

CUP10-00059 & CVA10-00032 / PERSIMMON II, LLC

Location: 1511 W. Bannock Street

REQUESTS APPROVAL OF A SPECIAL EXCEPTION TO CONSTRUCT A 1,800 SQ. FT. RETAIL BUILDING AND A CONDITIONAL USE PERMIT TO CONSTRUCT A \pm 25,000 SQ. FT. STAND-ALONE GROCERY STORE ON \pm 1.8 ACRES LOCATED IN AN R-ODD ZONE. THE APPLICATION INCLUDES A REQUEST TO EXCEED THE MAXIMUM NUMBER OF ALLOWABLE PARKING SPACES AND VARIANCES FROM FRONT AND STREET-SIDE SETBACKS FOR THE PARKING LOT AND BUILDINGS.

Susan Riggs (Staff) – Presented the staff report with a recommendation of approval based on the findings of fact, conclusions of law and subject to the conditions of approval.

Rudy Kadlub (Applicant) – I am the CEO of Costa Pacific Communities. I'm here as a member of Persimmon II, LLC which is a special LLC formed to develop and own the site and development at the address on the application, 1511 W. Bannock Street.

I want to thank both the Planning staff, CCDC (Capitol City Development Corporation) and ACHD (Ada County Highway District). We've probably had a dozen meetings leading up to this evenings' application and hearing. We've come along ways in trying to understand what the needs and wants are and try to mesh a very specific use to a site that has some serious constraints in terms of existing utilities and the four sided block and determining where the front is and where the rear is. We do have a few items we would like to address, otherwise, we are in agreement with everything on the staff report with the exception of the items I would like to mention here.

First of all, CCDC made some recommendations that in the event the city approves this CUP (Conditional Use Permit). Regarding Condition #2, if you go to that exhibit I will quote from the recommendation. The tree lawn on Bannock and 16th Street shall be wide enough to accommodate class 3 trees. In #2 the landscape plan should follow the downtown of Boise streetscape standards for three streetscape types. We are suggesting there are 80 and 100-foot trees on the north side of Bannock Street; in fact, the canopy stretches almost to the south side of the street. The tree lawn is 6-foot, 4 inches and as I read from your streetscape map, the streetscape plan for neighborhood is type 4. It states that street trees where the lawn strip is at least 10 feet in width, class 3 trees may be recommended or required, depending on land use or other local conditions. The trees should be spaced approximately 30 feet apart and so forth. The lawn strip here is not 10 feet along Bannock, its 6-foot, and 4 inches. Along 16th Street it is 9-foot, 9 inches, so we think it makes sense to have class 3 trees along 16th Street. Those large trees would provide nice shade for the entire site from the west. Along here there is a 10-foot tree lawn which we think is appropriate to have class 3 trees. We think along here it is 6-foot, 4 inches and it is really a type 4 neighborhood which really requires class 2 trees. We think it is more appropriate to do a class 2 tree here. The class 3 trees would take a long time to get to a point where they would match the trees across the way. We think if we did a more columnar style class 2 trees, like a tree called a European Hornbeam which is more columnar and full, we would place it a little closer in proximity to one another. It would help create more of a screen from the residential mixed-use neighborhood to the north.

That is one thing we would ask from CCDC's recommendation. The other thing is Condition #4 has surface parking elevations and CCDC recommends consideration in dropping the elevation of the surface parking lot. We understand the site plan moves downward from north to south and they want us to excavate to get a little more depth. What they are suggesting is that we excavate along here (north) so this parking would be about 2 feet below the sidewalk. In the staff report, staff is recommending a 2-foot high screen wall on top of that. I just want to make a point that the slope is actually going in this direction. As we excavate maybe 2 feet lower in the northeast, but as we get over to here, it is probably going to be at grade. We're suggesting that we put a 3-foot high screen wall along both Bannock and 15th Street and this section of 16th. We think the vertical separation between the public domain and the private domain makes some sense there. In staff's conditions of approval, Condition A suggests that a 5-foot landscape strip be added here. We actually made this a 3-foot planting strip and we're also suggesting a 3-foot high screen wall opposed to one 2-foot high. In an urban setting like this, to get the most efficient use of the land we think the vertical separation between the public and private domain makes more sense than adding 2 feet to the horizontal, because you don't gain much in a horizontal separation there.

