. Madam Chair Stevens second to deny. Three voted in favor. Commissioner Finfrock opposed. ALL IN FAVOR FOR DENIAL, MOTION CARRIED

**PUD19-00029 / ACME LLC**

PUD19-00029 / 871 S Five Mile Rd / Conditional use permit for a planned residential development comprised of 47 detached single family homes on 7.89 acres located in a proposed R-1C (Single Family Residential) zone. David Moser

**RESULT:** DENIED [1 TO 3]
**MOVER:** Jim Bratnober, Commissioner
**SECONDER:** Tamara Ansotegui, Co-Chair
**AYES:** Janelle Finfrock
**NAYS:** Tamara Ansotegui, Jennifer Stevens, Jim Bratnober
**ABSTAIN:** Ben Zuckerman
**ABSENT:** Milt Gillespie, Meredith Stead, Bob Schafer
SUB19-00048 / Voyager Subdivision
SUB19-00048 / 871 S Five Mile Rd / Preliminary Plat for a residential
subdivision comprised of 47 buildable and 3 common lots on
7.89 acres located in a proposed R-1C (Single Family Residential)
zone. David Moser

RESULT: DENIED [1 TO 3]
MOVER: Jim Bratnober, Commissioner
SECONDER: Tamara Ansotegui, Co-Chair
AYES: Janelle Finfrock
NAYS: Tamara Ansotegui, Jennifer Stevens, Jim Bratnober
ABSTAIN: Ben Zuckerman
ABSENT: Milt Gillespie, Meredith Stead, Bob Schafer

7. CUP19-00058 & CVA19-00044 / ALC Architecture
CUP19-00058 & CVA19-00044 / 3387 N Five Mile Rd / Conditional use
permit to add a drive-up window associated with an existing
restaurant located in a C-1D (Neighborhood Commercial with
Design Review) zone. A variance to locate the drive-up window
within 200' of residential property is also included. Céline Acord

RESULT: DENIED [0 TO 4]
MOVER: Jim Bratnober, Commissioner
SECONDER: Janelle Finfrock, Commissioner
NAYS: Tamara Ansotegui, Jennifer Stevens, Janelle Finfrock, Jim Bratnober
ABSTAIN: Ben Zuckerman
ABSENT: Milt Gillespie, Meredith Stead, Bob Schafer
5. **CAR19-00020 / ACME LLC**  
CAR19-00020 / 12600 W Goldenrod Ave / Rezone of 5 acres from an A-1 (Open Lands – 1 unit/acre) zone to an R-1C (Single Family Residential – 8 units/acre) zone. *Cody Riddle*

**Madam Chair Stevens:** We’ll finish the evening by looking at CAR19-00020 and the associated applications at 12600 West Goldenrod Avenue. We’ll hear again from Cody.

**Cody Riddle, Deputy Planning Director:** Thank you, Madam Chair, Members of the Commission. We’re moving just about a mile and a half west, I think, of your last site. This is a request to rezone about five acres located at 12600 West Goldenrod Avenue from A-1, or open land, to R-1C, or single family residential.

For those unfamiliar with the area, that’s located just southwest of the Cloverdale and McMillan intersection in West Boise. A site is currently zoned A-1 which allows residential development and up to one unit per acre, and the proposed R-1C zone allows residential development at up to eight units per acre.

As indicated in the staff report, we believe the change in zoning is compatible with surrounding zoning and development. You do have R-1C zoning abutting the site to the north and southwest. While the property to the west is zoned A-1, it is occupied by a commercial dog kennel.

There are larger lots zoned A-1 to the south and east. But given the land use designation, it’s anticipated that many of these properties could develop at higher residential density in the future. That’s especially true of some of the properties on the south side of Goldenrod. The size of those properties – size of those parcels and placement of the homes could accommodate infill while maintaining the existing homes.

It’s also important to note that the future land use map designates that area suburban. As you can see on the aerial photo, there has been some redevelopment already of those parcels, including the project immediately adjacent to the south. It even includes a stub street, paint street that anticipates future connectivity and redevelopment in the area.

While the R-1C zone does allow up to eight units an acre, sites really can’t develop even close to that without a conditional use permit. The minimum lot size of 5,000 square feet and width requirement of 50 feet for interior lots, I believe 70 feet for corner lots, results in subdivisions like those you already see in the area. As you can see, those range in size from three to about four and a half units an acre.
Again, anything beyond that you're likely going to see through a conditional use permit process. Moving on to the subdivision itself, the proposal includes 18 buildable and two common lots. One of the buildable lots includes the existing home, which will be retained. And the new lots range in size from just over 6,000 square feet to about a half acre on that east boundary.

The half acre lots on that eastern boundary do provide a nice transition to that adjacent larger parcel. As you can see, the width of the lots along the north side of the property there, actually very similar to those proposed. And the new project will be subject to identical setbacks to the properties immediately adjacent to the north.

Finally, as you could see here, we also have a 20-foot wide landscape buffer along Goldenrod, a collector roadway. Homes will actually be accessed interior to the site from a public street that is stubbed to the west in the event that that property were to redevelop. The existing home will continue to take access from Goldenrod. The project includes attached sidewalks interior to the site and detached sidewalks along with street trees will be required – or are suggested to be required on Goldenrod.

As indicated in your packet, and you'll hear this evening, there is opposition to the proposal. I believe it's focused on density, traffic, and safety due to lack of sidewalks. We've already touched on density. But as a reminder, the project is very similar to other development already in the area. That's certainly consistent without reasonably expected to develop given the land use designation of the neighborhood and configuration of other properties in the area.

As far as traffic is concerned, Goldenrod is a collector roadway. It's expected to accommodate up to 2,000 trips per day at some point. There's been very minimal development combined with a lack of connectivity of the greater area where traffic volumes are extremely low. It'll probably actually function more like local roadway for the foreseeable future in terms of capacity. Like other recent projects, the applicant will be installing new sidewalk adjacent to the project, which will be an increase in safety for both current and new residents.

I believe that concludes my comments. We are recommending approval of both the rezone and subdivision this evening. And your task tonight is to make a recommendation only to City Council. Thank you.

Madam Chair Stevens: Thank you, Cody. Is the applicant present? Hello, Mr. Conger.

Jim Conger, Applicant: Good evening again, Madam Chair, members of the Commission. Jim Conger 4824 West Fairview Avenue. I know it's
getting late. So, definitely thank you for letting us present our neighborhood to you tonight.

First, I’d like to thank staff for, basically, all their knowledge and insight as we went through this planning process. It was very nice for sure. White Pine, as Mr. Riddle indicated, is kind of a smaller project. It sits one existing house in 17 future home sites. The neighborhood design was based basically at the onset around preserving the existing house instead of destroying it, as well as being a good neighbor by appropriately transition into the existing neighbors. We heard that from the neighborhood meeting all the way through, and is a typical, typical item on any of our – what I’ll call infill developments.

This way, it is a West Boise project. It’s an amazing infill location with its proximity to a lot of amenities. I’ll be quick on those. It’s more than five grocery stores, numerous restaurants, of course, the Meridian Village, shopping, restaurants, and employment within two miles.

And eventually, slide forward for me, the Cottonwood Park, basically, which is a two-minute walk from this property. It’s the first zip line I’ve seen in a city park. So, if you haven’t actually visited your Cottonwood Park, take everybody you know to the zip line, for sure.

With all that, again, I keep pounding on the great infill location, proximity to the Eagle Road Corridor, and everything that goes with that. Touching very briefly on zoning, Cody talked about zoning, the R-1C compatibility.

We are currently, yes, in a holding zone until future development comes forward, which is what we’re doing tonight. So, that coupled with the surrounding R-1C. That coupled with the comprehensive plan is why we’re in front of you today with the density that we’re at, which is again, same slide that you’ve seen. So I will go through that very fast.

We’re at 3.6 homes per acre. We do not have a PUD on this particular project. We are matching the existing developments around us. I quickly will roll through UC to the north that less, the Ladera Park at 4.6 homes per acre. Again, to the right where it’s 3.8, the Nally’s. You go the south of us. You do have one that’s greater in density and one – but they’re all basically around the same density.

We do have the two larger lots to the east boundary. That is, we felt, A, our seller is keeping his existing home and actually going to build another home in the back corner of the other lot behind it. And he wanted and we wanted. But he – one of my stipulations of buying this property was to buffer his neighbor on the one acre lot with the two-home site. So a lot of effort was put to buffer there.
The actual buffer to the north were less density and we do match relatively close on lot sizes. Now again, all of that by still accommodating what our original goal was, which was keep the existing house and buffer to the one acre lot. The goal of the land plan was to be compatible – the goal of our land plan, again, was to be compatible. I guess we continue to say that out loud.

With all the great things this project has to offer, I'll respectively request that you move to approve the project in accordance with the staff report, which again, we have no issues with. I will stand for questions at this point. Thank you.

**Madam Chair Stevens:** Great. Thank you so much. This is the time for questions for staff or the applicants. Does the Commission have any of those? Commissioner Bratnober?