In Condition E, to widen Bannock Street, Exhibits D, E, F, G and H, we are okay with. We are a little bit confused with E and F because ACHD is telling us they do not want a bike lane on Bannock Street. In fact, under no terms do they want a bike lane there. The city is suggesting we increase the width of Bannock Street to 46 feet to actually accommodate two bike lanes on the north and the south, as I understand it. So, we're confused. We'll do whatever ACHD and the City figures out, but we think you can do a bike lane on the south side of the street which would line up with a bike lane that actually does start east of 15th Street, with a current 42-foot curb to curb street section that is in there now, so 7-foot of parking on both sides, 10 ½-foot drive lanes and a 6-foot bike lane. We are up in the air and don't know where to go with those conditions because staff is saying one thing and ACHD is saying the other.

Kevin, would you please go to Exhibit 3, the floor plan. We need to address Condition D of the conditions of approval. We are very excited about Henry's Farmers Market. This is a very exciting store that started a number of years ago in San Diego. There are some that have been around for 25 plus years in some neighborhoods. It's much more of a neighborhood store. The focus of Henry's Farmers Market is really produce. The floor plan you'll see here is a wide and open unlike conventional grocery stores. When you usually enter a grocery store, the grocery isles are perpendicular to the cash wraps so when you walk in you've got big tall grocery isles. If you are with your kids or your mate and one of them gets on a different isle, you have to go to the end and walk up and down to try to find them. This is quite different. Kevin, go and show #1. The focus of Henry's Market and what really drives people to want to be there is their fresh produce. You can see the center of the store is totally wide open and is filled with bins of fresh and local produce. As you stand in the store you can see almost anybody, anywhere in the store. It's what makes it unique.

If you think about most of the stores you go into, the produce is either on the right or the left and you have to work your way around the store to where the milk, meat, and everything is located which is typically in the back of all those grocery isles. Being a typical 35,000 or 50,000 square foot space you literally get lost or lose somebody else. This floor plan is wide open.

If we go back to Condition #3, we've really worked with Henry's and they merchandise their produce first in this whole Farmer's Market feel. Everything spins off of the center of the store so the grocery isles are parallel to the front of the store and they are much lower than you would see in most stores. Everything else is low bins and trays and it's very, open. The bakery and deli are along the edges that back up here and it's a real operational program the way they merchandise it. They have criteria which they have proven and are standard in the industry for them. We've tried to work with Henry's and staff to figure out how to reconfigure this floor plan to get a door to activate out to the plaza. Even as of the middle of last week and even today they have looked and re-looked at the problem with the constraints. We've got the truck loading docks on 16th Street, which we figure is the most appropriate place to put those because you have more of an industrial element on that west side with a dairy there. Therefore, that leads to the loading, storage, and the back room being on the west side of the building. The coolers and freezers and all that support the deli, the bakery and so forth need to be on the west side. If you flip that over and I have to say Henry's has made some major changes to their prototypical store. Their typical store is really more of a square building than the rectangle one we proposed here. We've had them extend the length of the building and make it much narrower to accommodate the constraints on the site and the fact it is an urban location. Any change here to these critical spaces, they find unacceptable in terms of the way they would be able to merchandise. I don't know of many stores, or any stores that have corner entries. It would eat up so much space that it's really inefficient in terms of following the principles of new urbanism. The building would have to get bigger for no other reason than to have an entrance there and to be able to accommodate that type of floor plan. Even as recent as today they have indicated to us that it's a non-starter and does not work. They need their entrances in front of the cash wraps so that the entrances accommodate shoppers to the parking area.

The other issue we would have and they brought it up again today is if the entrances were here off the corner, a couple of things, it's not anywhere close to centering on the parking, but it changes the nature of this plaza. The plaza is intended to be almost a public park. If we had an entry here, what you would end up with is cart racks and cart traffic in the plaza. What we really want are tables and chairs. There is a fountain and it really becomes more of a neighborhood gathering place. I believe it will be energized with the retail store we have.

Onto slide 4, this is the front of the store here. We've created a very wide promenade along the front of the store that connects with the plaza and the retail store next to it. If you go to slide 5, this is from the Idaho Street side, what we've got Henry's to agree to is putting windows that open up. They have actually designed an interior stock alley so they can make this configuration of a store work. Again, it is longer and narrower, so there is a stock alley that runs from the storage on the west side, to service the sales and the floor on the east side, but allows us to create what looks more like a main street frontage.

Ultimately, if the area develops the way we would all like to see it develop with mid-rise condominiums, high density residential and if there were 3 or 4 thousand people living within a few blocks of this area, then it changes the whole nature of how this would work. We could then accommodate an entrance along the sidewalk on Idaho Street. We've designed the building to accommodate that in the future.

Continuing onto slide 6 (retail building/plaza), this gives you a look into the plaza from the intersection of Idaho and 15th Street. You can see it is a very generous space. It also has doors that front onto Idaho Street and onto the plaza. In fact, this has doors on all four sides of this building to activate the space. This canopy provides shelter for bike parking. This represents what will be a fountain area with tables and protective bollards along here. It makes it easier to get in and out of the site and actually, it really invites people walking up 15th Street to the Linen District into the plaza, or if you are walking west on Idaho Street, it invites you right into the front of this. If we flip back to slide 4 again, people would walk through here, through this space, and along this nice promenade to the front of the store. The bottom line is, we think we've done that from a standpoint of design. If you look at the architecture here, this is not your basic grocery store box. It has lots of fenestration, lots of openings, lots of windows, lots of detail, lots of movement and materials which we think are very exciting. Our tenant cannot change the floor plan in their mode of operation to accommodate item D of conditions of approval.

One of the things we talked about today and is kind of a whimsical thing, would be to create a sort of artistic little farm animal footprints in the sidewalk that leads from the front of the store along the promenade and into the plaza. I might mention that Henry's is unlike a lot of stores you have in mind. They don't have a coffee bar or any indoor dining. The big stick really is its produce and health foods, although, they do have a deli where you can buy a sandwich. The intent would be for people to take that sandwich and either take it to go or dine on the plaza.

Commissioner Stevens – I have one question for the applicant and one for staff. Since he is here I'll start with the applicant. I was concerned about your patience with ACHD. In our packet, I'm not seeing in the letter, particularly in the part of their letter regarding Bannock Street, anything that indicates they are opposed to the bike lane. Did that happen in an outside communications that we are not aware of? Maybe my fellow commissioners found it, but I can't find it.

Rudy Kadlub – You're right, this is a very thorough report. I couldn't get through it all either. I received a communication today from Mindy, or Susan might be able to answer that.

Susan Riggs – Actually, we thought we had this worked out with ACHD. Their staff report really failed to address the streetscape all together. They talked about replacing curb, gutter and sidewalk in some standard conditions, but they really failed to address the bike plan. With that being said, we had city transportation planning staff work with the ACHD engineering department and we thought we had this all worked out until just before this meeting this evening.

That's why we've revised our conditions pertaining to this issue to be a "recommendation". This will allow an opportunity for the applicant to coordinate with ACHD to find a workable solution. Does that answer your question?

Commissioner Stevens – It does, but since you're there I'd like to ask the second question as well? This is unrelated. I think I've asked this on other applications so I may already know my answer but is there a maximum parking for this application?