**Commissioner Bratnober:** Madam Chair.

**Madam Chair Stevens:** Yes.

**Commissioner Bratnober:** So I have some questions regarding the irrigation. It seems like you have two relatively large irrigation ditches and one smaller, one coming in there. And I didn't see any kind of -- not an engineering plan, because I recognize it’s early for that. But a general plan of how you're going to address those.

**Jim Conger, Applicant:** Madam Chair, Commissioner Bratnober, that is a good question. We have had one meeting with Irrigation, and I think he'll be here tonight to speak with our civil engineer. When we tie up a property or look at a property, we go through a due diligence phase like any other developer does. We understand what -- who the water district is or the Irrigation District in this case, and what our general game plan would be so we can actually move forward with the land planning process.

The development to the north of us had the same waterways. The two that cross the property, you can see they tile, which is pipe that ditch to the west and then up the corner and then discharged it at any point. So we respect that process. We still see it as a three-prong approach. We go through our due diligence and understand the irrigation.

Obviously, these ditches dictate how much we can pay for land. So we have to know what we're going to do with them before we can even arrive at a sales price, or a buy price of the property. So the three prongs is getting your zoning approvals. Then we come in with our final plat construction plans, which is the civil design, which is the sewer, water storm drain, and the gravity irrigation that you'll hear in a little bit. All of those items have to get their approvals.
Certain irrigation districts have different approvals. They have license agreements, some just have basic approvals, everyone's a little bit different. But we cannot move forward to the third phase, which is the actual construction until we've worked through the construction plan approval. So, it would be very typical to get your approvals, understand your game plan, and then get your engineering done at that time.

**Commissioner Bratnober:** Madam Chair.

**Madam Chair Stevens:** Commissioner Bratnober.

**Commissioner Bratnober:** I understand that. I understand that you have to go through the steps. The code is pretty clear about getting written approval from the “owners of the water.” Have you had a chance to discuss plans with either – is it Sharver. I’m sorry?

**Madam Chair Stevens:** Sharver.

**Commissioner Bratnober:** Sharver. Okay. Only one – okay. Good enough or Snider number nine or settlers?

**Jim Conger, Applicant:** Yes, Madam Chair, Commissioner Bratnober. We have had one onsite meeting with our civil engineer and ourselves and the district that you'll hear from here in a minute. So, without a doubt, we are moving that process. But again, a lot of those come with the final plat and the final construction plans as far as those approvals.

**Commissioner Bratnober:** So when you say district, are you talking just about settlers then?

**Jim Conger, Applicant:** No, I am talking Snider.

**Commissioner Bratnober:** Snider, okay. And they are the current owners of the water?

**Madam Chair Stevens:** Wait. I'm sorry. We can't have you speaking from the audience. Maybe staff can answer that for us.

**Cody Riddle, Deputy Planning Director:** Certainly, Madam Chair, Commissioner Bratnober, we receive comments from two associations and the project, as condition, will require written approval from both before we – they would be allowed to proceed with any construction.

**Madam Chair Stevens:** And if I could just jump in here, Commissioner Bratnober, Cody, just for the record so that it's clear for everybody. What is the process by which the developer goes through this? I mean, we wouldn't – my understanding is we wouldn't be expecting to see those kind of written things at this stage of any application, not this one or any other one. Is that right?
Cody Riddle, Deputy Planning Director: Madam Chair, certainly not. I mean, every discretionary permit you see has a series of if approved conditions, whether it’d be from ACHD, Fire, Public Works, Postal Service. We receive these applications and transmit it to these agencies and ask for their comments. And then if it’s approved, the project is conditioned accordingly. We’d hate to see, especially where at this point there isn’t an approved project, an applicant go to the expense of engineering type drawings before there’s any sort of approval. There’s still a preliminary plat at City Council, and then also a final plat.

Madam Chair Stevens: At which point, all of those boxes will be checked. Is that right?

Cody Riddle: Correct.

Madam Chair Stevens: Okay. Thank you very much for clarifying that for the record. Okay. I didn’t want to – sorry to interrupt you. I don’t know if you want to continue.

Commissioner Bratnober: Just one more, Madam Chair. So basically, what we’re saying then is the – I’m trying to figure out which one, whether it’s Sharver or Snider has to actually give written approval before your project can, both of them. Okay. Thank you.

Madam Chair Stevens: All right. Other questions for staff or the applicant? I just have a clarification for the record on lot size. So as we’re looking – this is for Cody. So as we’re looking, actually, we can just use what’s on the screen in front of us. Every single one of these lots is 50-feet wide, which meets the zone designation, right? There’s no request for shrinking of lots or anything like that in terms of changing the setbacks or interior or lot size or anything. Is that right?

Cody Riddle: Madam Chair, that’s correct.

Madam Chair Stevens: Okay. Great. Other questions? I’ve got one other one. Sorry. Cody, if we were to take those two eastern lots out, have you done any calculations on what that density would be without those?

Cody Riddle: Madam Chair, I have not.

Madam Chair Stevens: Okay. Those are an acre, right, together, they’re each a half acre? Okay.

Cody Riddle: Madam Chair, roughly.

Madam Chair Stevens: And the total acreage of the project is?

Cody Riddle: About five acres.
Madam Chair Stevens: Five acres, okay. Any other questions?

Cody Riddle: Madam Chair, you’d be down closer to three units an acre.

Madam Chair Stevens: Be down to three units an acre?

Cody Riddle: If you took – if you remove two – are you asking if you remove two lots from the process?

Madam Chair Stevens: Right, because you’d be looking at four acres divided by 17, it’s 17 lots. So, I’m just trying to do the math.–

Cody Riddle: Oh, you’re saying if those weren’t part of the project.

Madam Chair Stevens: Exactly. Yeah. So, if we’re looking at – so I can do the math myself. I’m just trying to do it before I stop my –

Cody Riddle: Madam Chair, I think that’d be 16 divided four. So, that would be 4.0.

Madam Chair Stevens: Oh, I counted 17. Okay. So, it’d be four?

Cody Riddle: 4.0. It’d be 16, 18, minus 2.

Madam Chair Stevens: Okay. I thought it was 17. I counted 17 lots. But one of those is a common lot, I think. I think that was my mistake.

Cody Riddle: Yeah. It’s 18 with the existing house. So, it would be 16 divided by 4. So, it would be 4.0 versus the 4.6 above or the 3.8 to the right corner, if you could totally discard the two lots.

Madam Chair Stevens: But if I’m not mistaken of the 16, one of those is actually a common lot not being built on. So, it’s actually a 15. Is that right?

Cody Riddle: I believe we have 18 homes with one in existing. So I think it would be the 16 divided by 4, which should 4.0.

Madam Chair Stevens: 4.0. Okay. Great.

Cody Riddle: Which falls well in line there.

Madam Chair Stevens: Great. Thank you so much. I just wanted to get that on the record so that we –

Cody Riddle: No, that’s a very good question, actually.

Madam Chair Stevens: Great. Any other questions for staff or the applicant? I’m really bad at math. So, I’m really sorry. I’m good at some other things. But I’m not particularly good at math. Even adding
apparently is a problem for me. Okay. Anyone else? Okay, thank you so much. Thank you, Cody. Is there a member of – oh dear, what’s my neighborhood association?

Cody Riddle: Madam Chair, Centennial.

Madam Chair Stevens: Thank you. Is Centennial Neighborhood Association here to testify on behalf of the neighborhood association? Okay. Then we’ll go straight to the signup sheet. The first person? So we’ve got a lot of you, obviously. And we appreciate your patience on waiting for us to get to this.

What I’m going to do to try to expedite things is call you a couple at a time. So we sort of have like an on deck folks. And if you could just use this first row to line up as I call you, that would be great. So, Albert Anderson is our first followed by Peggy Stewart and Craig Dugger.

PUBLIC TESTIMONY

Albert Anderson: Hi, Madam Chairman, the Commission. I’m Albert Anderson. I live at 4363 North Grenadier Avenue, Boise, Idaho. We realize that we’re going to develop, but there’s a few things that I want to bring right to comparison. It’s 1.08 acres in those two lots and the actual square footage that they’re putting 16 homes on comes down to 2.8 acres if you do the square footage of the lots because there is a green space, there is all the streets, and they come out of their sidewalks and green spaces. So, that’s really not an accurate amount.

I figured it out by taking out the two larger lots in both Spotted Dove and also, excuse me, Stonehaven, I figured them. And all of them, their lots, those 14 or 16 lots are each about 0.15. Spotted Dove is 0.20, and Stonehaven is 0.22. Also, on the corner lots, if I believe, R-1C zoning, I don’t believe the corner lots meet because they do not have large enough square footage in the corner lots on the cul de sac and on the two entrance spots, and the widths are not wide enough for R-1C.

I feel that to be compatible with the other two, Stonehaven and Spotted Dove, we need to have an R-1B on this. Even though Spotted Dove was changed to R-1C, all of them were built with bigger lots by the developer. And there is another concern here in traffic. With that many houses, Goldenrod is a narrow street and there is a lot of children go there, which we said there is a park. There is a school down there.