Susan Riggs – Yes there is. The maximum amount of required parking spaces is 45 spaces. Anytime you go over by 1.5 times the amount of required spaces (per new parking ordinance), the commission must make a recommendation for approval. It's actually a waiver from the standard.

Commissioner McLean – Can we go back to the Bannock bike lane? I'm really not sure what you were saying. If we leave it in as a condition, but ultimately ACHD will decide, do you have doubt they will require a bike lane since we have it on the rest of Bannock.

Susan Riggs – It would be subject to final approval by ACHD. Staff has formed this condition as a recommendation only, with the final decision being left up to ACHD. These are conditions we felt were appropriate and needed to be included in the staff report. Again, ACHD failed to address these issues all together in their staff report. They didn't even discuss bike lanes or streetscape.

Commissioner Cooper – My follow-up on that question is to push a little more on that issue. Susan, those of us who ride bikes know very well that Bannock is the only east/west bike road in town. Is it your opinion that we can depend on getting bike lanes in this part of Bannock?

Susan Riggs – The bike plan does call for bikes along Bannock Street. All I can tell you at this point is ACHD will be the reviewing agency to implement and require the bike lanes. Apparently, our conditions were not in agreement with their staff.

Rudy Kadlub – The applicant is certainly ok with the bike lanes. We just don't want to get on the wrong side of either one of these groups.

Susan Riggs – What I understand from ACHD is they want to do improvements as a corridor and not as they stated "piecemeal" it together. However, that being said, with a development application such as this, it is staffs opinion that this is the time to get agreement for the bike lanes especially on Bannock Street.

Commissioner Cooper – This is an unrelated question. I wanted to confirm, or ask you, will this project be subject to Design Review?

Susan Riggs – Yes, it will go onto Design Review. I think it is scheduled for next Wednesday.

Commissioner McLean – My question is most likely for staff. Will Design Review look at whether or not a fence or a wall is appropriate and things like that?

Susan Riggs - That is correct; they will review the wall, fencing and landscaping. .

Commissioner Cooper – Will they discuss things like width of planting strips?

Susan Riggs – Yes, that will be included.

Commissioner Story – This question is for the applicant. Going back to where you were speaking about the conditions that wouldn't work, was the only one that was actually in a site specific condition of approval from the City, # D? I know you had mentioned a few other things about heights, screen walls and other things were those comments from CCDC?

Rudy Kadlub – Actually, Condition A and B were conditions by the staff. We are okay with Condition B. Staff says a 2-foot tall screen wall and we say 3-foot. We think that is more appropriate. In Condition A, we were just asking for that 5-foot landscape buffer to be 3-foot instead of 5 feet. Other than conflicts between ACHD and staff, the only real condition that is of concern to us is Condition D, for the reasons I explained earlier. It's a non-starter for Henry's despite all of the efforts we made to try to make that work.

Commissioner Russell – Along those lines, it seems that one of the concerns CCDC had is the fact that there is no entry on the south. You had mentioned you designed the store in such a way that it can be retrofitted in the event we get more residential down there and that you are also designing that façade to really look like an entry location. I'm wondering, is there any possibility that entry could be placed on the south now, rather than waiting?

Rudy Kadlub – It's an operational issue. I don't run a grocery store, maybe some of you have, but apparently it's a real operational issue to be able to control shrinkage, to have security and have cash wraps on both sides of the store. If we change and I don't know if that's 10 years, 20 or 30 years from now, but if the west side changes to become a very dense residential area then it's possible. In our Master Plan we are showing a potential residential development on the north side of the site and reduce the amount of parking. If 75 percent of their traffic is foot traffic, as is Whole Foods in the Pearl District in Portland, then it would be different if we could have that kind of density. Today, we don't have that sort of urban environment, but we're planning for that potential in the future. It would have to get to a point where it was so dense that most of the people come on foot. Then you would flip the whole building around so all of the entrances would be on Idaho.

Commissioner Russell – So, in the event this would happen you would basically move the entrances to the south and close the entrances on the north?