People walk that street. Children walk the street to school every morning, home every night. There are cars that come to pick their kids up there that don’t live in the neighborhood. And also, since Spotted Dove has gone in, Grenadier has become a connector street that goes up to Paint and then it goes over and out to Eagle Road and that –
Madam Chair Stevens: Time. Thank you. Peggy Stewart followed by Craig Dugger and Nora Dugger.

Peggy Stewart: Hi, my name is Peggy Stewart. I live at 12496 West Goldenrod Avenue. My husband, Alan, and myself purchased an acre on Goldenrod 50 years ago. We built our home, no garage to save a few dollars. The road to our new home was dirt. There was no telephone service. And in January of 1972, we experienced several days of minus 21 degrees of weather. We were wishing we had a garage.

But we were thankful that we had a Carousel wood stove in our home and lots of wood. Coming to Idaho with three small children was a wonderful adventure. We were in love with our new state. We left family friends, high school and college friends and our brand new home that had just been beautifully landscaped.

We saw changes coming to California that concerned us. Those concerns have now become reality. We see many of the same trends happening in our beautiful Boise. My question for you is this, other neighbors and people that are going to testify will give you a lot of the details that I would share. I won’t need to. They’re going to. We live, excuse me, within 300 feet of this new proposed development. We were not notified. And that made me feel a little distressed because I thought that we were supposed to be notified. And this makes we wonder about if our future belongs to us or if we have a say or no say.

I want to know, and I care deeply about this, that you’re as concerned about the people who are going to testify and what their reasons and their concerns are as ours are. We’ve seen a lot of development. There are children going both directions to high school, to junior high, to the elementary school, to the dog kennel traffic.

And at seven o’clock in the morning, I want to give you each a special invitation to come and sit in my lane. It’s dark. And I’ve seen near misses almost every day. It’s almost hard to avoid with all the traffic and the children going on skates and bicycles and all the other things. Thank you very much for allowing us to speak tonight.

Madam Chair Stevens: Thank you. Craig Dugger, followed by Nora Dugger and Tami Hurd.

Craig Dugger: Good evening. I’m Craig Dugger. I live at 4320 North Lancer Avenue. Just about four years ago, my wife and I were looking for a place we could call our own. We both had houses when we got married. And we sold those residents and found a home close to work. I’ve been at HP or worked on the HP site since 1976. So I’ve seen a lot of changes, especially with the State of Idaho purchasing the site. So, that’s going to be something else.
Anyway, getting back to the property, we looked at a lot of houses. And when we found the house that we purchased on Lancer, we knew we were home. A lot of the houses we looked at in other subdivisions were packed close together. You could hop from rooftop to rooftop.

My previous subdivision wasn't quite that bad. But we really love the community we have there, being able to go out and walk the dogs. And we feel pretty safe in the neighborhood. But having new neighbors isn't always a bad thing. But I see in this case where you're adding the number of homes in such a small area that again, we don't have lights on our street. We don't have sidewalks and we have kids going to the park, going to school, and it's not safe without some added improvements to Goldenrod.

I think that's about all I had to say for this evening. I look forward to not getting my car sprinkled with the irrigation in the field. But I want to make sure that we're doing the right thing here. Thank you.

Madam Chair Stevens: Thank you. Ms. Dugger? Followed by Tami Hurd and Dick Bahm.

Nora Dugger: Hello. I'm Nora Dugger, 4320 North Lancer Avenue. Thank you, Madam and Commissioners. Again we did buy that with the expectation that would be a subdivision that would continue to be similar in the area. The gentleman referenced the size to the north. But actually this development will face the Stonehaven Subdivision and the surrounding area as far as the access with Goldenrod. So it'd be something that needs to be compatible with the Spotted Dove, Stonehaven area and as well as the other acreages.

Knowing that the other areas are going to be developed as well in the future, we'd like to not see a dense subdivision brought in here, but something compatible with the rest of the area that – in the idea that we will have future development in the area that it would continue to be kind of something all the same and the same size of density per lot. I do also say there would be track concerns on Goldenrod. I do see others utilizing Goldenrod for walking.

It is a lot of walking that goes on walking to the park. As mentioned before, I don't want to take up all your time. But it is a great area and I'd like to continue to see that we have some kind of – something that's compatible with the rest of the area in development. Thank you.

Madam Chair Stevens: Thank you. Tammy Hurd followed by Dick Bahm and Sandy Howell.

Tami Hurd: Tammy Hurd, 12303 West Goldenrod Avenue. Madam Chair, members of the Commission, The White Pine Subdivision is not just a
passive construction of lumber and bricks. The subdivision will have a profound and permanent impact on my neighborhood.

ACHD estimates 9.44 vehicle trips per single family residence, plus, one additional trip in each evening. Seventeen homes will mean approximately 180 more private vehicle trips on Goldenrod. Additionally, there will be service vehicles and delivery trucks to bring goods to these homes.

Goldenrod is already having issues with greatly increased vehicle trips with the previous construction with the 35 home sites on Stonehaven and Spotted Dove Subdivisions. And since Grenadier Avenue was punched through to connect to Goldenrod. Goldenrod also serves as an access street for residents driving to Cottonwood Park for recreation and sports team practices.

Mothers are also now using it as a backdoor shortcut to drop off children who attend Pioneer Elementary School. ACHD has recently poured gutters and sidewalks at the intersections of Goldenrod and Cloverdale, what used to be fairly easy to navigate is now pinched into a 27-foot wide entry instead of a standard 36 foot width of all other streets off of Cloverdale.

With the proposed White Pine Subdivision, there will be close to 200 more entries and exits off this road. The safety will truly be compromised. Families dropping off and picking up children at the Montessori Preschool at the direct corner of Cloverdale and Goldenrod further compounds this problem. It is a safety issue at the corner of these two roads.

My husband and I frequently walk along Goldenrod. It is becoming increasingly more dangerous. In the late afternoon, the sun setting on the west-east access blinds drivers. My husband was nearly sideswiped last week even though we were walking on the edge of the road. Drivers are increasingly inattentive and travel closer to 35, 30 miles per hour than the legally posted 20 miles per hour even though we already have two speed bumps on Goldenrod Avenue.

City regulations only require a 300-foot sphere of influence and residents in this impact zone to receive notices. In the White Pines case, it required notices for residences in Ladera Park and Nally's Springs even though traffic would never ever never be directed through their neighborhood.

I live on Goldenrod, and every single vehicle driving on the street passes my home. But I was not in the impact zone. And so, I never received notice or intention to build. This was also the case for Spotted Dove and Stonehaven. This notification is a farce. It skilfully exploits and neglects the impact of residents along the main exit route.
What happens on Goldenrod affects me directly. My husband and I intentionally purchased our property because of the larger lot and open area. In less than four years, two former single family homes on large lots have been replaced by 35 new homes translating to 365 vehicle trips per day. Please do not turn a deaf ear on the voices of the residents and allow these homes to be built by a developer into a very high dense –

**Madam Chair Stevens:** Time. Thank you. Dick Bahm followed by Sandy Howell and Leigh Richelieu.

**Dick Bahm:** It’s Dick Bahm. And I live at 4175 North Shamrock Boise, Idaho. And I’m here representing the Snider Nine lateral Association.

As a point of order, I need to go back to what Commissioner Bratnober started with. I believe this commission is out of order. As required in Boise code for irrigation, anytime a development is proposed, you are required to have an approval before that application will be considered by this group. And that is specified in Boise code. Also with an incomplete application, you’re not allowed to review it or do anything else.

So I’m not sure why we’re having this discussion. And that was raised to staff in a letter that I believe you have in record last week. To continue on. I represented the Lateral Association that we exist for the management operation, maintenance, repair and improvement of the Snider Nine Lateral.

In the case of the property at 12600 West Goldenrod, we’re talking about water user that does belong to that water association and does get water from the Snider Nine Lateral Association every irrigation season.

I’m here to present and represent in the best interest of the Association, which includes what happens on this property as well as the other property that receives water. We appreciate staff support in providing that the conditions of approval include what our agency requirements are as being submitted.

The challenge with this property is it’s a unique irrigation situation. In this particular case, we have four irrigation improvements that exist, three of those belonging to the Snider Nine Irrigation, two are lateral supplying water, not only to this property, but also to properties downstream, which by state law are protected. A third conveyance belonging to Snider Nine operations is a drain. Because we still have flood irrigation and excess water coming out, we have to be able to drain that water and we cannot convey it into any of the public utility systems. We have to capture it and put it back into the irrigation system.

The developer is well aware of the presence of the Snider Nine irrigation structures. As he has stated, we’ve had meetings. We’ve been on site. Our
improvements and the future improvements depend upon this being done right. What we want to do is be in on the conversation at the front end of the discussion.

In this particular case, the developer became aware that the Snider Nine existed in July. We've had four meetings. Three of those meetings have been in the last three weeks. It’s too late for what's going to go on. We aren't going to wait for construction diagrams to know what our irrigation is. It’s a pretty simple process.