Rudy Kadlub – Yes.

Commissioner Russell – I understand the logistics you are talking about, I'm not a grocer but I can see.

Rudy Kadlub – Imagine your mom having to take her groceries from the front of the store and then wheel her cart all the way around the building to get to the parking. How many people would go with that kind of experience for very long?

Commissioner Russell – My point is you're making a presence on Idaho Street. Potentially, there could be a door over there to accommodate pedestrian traffic, which I do believe you will have at the site. I believe 15th and 16th Streets are definitely heavy bike use corridors and there could be a minor entrance on the south. If you're planning for it, it seems like it might be something (interrupted by applicant)

Rudy Kadlub – But a minor entrance creates a major problem for the operator. If we go back to Condition 6, or the plaza, and you really think about people walking up from the Linen District along 15th Street because that is kind of where the major part of the residential would be, south of Idaho. They are going to walk up 15th and see this great plaza and they are going to want to walk into the plaza. Is it any shorter to walk through the plaza to the door on the north? Maybe it's 10 or 15 steps to go to the one on the south? I don't know.

Commissioner Russell – But an entrance on the east would surely address all of that.

Rudy Kadlub – I don't disagree with you. If I could make that work, I would. I've talked until I was blue in the face with Henry's and they just can't make that work.

Commissioner Russell – I understand. We don't have to continue, I was just curious about that.

Commissioner Cooper – I do have a question related to that residential aspect. Susan, it sounds like at this point the suggested second phase of residential buildings on the north side, at this point we really have no control over that possibility.

Susan Riggs –Right now it is conceptual and I don't think it is going to happen in the near future, but hopefully, as the economy turns around it would be a possibility. It would require detailed approval and would have to come back before you. It's just conceptual at this point.

Commissioner Cooper – I think my question is not the approval, but can we count on it happening?

Susan Riggs – I would say no.

Commissioner Ellsworth – As a follow-up to that question, if the site were to develop any further it would have a residential component because of our special exception and because of the zone R-O? They couldn't put another pad out there, let's say, for a drug store?

Susan Riggs – That is true. They can't put another stand alone retail use out there. It would have to go through a special exception just like the special exception for the 1,800 square foot retail building they are proposing now. If they wanted to come back and do residential, we certainly would encourage that and review it at that time.

Commissioner Barker – Because this was quite awhile ago, I'm going to ask a technical question and that is Condition B is recommended, or as approved by Design Review in Conditions E, F and G, are staff recommended with final approval by ACHD, is that correct?

Susan Riggs – That is correct. That's the addition to Item B and the ACHD suggestions, I'm not sure if you said H, but they're E, F, G and H.

Commissioner Barker – A portion of H doesn't include ACHD activities, is that correct? I just want to make sure because the applicant has discussed these conditions. We've gone a little back and forth about who's doing what. I just want to make the changes that have been suggested.

Susan Riggs – Conditions E, F, G and H regarding the street improvements would be a recommendation only and would require final approval from ACHD.

PUBLIC TESTIMONY

Jon Cecil – I'm the Planning Manager with CCDC (Capitol City Development Corp.). CCDC has previously supported redevelopment at this site located at 1511 W. Bannock. Most recently for a mixed use, high density residential project and due to changes in the market conditions the residential project did not materialize. Now the City is being asked to approve a new development comprising of a stand-alone grocery store with a small retail building. The applicant has requested variances from the front and street side setbacks for the parking lot and buildings, as well as the request to exceed the maximum number of allowable parking spaces. We are pleased that this particular retailer has selected Boise to expand its market presence and we are also pleased this retailer is trying to develop a store in the west side of downtown, which if sited properly could bring new vitality to the West Side District. We recognize it is a difficult time to make this type of development work given the current economic climate. That being said CCDC does not support the conditional use or variance applications based on the project as it is designed today. The updated plan elevation gives us some comfort about the appearance of the buildings exterior; however, the project does not meet the intent of the West Side Master Plan. We've provided detailed written comments to explain our position so I won't repeat them now due to the interest of time. However, I would like to focus on two specific concerns. First the site is in an area envisioned in the West Side Master Plan as a housing emphasis area. The applicant indicates housing could be built sometime in the future but we doubt residential development will happen on this site, as a second phase, given this physical relationship with the proposed grocery store and surface parking lot.

For all intense purposes the project is a suburban style low density retail development on a full downtown city block on the west edge of downtown, in an area that shows promise as a growing residential neighborhood. The density of the proposed development is insufficient given that the parcel is 78,000 square feet and the two retail buildings together cover less than half of the site. The interior surface parking lot also consumes half of the property and it faces onto the residential use it borders, West Bannock Street. I have a few quick comments about that at the end.

Secondly, we have concerns with the site layout. The rear of the building faces Idaho Street while the front faces a surface parking lot fronting on Bannock, so their backs are turned away from downtown and the commercial center of the West Side District. In our view this will negatively impact on the residential light office uses to the north of the site. In particular, we note that delivery trucks will have their lights on and their reverse beep sound as they navigate into the truck loading dock that parallels 16th Street. Truck deliveries will occur at least six days of the week.

Just a quick final summary, the way the buildings and the parking lot are sited, they've placed the most intense activity on the north half of the block while doing little to generate activity on the Idaho Street side. The design will make the development of housing on adjacent blocks more difficult than it is now. Given these concerns we do not support the conditional use or variance applications based on the project as it is designed today. I would like to quickly respond to a couple of points the applicant and staff made earlier. I would point out that in terms of our comments we followed up on October 12th, we did indicate that class 2 or class 3 trees would be suitable for Bannock and 16th. We are also in support of staff's conditional of approval in terms of the entryway on the northeast corner. In regards to conditions of approval 2B, we would also recommend the screen wall, or the fencing component, be a minimum of 3 feet in height.

Commissioner Cooper – Jon, on a discussion we had earlier about the population of this area, could you, off the top of your head, just give us a number of what the West Side Planning contemplates for residents in this area?

Jon Cecil – Off of the top of my head, I don't. Maybe Mike, who is more familiar with the West Side plan might.

Mike Hall – We have not forecast a population count for a future residential population for the neighborhood. The plan encourages housing area that consists of up to 5-story, mid-rise residential buildings. That gives you an idea of the kind of density. We don't have a population forecast.

Scott Tagg – I am also the President of the West Downtown Neighborhood Association which is the abutting neighborhood association to this application. We have submitted a letter to staff that we are in support of this project as the abutting neighborhood association. Our neighborhood association is very unique because we are on that transition between the downtown core and more residential areas.

We are unique in that we do have a mix of single-family homes, rental properties and commercial use. Since becoming a neighborhood association 9½ years ago, we've worked very hard to maintain that balance and that unique mix. We have also been fortunate to receive three neighborhood reinvestment grants from the City. We look forward to applying and competing for more as we work hard to improve our neighborhood so it doesn't become rundown and so we help improve the values and our quality of life for those in our neighborhood association.

We realize there are some at the City and CCDC that may not fully support the project. We look at the back of the store on Idaho Street as more welcoming and opening to us in the neighborhood, because this again is going to be our neighborhood market. We feel it is going to be an enhancement and help make our part of the West Downtown a more viable livable area and we hope in the long term it will provide that spark so we can hopefully get a little bit more development on the west side. Again, in reviewing the applicant's plan, particularly this plaza with a separate retail, we are very enthusiastic about seeing this project go forward.

Brian Rencher – I've lived in my house for 35 years which is two blocks west of the planned grocery store. I would like to speak in favor of the grocery store. That property has been empty for 25 years. It's time that property was developed. I know there are some discussion on the layout and which direction the store should sit, but I feel having it backing onto Idaho is the proper place. It is a good neighborhood. I've lived there for a long time and plan to live there for a lot longer. I would like to see the neighborhood improved and I feel that grocery store will improve the neighborhood. I'm in favor of it and hopefully you'll approve their plan.