And reality is a license agreement with an irrigation association is simply about three pages. We can accomplishment in typically about an hour to two hours of meetings. We have a common agreement about how things will be done and some very basic parameters. The water that enters the property –

**Madam Chair Stevens:** Time. Thank you. Sandy Howell followed by Leigh Richelieu and Joe Collins.

**Sandy Howell:** My name is Sandy Howell and I live at 12428 West Goldenrod Avenue. And Goldenrod was constructed in 1910. It was a dirt road. It was 23 feet wide and it's paved now. But it's still 23 feet wide because I measured it. The entrance at Cloverdale is 27 feet of pavement. But the street is 23 feet wide, and most of it does not have any sidewalk, curb, or gutter. And that's a safety issue.

My husband and I are residents of West Goldenrod Avenues and have lived in our home for 35 years. We have major safety concerns with the proposed White Pine Subdivision due to greatly increased traffic flow combined with an existing high volume of pedestrian use on a road that is very narrow with no sidewalks.

Pedestrians and vehicles must share the road. Please consider zoning this property R-1B. The two recently developed subdivisions on Goldenrod Avenue, Stonehaven and Spotted Dove are zone R-1B and R-1C. Spotted Dove was zoned R-1C, but developed in larger lots to be compatible with existing development and pedestrian safety issues.

Goldenrod was an old country road in the City of Meridian designed for 16 homes on one to five acre lots. The street is very narrow with no curb, gutter, or sidewalks. Goldenrod is only 23-feet wide, much narrower than similar roads in the area. Next to the street, our irrigation weirs, borrow pits, and natural drains that fill with water for flood irrigation.

These were specifically designed and are used to prevent flood overflow into the street. Cloverdale Montessori School is at the east end of Goldenrod and Pioneer Elementary School and Cottonwood Park are at
the West End of Goldenrod Avenue. We are less than a mile from a middle school and a high school.

Along with a high volume of everyday pedestrians, young, very young children use Goldenrod to get to and from school each day. And many parents use the road to drop off and pick up their kids. Goldenrod has a very unique atmosphere. Residents have cows, chickens, horses, goats, honey bees, and other livestock. Many properties have large gardens and trees. Many adults and children from the surrounding areas walk, bike, and skate on the street for recreation, or travel on a daily basis. Cottonwood Park was designed with the parking lot on the east and –

**Madam Chair Stevens:** Thank you, Ms. Howell. Your time is up. Ms. Richelieu? Followed by Joe Collins and Barb Collins.

**Leigh Richelieu:** Madam Commissioner and Commissioners. I want to offer – I'm sorry, Leigh Richelieu, 12530 West Goldenrod. We share a fence line with the proposed subdivision on the east. And I'd like to offer a little more perspective on this issue.

I've seen the report and recommendations and I want to urge the Commission to think harder. We understand the city is growing. We understand the need for more housing. We have two new subdivisions that's been brought up already. And we gained a lot of friends and good neighbors with that. Sandy talked about the unique atmosphere on the street. And we do. We have a horse ranch. We have two people have cattle on and on and on. We are agricultural. The very large part of it is.

I take exception with many of the reasons for the Commission's recommendation. Have you guys ever been out there? Do you notice part of Boise? Do you know? Okay. Good. I don't know how assumptions can be made of unique neighborhoods that we're all going to sell our properties. I don't know anyone on the street who is going to sell their properties.

Yes. Is it possible? Of course. I just wonder how recommendations that will affect huge numbers of people can be made on some city plan. And I would like the Commission to step back and look at this through our eyes and meet with us. We had one neighborhood meeting back in July. No one's tried to meet with us. We live next door, and no one's tried to meet with us.

And I listened to some of these other folks and I am envious of the relationship their developers had with them. That's how it should be. We didn't get that. And a lot of people have talked about density being compatible. This subdivision has no compatibility whatsoever with the existing homes.
And I took pictures and I submitted them. Some of the homes and the street. Everybody's talked about that already, so I won't. But negligence with the water issue. These are water rights that we're dealing with. And conveyance is through upstream and downstream. And this is not due diligence.

And I'm sad and I wish that there would be more discussion. I wish there would be more meetings because we would like the experience that I've heard from some of these other folks. We'd like to offer a compromise. And I have the vast majority of our neighborhood – we want Stonehaven. That's what we want.

Madam Chair Stevens: Thank you. Joe Collins followed by Barb Collins and then Marva Wertz.

Joe Collins: Hello, my name is Joe Collins, 12452 West Goldenrod Avenue. To me, it's obvious at this point that the developers of White Pine Project has paid little or no attention to the community or anything to do with the irrigation system for hundreds of homes that service downstream. The homes on the north side of Goldenrod, you can see by the map. They're all one acre lots and then the two five acre lots, their project being one of the five acre lots.

This project – and right across from their project is a five acre horse ranch. What they're proposing doesn't fit this neighborhood at all. It's our hope that the members of the City Council can see the fact that the builders of these proposed homes don't care one bit about the existing homeowners or the neighborhood. And all they care about is their profit and then they're going to leave and we'll have to deal with all the problems past that point.

We're asking that you at least require the homes to be built similar to Spotted Dove or Stonehaven and zone no less than R-1B. Thank you.

Madam Chair Stevens: Thank you. Barb Collins followed by Marva Wertz and Jeanette Johnson.

Barb Collins: My name is Barb Collins. I live at 12452 West Goldenrod Avenue. We have lived on Goldenrod for 24 years. To be honest, when we bought our home, we intended to remodel and flip it. But we found that we liked the neighborhood and the feel of living in the country.

We like the fact that we have a little breathing room between our homes. We know our neighborhood is changing. But we also would like the integrity of the neighborhood to stay similar to what it is now. The homes in Spotted Dove and Stonehaven are smaller in size, but still fit in the neighborhood. The homes that are being planned for White Pine doesn't
fit into the existing neighborhood. They are not matching what is already there.

The developer has said he is going to build homes similar to what is to the north of this property. But the homes aren't similar and aren't accessible to each other. If the developer wanted to build homes similar to the two existing subdivisions, we wouldn't be standing in front of you complaining. We know we can't stop homes from being built. And we're not asking for that.

We would like the density to be lower. Our street is unique. It's hard to find property or acreage in the city. I have had people drive by my home and stop and ask if I was interested in selling it. They have said they love the street, that our homes don't come on the market very often, and you can't find communities like this anymore.

We hope that you consider our recommendation to lower the density of homes on this property and keep with the feel and integrity of the existing neighborhoods. Thank you.

**Madam Chair Stevens:** Thank you. Marva Wertz, I’m sorry. Jeanette Johnson and then Angela Derisio.

**Marva Wertz:** My name is Marva Wertz. I live at 4330 North Edelweiss. Mine is the five acres that is south of this property. I have lived there for 43 years. I have nothing new to offer except that I also have seen scary things happen on Goldenrod and on Edelweiss. And so, my concern is if we had less density, we would have less traffic. And that's what it would take to make me happy. Thank you very much.

**Madam Chair Stevens:** Thank you. Jeanette Johnson, followed by Angela Derisio and Jon Richelieu.

**Jeanette Johnson:** I'm Jeanette Johnson. I live at 7905 West Colt Drive in Boise, Idaho. I represent the Sharver Lateral Water users Association, which is the main lateral that goes through this property.

And the first thing I’d like to do, once again, is bring a point of order. Based on the City Council code, a missing written approval by our associations constitutes the subdivision application being incomplete. And given an incomplete application, it will not be scheduled for review by PZC, or the council. And that's what I would like to start with.

Next, I would like to bring up, approval by the lateral associations is about knowing that we're working together in the best interest of the irrigation water users and the water users associations, and we don't violate any laws. We work for those associations to make sure that the water flows
and that the irrigation systems continue to flow, and are in place for the next 25 years. That’s how we work with these associations.

I work with many associations throughout the valley. I work with Meridian. I work with Boise. I work with Kuna. I work with Nampa. I work with Caldwell. I work with Fairview Acres in Garden City. This is the best interest of the irrigation systems. We don’t wait till after all the plans are put in place. We don’t wait till the development’s put in place. We don’t wait till the houses are all designed. The irrigation system is first. First and foremost. Okay?

The developers fail to comply with any of the requirements regarding the Sharver Lateral and the Snider. They did not approach us. The first time I was contacted by this developer was three weeks ago by Josh Beach. The Sharver Lateral is the one that supplies the water to that Cottonwood Park with all of those amenities that those families are going to be using. The Snider is the water that will be supplying the water to those properties.

This is the water. And it is required by law in Idaho that that irrigation be watered – used to water those properties. This is a priority. This is first on the list, first before Idaho Power, first before the sewer, first before anyone else.

Thank you.

**Madam Chair Stevens:** Thank you. I’m going to put a stop to the – not put a stop to the – that makes it sound wrong. But I need to ask staff a question before we continue. Just to clarify this for the record. So Cody, I am looking at 110904 Subsection 6 under irrigation, which specifically states that a copy of written approval by an authorized representative shall be filed with the subdivision application.

So can you just clarify this before we hear any more testimony on it? And so, it’s still – during the public portion of the hearing?

**Cody Riddle, Deputy Planning Director:** Madam Chair, that language is quite confusing because they don’t – that would be impossible. They don’t have an approved layout. It’s a preliminary plat. You could determine that that was maybe part of a final plat, which is based on the final layout of the subdivision. When you have a preliminary layout, that project design could change. And so, some final written approval on that point would be rendered meaningless.

**Madam Chair Stevens:** And so, it states in the event, the applicant cannot obtain a response from the authorized representative, approval will be assumed to be obtained if the applicant meets the conditions as outlined in another section, which I can’t seem to put my finger. Oh, under number five, which is actually above under drainage.
So, I just want to make clear again for the record that it – that the word application and the language, it seems like is – the code is using the term, I guess, loosely, to be sort of like meaning approval when we get approval, and we go to preliminary plats and we have, right? Okay? I just want –

**Cody Riddle, Deputy Planning Director:** Madam Chair, I think it’s confusing if you actually have two – you end up having two subdivision applications, a preliminary plat application and then a final plat application. We have all those preliminary conditions that go through with that first application. And then the final plat is when we confirm final, final compliance with all that. The city – regardless of what you do tonight, as a planning commission, City Council can change the design of a preliminary plat. And so, we don’t know where that irrigation line would go.

**Madam Chair Stevens:** Okay. And I appreciate that. I’ve been sitting up here a long time and I know that that’s true. But I think it’s really important to talk about the actual language of the code and to get response from you on the record so that it’s clear for council when it goes there, that we did have the discussion and that this commission understood staff’s position on that. So, I appreciate that.

**Cody Riddle, Deputy Planning Director:** Madam Chair, I think the cleanest way to look at it is that there will be two subdivision applications, the preliminary and the final plat application.

**Madam Chair Stevens:** Okay. I appreciate that. Commissioner Bratnober, did you want to add a question?

**Commissioner Bratnober:** Thank you. So I’m trying to understand the two subdivision app thing. So, what are we doing here for this one then?

**Cody Riddle, Deputy Planning Director:** Madam Chair, Commissioner Bratnober, you’re being asked to make a recommendation to City Council on a preliminary plat. They are the final decision making body on that preliminary plat. So they’ll have discretion to change the design, impose additional conditions, and then a subsequent final plat application is required of City Council before they can build anything.

**Commissioner Bratnober:** So the Sub 19-00049 is not really a subdivision application?

**Cody Riddle, Deputy Planning Director:** Madam Chair, Commissioner Bratnober, it’s a preliminary plat. And I would just say it’s a preliminary plat for a subdivision. And I would just be clear that I can’t think of a situation where a final written approval for an irrigation design has occurred with a preliminary plat in any of the plats I’ve seen.
Commissioner Bratnober: Okay. My mistake then. But I think on the description here it says preliminary and final plat under Sub 19-00049. So, it looks like this discussion is about preliminary and final plat.

Cody Riddle, Deputy Planning Director: Madam Chair, Commissioner Bratnober, the decision on a final plat is only City Council. It won't come back to the Planning and Zoning Commission, so.

Madam Chair Stevens: So, it's a single application, if I could. But there are several steps that this has to go through. And before they actually get approval, if that were to happen that way, on the final, it's basically a series of steps that maintains the same application number and all that. But there are all these different steps. And we don't have to get per code. The code that I just read into the record, we don't have to get that signed final authorized representative until City Council sees a final plat.

Cody Riddle, Deputy Planning Director: Madam Chair, that's correct. They could change that design.

Madam Chair Stevens: Okay. Does that satisfy? Okay. All right. We'll go ahead and move on then. Angela Derisio next, followed by Jon Richelieu and Natalie Shores.

Angela Derisio: My name is Angela Derisio. I live at 4347 North Lancer Avenue. As a homeowner and mother of three girls, I have quite a few concerns about this request to rezone.

First, I just want to thank you guys. I appreciate your service to our city. And I'm sure that at the end of this, you'll be able to appreciate what we've all said that there are no sidewalks hardly on Goldenrod. I personally have two children, elementary and middle school age, who walk or ride their scooter down Goldenrod every single day to and from school. Mine aren't the only ones.

Obviously, you've heard there are so many other small children who travel down Goldenrod for school every day with hardly any sidewalks for them to walk on or ride their bikes or scooters. It's already dangerous with the amount of cars that are traveling, for school drop off, and pick up, school buses, regular neighborhood traffic.

Approving the rezoning of this land with the potential of this many homes would make the walk for these children exponentially more dangerous. With a minimum of two cars per household in the new proposed subdivision, that's a minimum of 36 more cars that these children will have to navigate in the morning and in the evening to and from school.

There's no doubt in my mind that this huge increase in traffic on our little road will lead to a child being hurt or worse. There's also a monastery
school that's been mentioned on the corner of Goldenrod that has no sidewalk with very small children being picked up and dropped off every day. And I believe that the danger to the children of Goldenrod greatly outweighs the need for this high density development.

I was recently at an event with Mayor Dave Bieter. And Mayor Bieter stated that it is important for the city to approve affordable housing developments within the city “where it makes sense.” And I agree with Mayor Bieter. I was born in Boise and I have lived here my entire life.

I think that it is incredibly important for the people of Boise, whether native or relocating, to have the opportunity to live in our beautiful city. However, the proposed rezoning of these five acres on Goldenrod does not make sense. It doesn't make sense to add this many homes to a small side street with no sidewalks. No, we don't have any lights on our street.

And while I understand that Acme or CBH, or whoever the developers are, would be required to install sidewalks in front of their development, it would literally do nothing for the children traveling the entire length of Goldenrod or who are traveling on the opposite side of the street like my children. My kids are on the side. We're in Stonehaven. So they can put a sidewalk all they want in front of White Pine. My kids aren’t going to be crossing the street just to use that sidewalk to get to school.

Nothing about allowing the rezoning of this land makes sense. Rezoning it to an R-1B or leaving it as A1 is perfectly fine. There's no reason why they can't build lovely homes within the current zoning regulations for new families to join our community. I think that our children are the most important people in our city, and their safety is more important than high density housing.

**Madam Chair Stevens:** Thank you, Angela. Jon Richelieu followed by Natalie Shores. And please do not applaud. Thank you. That is not appropriate. I’m sorry. No. Thank you. Jon Richelieu followed by Natalie Shores.

**Jon Richelieu:** Pass.

**Madam Chair Stevens:** Jon Richelieu is passing for the record. Natalie Shores? Followed by Dena Gouvea. Please.

**Natalie Shores:** Hi, Madam Commissioner and Commissioners. Natalie Shores, 4380 North Lancer Avenue. I would also like to echo. I know that you’ve heard there are no sidewalks and there are no gutters. The park has been mentioned, the elementary school has been mentioned. My kids attend the middle school and the high school.
When we first moved into our home, my high schoolers did not have their driver's licenses, and they walked to that street the entire stretch of Goldenrod. The sidewalk would not help them get to high school. There is no cut over to Ladera Park or Nally's Springs. I don't know if you see what high schoolers wear, but it's usually black and there are no streetlights. So at 7am in the dark, they're walking to high school.

That narrow entrance out there, we have seen a child get hit on their bicycle there for that crosswalk, getting to the high school from the neighboring neighborhoods there. Our kids come from Ustick all the way up to Centennial High School. They walk. It's not cool to ride a bus when you're in high school there.

My middle schooler goes the opposite direction. And at Marva’s property, if there's a car coming, he'll drop his scooter and run for the fence. So there’s not a lot of shared space here for pedestrians, wheels, and the traffic coming in and out.

I would also just like to comment on. I started this meeting very hopeful hearing that, first, all of the accolades going back and forth about working together. We've not seen that. And in fact, the notice that we received almost looked like a gimmick. And as we tried to figure, it wasn’t clear what property was being developed.

And I’ve made great friends being in one of the new subdivisions that they’ve mentioned the Stonehaven. Leigh Richelieu and her neighbor, Kelly Rowlands, they’re some of my best friends that I have. And I’ve made those in the last three years since I moved into this community. It truly is a community. And it’s been great to see us come together for this.

We got the notice and we all gathered pretty quickly to figure out if it was real or if it was a gimmick. And then to find out that one of those three of us was excluded from that notice. They're clearly impacted. I know those – they will have high schoolers that have walked to school in the dark as well. And we talked about carpooling and those things.

Our kids won’t be able to walk to school if there's not a safe path for them to get there. Just the underhanded – I mean, it just seems very underhanded. It seems like the developer is dismissing concerns and not – it seems hard to – it's hard to see a path forward to work together, like we saw in those first couple of items tonight.

So, I’m hopeful that we can get there and that we can experience that same and that we'll be back be back sharing that appreciation for working together. Thank you.

**Madam Chair Stevens:** Thank you. Dena Gouvea followed by Paul Gouvea. Sorry, I’m saying your name wrong? I’m sure you'll correct me.
**Dena Gouvea:** Hi, Madam Chair and Commissioners. My name is Dena Gouvea. I live at 4381 North Lancer Avenue, Boise 83713. And we live right on the corner of Goldenrod and Lancer, right directly across the road from where the new proposed White Pine will be.