REBUTTAL

Rudy Kadlub – We have looked at the other configurations. We've looked at four or five different ways to site the building. City staff was very interested in retaining the new urban feeling of bringing in architecture right to the edge. If we put the architecture at the edge on Bannock and turned our back to Idaho Street, we are actually fronting on the existing neighborhoods to the north and the west. If we put our back on Bannock Street a couple of things happen. We lose the opportunity for the smaller retail building which is necessary to create that plaza. This is because when it's on Bannock, we have to move the building all the way to the east, we lose because of where the trucks have to exit. So what happens is you end up with a more suburban situation with a sea of parking fronting onto Idaho Street. It's so much different than the plaza you saw. We've looked at all of the options and this one appears to be the most appropriate.

PUBLIC HEARING CLOSED

COMMISSIONER STORY MOVED TO APPROVE CUP10-00059 AND CVA10-00032, FOLLOWING MODIFICATIONS TO THE CONDITIONS OF APPROVAL. I WOULD LIKE TO SCRATCH CONDITION D WHICH IS PROVIDING A CORNER ENTRANCE TO THIS GROCERY STORE. I CAN HEAR AND COMMENSERATE WITH THE APPLICANT ON THAT. MODIFY CONDITION 3 TO READ "PROVIDE A MIMINUM OF 2-FOOT TALL SCREEN WALL AND FENCING TO THE RESTURANT, OR AS APPROVED BY DESIGN REVIEW".

COMMISSIONER BARKER SECONDED IF THE MAKER WOULD CONSIDER MAKING A SLIGHT ADDITION TO CODITIONS E, F, G AND H AND MAKE THOSE STAFF RECOMMENDATIONS SUBJECT TO FINAL APPROVAL BY ACHD.

Commissioner Story – The maker approves.

Commissioner Cooper – I will support the motion, although, I think we should recognize that we've heard a lot about how grocers are not able to alter their plans for our downtown and I have some heartburn about this corner entry. I do understand the objection by the applicant but I just can't buy the argument that having that would harm the plaza. I think that's not true. However, I do think that having the plaza on that side is positive. That is the 15th Street corridor where CCDC envisions the heart of that residential area. It's a procession of spaces and I think that is a feature of the project and is a good one.

Commissioner Stevens – I hesitant to weigh in because I'm pretty torn on this application. Obviously, I have another application fresh in my mind that has a lot of similarities. I'm trying in my own mind and I'm hoping that maybe my fellow commissioners can help me sort it out. We're facing a similar situation on a somewhat similar parcel. There are some significant differences, but we're dealing with similar objections from CCDC that I think are really significant suggestions. I think, for me, there's a lot of heartburn associated with providing an applicant with more than double the maximum parking spots. We just passed an ordinance which stipulates there be a maximum number of allotted parking spaces; yet here we have an application for more than twice the required amount. This could have significant implications associated with it. Number one in my own mind is the storm water runoff and the pollution that it creates, not to mention all of the things associated with the suburban strip mall type of development in downtown. I realize it's on the west side, but it's still a part of the Linen District that is very much associated with walking right up on the street side with entrances. I'm not sure where I sit on this. It's a similar situation in that we want to see something developed on this vacant lot that has been sitting for how ever long it's been sitting there. I'm just not sure how I'm going to vote on this.

Commissioner Russell – I hear what you're saying and I've had some of the same struggles as I've been sitting here listening to this. I agree with Commissioner Cooper's comment that this northeastern entry could be worked into the design and I'm a little discouraged they don't want to budge on that because I do think some sort of eastern entry in this plaza would be ideal. After a little bit more discussion I was more comfortable with not providing the entry on the south, but I do believe the entry on the east would be a great addition.