And I want to concur with everything that my neighbors have said. And I appreciate the opportunity to stand up here. Really, the only thing more that I have to add is the Goldenrod is an underdeveloped rural road, as you've heard. And I walk my dog down to Cottonwood Park. And there's times of the day in the morning when people that don't live in that neighborhood use that as an access to drop off their children down at Cottonwood Park to go to the nearby Pioneer School.

And it is pretty tricky. And it's a risk, especially with a dog on a leash and nothing to get off of the road because there's not even any shoulder there. Pretty much that's all I have to say. When my husband and I moved in there three years ago, we just really enjoyed living in the country in the city. And so when this, we saw this as a proposed, we were really discouraged, and we understand that we came into this area in the same way that this new development is.

This was a five-acre parcel that was purchased by a developer and they put in 16 new homes on this property. And so it kind of feels unfair to protest or to not want this there. I would just like to see it not so dense. Because if you see in the plat map there that Stonehaven has bigger lots than what they're proposing White Pine to be. Thank you so much for your time.

**Madam Chair Stevens:** Thank you Mrs. Gouvea. Mr. Gouvea.

**Paul Gouvea:** [Inaudible 03:14:18].

**Madam Chair Stevens:** Okay, he’s going to pass, for the record, waiver. So that’s actually it for the signup sheet, but I think there’s more of you in the audience who – so you’ve seen this already tonight. If you could go ahead and step forward and just go ahead and line up in these chairs. And then we’ll go one at a time.

And since you didn’t get on the signup sheet, it’s really important that you fill out a white slip because that’s how we’re going to know that you were here and have you be on the record for any appeals that might occur, okay? So if you could just step forward, first one, and –

**Kelly Rowlands:** So hi, I’m Kelly Rowlands and I’m at 12564 West Goldenrod Avenue. I’m two doors down from the new development. I was actually – is, my son was good friends with the owners and I introduced them to buy the property, hoping it was going to stay. He was a large animal vet.
Anyway, there’s nothing we can do about that. I will not waste your time and repeat everything that all of my neighbors have also included. I do have concerns with the additional traffic. I am a widow and have been for nine years, and I love the neighborhood. And I have made it work on a one-acre and I don’t plan on moving.

But I have – I wrote in, as I have almost been hit on my riding lawnmower as I was mowing my own lawn. I would agree that I would like the size of the lots and the size of the homes of Stonehaven, and we did as a neighborhood come together and have conversations with that developer and they did reduce, even though they are R-1B, they didn’t build as many homes as they could have on the property. And so we’re asking the same thing for White Pine just so that it is more compatible with the neighborhood and the feel that we already have. Thank you.

**Madam Chair Stevens:** Thank you, don’t forget the white slip. Next?

**Joy Ann Collett:** I am Joy Ann Collett, I live at 12553 West Goldenrod Avenue, kitty-corner from the development. My husband and I own one of the five-acre parcels that the developer referred to as being available for future development. And I want it to be very clear that my husband and I currently have a drawing for the development of our land. We are not opposed to development. But we have only 10 homes on our drawing.

We are opposed to this high density. And as much as the developer tries to say that it’s the same and it’s compatible, it is nowhere near compatible to what we have. Since we’ve had the two new subdivisions go in, which we do not object to, but it has brought increased traffic already. Our mailbox has been knocked out three times.

And I’m not just saying it got hit. It got hit so hard it knocked it clear to the middle of our field, which is a half an acre away. My grandson was almost hit this summer. He goes to Pioneer and is in year-round school. He was staying with us for a few days and almost got hit by a car on his way, which one of our other neighbors witnessed.

I do have a question for you. There was discussion about this only being preliminary and that there would be a city council meeting to determine this. Do we get invited to the city council meeting?

**Madam Chair Stevens:** We don’t normally answer questions from up here, but I can tell you that the requirements for notice are the same as they are for these meetings.

**Joy Ann Collett:** Thank you.
Madam Chair Stevens: I think. Is that right, Cody? Okay, he’s nodding his head yes.

Joy Ann Collett: I just think that this dense of a development is a travesty to those of us who have lived there for 30 years and then all of a sudden someone wants to put in and try to build the kind of city that all these move-ins from out of state are trying to leave. I don’t know why we’re trying to create the density that they are trying to get away from. And we would really appreciate it if you would just leave the zoning the way it is or a little bit more but not eight per acre. That is ridiculous for the size of street that we have. Thank you.

Madam Chair Stevens: Thank you. Don’t forget to fill out a white slip so you’re on the record.

Joy Ann Collett: Thank you.

Madam Chair Stevens: Mm-hmm. Next, please.

Lori Brooks: Hi, my name is Lori Brooks and I live at 12300 West Goldenrod Avenue. My husband and I have lived there for 28 years. It was my grandparents’ home before that. They bought in 1974. And I live at the other end of Goldenrod, closer to Cloverdale, two houses from Cloverdale.

We have seven children, I’ve had high schoolers, middle schoolers, I have a grade schooler. And he’s 10 years old and I don’t let him go to school by himself because it’s not safe. If I don’t walk with him, I stand out in the street so oncoming cars can see that there’s people in the street because it is not safe. We don’t need any more traffic on that street.

It is so incredibly unsafe right now. We love walking, everyone loves walking. Anybody who’s came on our street, if anybody comes over they’re like, this is the most beautiful street you live on. You’re so fortunate to have these large pieces of land. Our children don’t have to play in the street.

They do have to walk to school, and we enjoy walking when it’s safe. Please, please consider lower density. We do not need any more traffic. I know there’s going to be growth, but this is – these are lives. I’ve witnessed my son almost being hit many times, and it’s just not safe. Thank you.

Madam Chair Stevens: Thank you. Don’t forget the white slip. Next?

Adina Ostheimer, Care Giver for Mona Allison: Good evening, my name is Adina Ostheimer. I’m actually standing up – I’m Mona Allison’s caregiver. Is it okay for me to read her letter or –
Madam Chair Stevens: Absolutely, that’s fine. And if you could just make sure her name is into the record.

Adina Ostheimer, Care Giver for Mona Allison: Yes, Mona Allison and she wrote you guys a letter. She lives at 12868 West Goldenrod Avenue Boise, Idaho 83713. Let’s see, she owns about 4.9 acres of land which adjoins the said subdivision directly to the west side. So hers is right next door, the five acres. She has owned and operated Gem Crest Kennels for over 46 years.

She purchased and built her home in 1973, initially with her husband Lee. They owned 10 acres of the north side of Goldenrod from Cloverdale Road to the present land. They sold the acreage from Cloverdale to the east side and now she owns the five acres where she’s at. And she has no intentions of selling or developing her land and as a requirement of her condition – I’m sorry, as a requirement of my conditional use permit there are 30 pyramid arboreal – it’s the green trees. She had to have these green trees surrounding her property.

Her clients, among many, have included former governor Cecil Andres, J.R. Simplot, and Senator Larry Craig. And she also houses the Boise police dogs and the sheriff dogs, and she housed Jardo that protected the police officer, what was that, a couple years ago? She is very concerned. She has five points.

One is the density. She would like instead of 16 homes to have 12 homes on the property. She realizes she can’t put a stop on this, but she would like to reduce density.

Then there’s the traffic issue, which is very high, and it has gotten worse since the intersection of Goldenrod and Cloverdale has been reduced to 27 feet, which you’ve heard. This has occurred due to major road construction on Cloverdale. It appears to be the busiest street off Cloverdale in the area. Traffic is high. People walk the street constantly back and forth to the park and school. Children are always walking, riding their bikes, the Montessori school – you guys have heard all of these.

Also, about livestock, her other point of concern is emergency vehicle traffic, garbage trucks, which may be incurring a nearly impossible hazard. And then the irrigation, which has also been brought up. And she feels that, let’s see, it says, I’m not sure if this has been resolved as of the latter part of September. No document has been provided and the preliminary site plans do not show conveyance of irrigation water drainage along the north side of West Goldenrod Avenue.

Adina Ostheimer, Care Giver for Mona Allison: Okay, thank you for your time.
Madam Chair Stevens: Thank you. And just so you know, we got her letter in the record.

Adina Ostheimer, Care Giver for Mona Allison: She just wanted to make sure that I came up.

Madam Chair Stevens: Just the fact that your time was up, we did get the letter. Next? And please, don’t forget the white slip, ma’am. Ma’am, don’t forget the white slip so that she’s on the record. Thank you.

Kenneth Jones: Madam Chairman, Commissioners, I’m Kenneth Jones. Used to reside at 12600 Goldenrod. I now reside at 1159 E. Kimberley Lane in Boise. Sold the property to the person who is wanting to develop it. I’ve been involved for over 25 years as a water manager there, and I’ve dealt with irrigation.

Irrigation is a very serious problem, and I appreciate you thinking about that. But if you take a look at this deal, it says 3.6 units per acre. They’re taking out one whole acre for the current house that we built and a half acre for a new house to be built. You take a look at the streets and everything else, so you’re losing about another acre and a half. So you really don’t have three acres for those 15 houses that are listed on that development.