The thing I find to be different with this application when you compare it to some that are fresh in our mind, is that I do believe this design interacts with the streets a little bit more than some of the others we've seen. I think the corner plaza is in a key location on the downtown side of the building. I do believe there's going to be a lot of bicycle travel north on 15th and south on 16th and I think it's going to be pretty easy to access this site via bicycle as well as pedestrians coming from the east part of downtown. I'd definitely be interested to see what happens with this small building and how that all will work into this plaza. I guess it's going to have dependence on what that becomes. It's hard to say at this point, but I do believe this is an area of town where this facility could work. I do believe they have tied it into the Idaho, 16th and 15th streets fairly well. I think it could be done better with the entry on the east as I've mentioned, but the plaza really helps. Since we are talking about past applications we know that this decision is probably going to be scrutinized, or compared to that one.

I do believe whole heartedly that some of the pedestrian accesses to that last application were very defiant and it didn't work well in drawing people in from other critical population areas in critical pedestrian use zones, parks and what not. In this case, I believe they've accomplished it. I understand your concern about the parking. Yes, it is double to what we allow but I think it's also important to understand this will be a popular facility and that you could be creating a potentially a bigger nightmare by not having that parking. So long as it's landscape and screened accordingly, I think it can work. I do believe that the facility being on the south side of the site is better than the north, just because I think having the larger building closer to some of the commercial uses to the south is a better idea. I think we should definitely push real hard as a city to get the bike lanes on Bannock. I think that is a critical piece and I hope ACHD will work with us in that regard. I'm pleased with the architecture. I'm pleased with the overall theme of this store. I think it can be successful and I think with Design Review taking a hard look at the streetscape and really making sure these streetscapes tie into the overall vision of downtown to make sure it is inviting pedestrian type zones, that it can be successful. Even though every little part and piece isn't exactly what the City may want, I think that by following the design they provided us tonight and getting a little bit more scrutiny through Design Review, that it can work.

Commissioner McLean – Aside of that, I've been struggling with this throughout. I will support the motion. Looking at the google map from above the plaza makes sense where it is. When you think about people walking from the Water Cooler or from the Modern to the grocery, it makes sense that it is right there. I think it's more likely we see a 5-story residential development in 15 years fronted up against the back of a building which would be pleasant for the existing homes on Bannock Street. I used to bike this corridor every day to get from 18th Street to the Banner Bank Building. I'm really concerned bike lanes might be questionable. I think it's important the City makes it clear; we need to extend that corridor. This is the way bikers travel whether it be getting to the greenbelt or getting your kids to school. Also, I think it is really important that we've got neighbors here in support. How often do we have residents coming in asking for a mixed use development like this? I think the fact that neighborhood association and some other residents see this as the magnet is important.

I'm not sure what I think about this wall notion in the way it would separate the lot from Bannock, which is why I was asking about the wall earlier and I would like to see an entrance against the patio. However, I'm convinced that if that extra building were to fill, it would make it so that the patio is actually used. In looking at the kind of the pedestrian corridors where I can imagine people coming from I think people would sneak through and end up at the front of the store. Those were the points I really wanted to make.

Commissioner Cooper – I wanted to make one comment about scale. I think this store is about a third the size of the (inaudible) we are talking about and it is probably an easier problem to solve on this site than the other site. I think because of that things seem to work a little better and I think the scale of the design is a much more appropriate scale for this building size and the neighborhood. I agree with you that it's probably better on the south side of the site which is where the larger commercial development (inaudible)

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ROLL CALL VOTE

COMMISSIONER STORY	AYE
COMMISSIONER BARKER	AYE
COMMISSIONER MEYER	AYE
COMMISSIONER STEVENS	AYE
COMMISSIONER ELLSWORTH	AYE
COMMISSIONER COOPER	AYE
COMMISSIONER MCLEAN	AYE
COMMISSIONER RUSSELL	AYE

ALL IN FAVOR NONE OPPOSED, MOTION CARRIES.