Now, as commissioners in the past, you approved Stonehaven to have less dense houses. You approved Spotted Dove less dense houses. And so I would ask that you send us back to the developer and ask him to come back, putting the same amount of dense houses on that less than three acres, which would be compatible with Stonehaven and with Spotted Dove. And I dealt with the irrigation system with Spotted Dove. I spent probably over 15 hours trying to convince an engineer and a surveyor how the irrigation system works.

So I think you really have to take into consideration how this irrigation works. If I explain it to you, it would take me more time than we’ve got here. We’d be here all night because it is a complicated system, and it has to work right. And so I apologize to my neighbors because when we sold this, it wasn’t going to be developed for at least 15 years. And I wouldn’t be around to stand here and talk to you. So I’m really sorry, but we need less density in this property to be like the other two pieces of property. Thank you.

Madam Chair Stevens: Thank you, Mr. Jones. Please don’t forget to fill out our white slip, thank you.

Kenneth Jones: Already got it done.
Madam Chair Stevens: All right, just turn it in to staff or to somebody up on the podium. Okay and if anybody else wants to speak, please come up so that we can make it efficient. I’m sure everybody wants to go to bed at some point.

Dale Davenport: Hello, my name is Dale Davenport, 4229 North Edelweiss Street. I live along Edelweiss there along the side. I’d just like to echo a lot of the things that have been said here. I’ve only been in the neighborhood five years, so I guess I’m a relative newcomer to the area. But I do have children.

My son is 14, he walks up Goldenrod to get to Centennial High School. And we’re definitely looking at the fact that when it’s dark, we don’t want him out there. We’re putting reflective tape on his backpack, that sort of thing, because it is scary. I know that I come up and down that road every day. During certain parts of the year I get sun in my eyes both directions, both leaving and coming home because it does face east/west and the sun does rise and set in there.

And I have to be very cautious when I’m driving up and down that street. My primary concern is the traffic problem and making sure that our kids are safe and the other pedestrians that use that area. Thank you.

Madam Chair Stevens: Thank you. Don’t forget the white slip. Okay.

Ashley Durham: My name is Ashley Durham, I live at 4327 North Edelweiss Street across from the proposed settlement. I’ve just had a few thoughts sitting here listening to this. And I think that it speaks volume that the person who sold this land would actually come and testify against this, against this development. I have a problem with the density, and my request would be that you zone it as R-1B rather than C so that we don’t have as many homes. I think the developer is using the Ladera Park and Nally Springs units per acre to his advantage.

As we calculated earlier, there will be 16 homes on four acres, if you take that by acre on the east side. That’s four units per acre. That doesn’t match Spotted Dove, it doesn’t match Classic Cove, and it doesn’t match Stonehaven, let alone the one-acre lots that we have to the east. It’s nothing close to that.

There is no way to get from White Pine subdivision into Ladera Park. It’s a division as similar to the development that we talked about earlier where the three way was there and you said it may as well be a mountain. This is a similar type situation. There is no way to get from this new subdivision to Ladera Park without going to Cloverdale and around McMillan.

I wanted to bring up a story real quick that I heard on the radio recently about Mexico Beach, Florida. The hurricane hit their city and demolished
it. They have a lot of developers coming asking to rezone so they can have these big buildings oceanfront earn a lot of money from it. The mayor there says no. And we do not have to allow this high density housing and rezoning similar to what they’re saying. They’re saying no, and we can say no as well. Thank you.

**Madam Chair Stevens:** Thank you. Don’t forget the white slip. See, I always have to say it. I want to make sure you’re on the record. Okay, anybody else? Are you coming up to testify?

**Rod Brooks:** Yes.

**Madam Chair Stevens:** Okay, if anybody else wants to come up to testify, I’m going to ask one more time that you please come to the front so that we can make this go quickly, okay? It’s already 9:20, so –

**Rod Brooks:** I’ll make it quick. My name is Rod Brooks, live at 12300 West Goldenrod. One thing that hasn’t been brought up that is a safety concern, our kids do travel the street, there is not bus available. Within a mile and a half they have to walk to school. Lowell Scott Middle School is 1.4 miles from our home.

So I do have kids that are in high school, middle school, grade school. They all walk. And I do have great concern for their safety. As the others, I would like to see less density. Thank you for your time.

**Madam Chair Stevens:** Thank you. Okay, nobody came up to the front row, so I’m thinking that’s it.

**REBUTTAL**

**Madam Chair Stevens:** So Mr. Conger, you have five minutes for rebuttal.

**Jim Conger, Applicant:** Madam Chair, members of the commission, thank you. Jim Conger back with you. I think quickly I’ll touch on two items and then I think I can be brief. Goldenrod and ACHD, we definitely are concerned about traffic in any development we go into as well. ACHD did analyze this property, this development in particular.

It is the third, basically, or going to be the fourth new development in that area. So they did have studies and data. Our development, similar to Spotted Dove and Stonehaven, we have a seven-foot sidewalk requirement that we’re installing. You’ve heard that is going to be of no benefit, but I think the plans of the city and the plans of Ada County Highway District as development occurs, sidewalks and frontage improvements get put in place. So at some point we have them.
Ultimately, I don't see a lot of redevelopment in the one-acres. There at some point may be a city grant or a federal grant for sidewalks. We've seen our neighbors in the East Boise, where I'm from, put their – if they're so concerned with safety we have gone in and got some federal grants. And the easements from the existing homeowners, if it's that important. And I think the one-acres will take that because I don't see them redeveloping.

The last two points is all about density and traffic. So let's talk about traffic. I like the analogy of it just as well be a mountain. Goldenrod is the mountain in this case. So, Stonehaven, Spotted Dove, Classic Cove, most likely you heard a lot about traffic. That's what I've heard about traffic.

Compatibility, we're on opposite sides of a collector road. I suspect the compatibility is a little bit less of an issue. I should be compatible with Ladera. Traffic, analysis, so I'm going to walk you right down Spotted Dove. I should have done a better exhibit. That Spotted Dove is five acres and it's 18 homes. We are five acres and 18 homes.

And we are analyzing traffic at the moment, not compatibility. Stonehaven, straight across the street, 17 lots, five acres. Again, we are 18 lots, five acres. So, from – the only thing I object to what I hear all night is we're high density. We are the exact same density. There is no mirror, there is bait and switch here.

Now, when I talk about compatibility, since I'm on the north side of the collector road, I believe I need to be more compatible with Ladera. However, I have never stood in front of you, and I have never stood in front of the City Council debating 0.2 homes per acre of not being compatible. So whether Spotted Dove at 3.8 and I'm at 3.6, again, I've never debated that a 0.2 of a unit per acre is non-compatible or high density. It's all slightly above low density, all of the development.

So Ladera at 4.6 units per acre from a compatibility, we are extremely compatible. R-1C zoning, we're extremely compatible. Spotted Dove, R-1C zoning and 3.8, very compatible. Stonehaven, yes, R-1B, 3.5 units. But again, we're talking one home site. That isn't going to change anything. With that, I am going to close and I'm happy to do so. So thank you.

**Madam Chair Stevens:** Thank you, with that we'll go ahead and close the public portion of the hearing. How would the commission like to proceed tonight? Just as a reminder, we're looking at a rezone and then a subdivision. Somebody want to start with a motion? I'm getting lots of nothing.

So I'm just going to put a couple of things out there so that we can – maybe it’ll get people started. I can't make motions. I think – I'm going to interpret/translate what I'm hearing the neighbors say. And that is that it’s
a density issue. But really if you look at R-1B, you actually can still put the same density on that the applicant is recommending.

So I really think what you’re concerned about is the width of the lots. That’s the only thing I can really put my finger on that makes sense. Because it’s not really the density, it’s about making lots 25 foot wider, or a little bit wider than 50 in order to get a couple fewer houses on this. I think, if you look at Stonehaven, you’re looking at lots that are minimally bigger, at best. And I have to say that I think that this is compatible.

Look at what’s on our screen in front of us and there is no mountain between Ladera Park and White Pine, I'm sorry, but they back on to each other. So, there’s no mountain there, there’s not a highway, much less an 11-lane highway. There’s not even a road between them. So really, we are talking about the compatibility of the neighborhood. And I understand that the neighbors, they sort of – it sounds like everybody believes that if you’re fronting onto Goldenrod that that’s sort of the neighborhood we’re looking at.

But even if you take that, you’re still looking at compatibility in terms of density. Even if you cut it down, like I tried to do during questioning, to the four acres, you’re still at 4 units per acre, which is, I think to the applicant’s point, we don’t usually say that 4 when you’re looking at 3.8 versus 3.5 is not compatible. It is compatible. So I’m leaning toward approval on this. And I can’t make a motion, but that’s sort of where I’m sitting on this particular application.

**MOTION**

**Commissioner Bratnober:** Madam Chair.

**Madam Chair Stevens:** Commissioner Bratnober.

**Commissioner Bratnober:** So I’d like to make a motion just on the subdivision application. Notwithstanding what you said about density, which I realize that’s a difficult one to get a handle on, I move to deny SUB19-00049 because it does not seem like –

**Madam Chair Stevens:** Well hang on, let’s see if there’s a second before we go to discussion, okay?

**Commissioner Bratnober:** Oh, I’m sorry.

**Madam Chair Stevens:** So we’ve got a motion to deny the subdivision. Is there a second? All right, motion dies for lack of a second. Does anybody else want to put a motion on the table? And then we can move to discussion.
Commissioner Finfrock: Madam Chair.

Madam Chair Stevens: Commissioner Finfrock.

Commissioner Finfrock: I recommend that we approve SUB19-00049 and CAR19-00020 with the terms and conditions as laid out in the staff report.

Student Commissioner Zuckerman: Second.

Madam Chair Stevens: Okay, we have a motion by Commissioner Finfrock, a second by Commissioner Zuckerman. We'll start with the discussion by Commissioner Finfrock and then Commissioner Zuckerman if he wants to add anything, and then we'll go to Commissioner Bratnober.

Commissioner Finfrock: I think you pretty much laid it out pretty well. The R-1C is consistent with the surrounding areas. And I'm finding that, too, I was a little confused with some of these like Spotted Dove and Stonehaven. I don't think we're – I mean, we're pretty much consistent with the area.

Madam Chair Stevens: Okay, is there any other discussion? Commissioner Zuckerman, did you want to add anything?

Student Commissioner Zuckerman: Yeah, I think you hit it right with the compatibility. I think that is – this is definitely compatible with the neighboring subdivisions and with everything else going around it. That's why I seconded the motion.

Madam Chair Stevens: Okay, Commissioner Bratnober.

Commissioner Bratnober: Thank you, Madam Chair. So, my issue is primarily, well, it's consistent with the beginning of the meeting with respect to the irrigation. So I've lived in that area, down on Wisteria Way which is a bit further east. And I remember when Goldenrod was a dirt road. I've been an irrigation officer with our water users for over 15 years.

And this is serious stuff. We have a complex irrigation system ourselves which, because of development that was not well planned, has caused numerous issues and continues to cause those issues. And in reflecting on that, I've realized that if the developers had been talking in earnest with us as officers at the very outset of that project, we probably wouldn't have had any of those issues. I do not find, at least from what I've picked up from testimony, that the developer has been working with the irrigation group. And we can go back and forth on how we read the law, but what I see is a copy of such written approval by such authorized representative etc. shall be filed with the subdivision application.
I don't see it here. And I know we're final and preliminary plat and all that, but my concern is that this is going to – it's going to leave you open to problems because you do have a complex system. And it should be planned up front before you start going and making the complicated engineering drawings. You ought to at least have a framework for how you're going to work with those who are using the water out of that ditch. Thank you.

**Madam Chair Stevens:** Other discussion?

**Commissioner Ansotegui:** Madam Chair.

**Madam Chair Stevens:** Commissioner Ansotegui.

**Commissioner Ansotegui:** I'm on the fence, so I want to ask an earnest question to my fellow commissioners about this. When we – the suburban neighborhood that is here in the comp plan, we can go to R-1B or R-1C, if I look at my notes here, which is a huge difference. I mean, right here, what we're seeing in density is really R-1B density, between three and five acres, or excuse me, units per acre. So my question is, why are we – if that's the goal, to maintain consistency, why are we zoning, why are we looking to change the zone to R-1C rather than R-1B?

**Madam Chair Stevens:** I think I can answer that pretty quickly, and that is that R-1B requires lots to be 75 foot wide. So that's the reason to zone it R-1C, so that they can maintain the 50-foot width.

**Commissioner Ansotegui:** Okay. Thank you.

**Madam Chair Stevens:** Well, I want to just add something while we're continuing to discuss about the irrigation. So, I work with irrigation districts all the time across the entire valley. And I guess I have seen so many subdivisions go over irrigation ditches. I mean, it's one after another, every single subdivision in the valley, practically. I would venture that 60% of them, if not more, go over a ditch. Our whole valley wouldn't exist if it weren't for laterals, drains, and ditches.

And so, it has become so commonplace that it's pretty basic in my mind how you fix it. You tile it and you put it under. Now, I realize I'm simplifying things, but I don't think this is – this isn't moving a mountain. We're using mountains a lot tonight, so I don't know what the deal is with me and mountains tonight or you and mountains, but you started it.

But this isn't – we're not dealing with some, in my mind, really complicated engineering issue. This is something that is very commonplace with districts across the valley. So I'm not troubled by that at all. And I've seen enough of these applications that I know that we don't see that in this stage of the application. We simply don't because how can the irrigation district or the
lateral association or the water usage association give approval without knowing exactly what those engineering drawings look like? They can’t.

And so – because they could change at city council, if city council says we need to see a change in XYZ, it’s just – that’s just not the way the process has ever worked as long as I’ve been sitting up here. So, anyway, I just wanted to put that on the record and, of course, if you wanted to respond that’s –

**Commissioner Bratnober:** Madam Chair.

**Madam Chair Stevens:** Commissioner Bratnober.

**Commissioner Bratnober:** So I agree with major parts of what you’re saying. It’s straightforward until it isn’t. If you’re talking about tiling ditches, that’s easy. If you’re talking about having to relocate some boxes, and it wasn’t clear from the discussion if that’s what’s in play here, it definitely gets much more complex. If it’s tiling ditches, then written approval can be scratched out based on a couple of ditches being tiled. But it seems to me there has to be some deeper discussion between the developer and those people using the water for this to go forward.

**Commissioner Ansotegui:** Madam Chair.

**Madam Chair Stevens:** Commissioner Ansotegui.

**Commissioner Ansotegui:** I believe we’ve just heard from staff, though, that these discussions will occur somewhere between preliminary plat and the final plat, before it comes up again before council.

**Madam Chair Stevens:** So we do have a motion on the table. Is there any further discussion at this time? Okay, the motion is to approve. I’d like to take them separately. So can I ask the maker of the motion to make two separate motions, or to make a substitute motion that includes just the zoning application first and then see if the seconder concurs?

**Commissioner Finfrock:** So, I move that we approve CAR19-00020 along with the terms and the conditions laid out in the staff report.

**Madam Chair Stevens:** Does the seconder concur?

**Student Commissioner Zuckerman:** I concur with the substitute motion.

**Madam Chair Stevens:** Okay, so will the clerk please call the roll?

**ROLL CALL**

**Commissioner Finfrock:** Aye.
Commissioner Bratnober: Aye.

Commissioner Stevens: Aye.

Commissioner Ansotegui: Aye.

Majority Vote, motion carried.

Madam Chair Stevens: Okay, Chair would entertain a motion on the subdivision.

Commissioner Finfrock: Madam Chair.

Male: [Inaudible 03:45:56].

Madam Chair Stevens: No, I’m sorry, you may not. The public portion of the hearing is closed, sir. I’m going to have to have you removed. Sir, I'll have you removed by security if I need to. The public portion of the hearing is closed. If you would like to speak with staff after the hearing is over, you may do that. Commissioner Finfrock.

Commissioner Finfrock: Madam Chair, I move that we approve SUB19-00049 along with the terms and conditions as laid out in the staff report.

Madam Chair Stevens: Is there a second?

Student Commissioner Zuckerman: Second.

Madam Chair Stevens: Commissioner Finfrock made the motion and Commissioner Zuckerman seconded it. Security? Thank you. Would the clerk please call the roll?

ROLL CALL

Commissioner Finfrock: Aye.

Commissioner Bratnober: Nay.

Commissioner Stevens: Aye.

Commissioner Ansotegui: Aye.

Three in favor, one opposed, motion carried.

Madam Chair Stevens: Thank you. And that closes tonight’s hearing. Meeting adjourned.
RESULT: APPROVED [3 TO 1]  
MOVER: Janelle Finfrock, Commissioner  
SECONDER: Ben Zuckerman, Student Commissioner  
AYES: Tamara Ansotegui, Jennifer Stevens, Janelle Finfrock  
NAYS: Jim Bratnober  
ABSTAIN: Ben Zuckerman  
ABSENT: Milt Gillespie, Meredith Stead, Bob Schafer  
First Motion: Commissioner Ansotegui moved to amend agenda by moving Item No. 5 to be heard last. Commissioner Finfrock second to amend agenda.  
ALL IN FAVOR FOR APPROVAL, MOTION CARRIED  
Second Motion: Commissioner Bratnober moved to deny SUB19-00049. Motion not continued from lack of seconder.  
ONE IN FAVOR FOR DENIAL, MOTION FAILS  
Third Motion: Commissioner Finfrock moved to approve. Student Commissioner Zuckerman second to approve. Three voted in favor. Commissioner Bratnober opposed.  
ALL IN FAVOR FOR APPROVAL, MOTION CARRIED

SUB19-00049 / Whitepine Subdivision  
SUB19-00049 / 12600 W Goldenrod Ave / Preliminary and Final Plat for a residential subdivision comprised of 18 buildable and 2 common lots on 5 acres located in a proposed R-1C (Single Family Residential) zone. Cody Riddle