

A Meeting of the Meridian City Council was called to order at 6:01 p.m., Tuesday, July 19, 2022, by Mayor Robert Simison.

Members Present: Robert Simison, Luke Cavener, Treg Bernt, Jessica Perreault and Brad Hoaglun.

Members Absent: Joe Borton and Liz Strader.

Also present: Chris Johnson, Bill Nary, Alan Tiefenbach, Joe Dodson, Berle Stokes, Joe Bongiorno and Dean Willis.

**ROLL-CALL ATTENDANCE**

<u>      </u> Liz Strader	<u>      </u> Joe Borton
<u>  X  </u> Brad Hoaglun	<u>  X  </u> Treg Bernt
<u>  X  </u> Jessica Perreault	<u>  X  </u> Luke Cavener
<u>  X  </u> Mayor Robert E. Simison	

Simison: Council, we will call the meeting to order. For the record it is July 19th, 2022, at 6:01 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

**PLEDGE OF ALLEGIANCE**

Simison: Next item is the Pledge of Allegiance. If you would all, please, rise and join us in the pledge.

(Pledge of Allegiance recited.)

**COMMUNITY INVOCATION**

Simison: Our next item is the community invocation, which tonight will be delivered by Pastor Troy Drake. If you all would, please, join us in the invocation or take this as a moment of silence and reflection.

Drake: Thank you, Mr. Mayor, Council Members. Lord God, we just want to -- at least I want to, on behalf of those here, express our gratitude towards you that we have life and we live in this beautiful place and we just thank you for what we have the freedom to do it and, you know, we are just gathered here to get some city business done and so I just pray that you would be over the proceedings, God, and -- and, you know, just outside of this building I pray for our city that there would be peace, pray against those who would seek to do evil and harm against the citizens and that, you know, we could just all get along peacefully here. So, we -- we ask that you would give special protection to our first responders, the police officers and the firefighters and those who, you know, protect those

things and that you bless them and, Lord, just pray for the things that happen here tonight, that you would help our elected representatives here to make good decisions, that I know you care about all the details of life and -- and so I just ask that you would give them a lot of wisdom and we appreciate them for what they do and the sacrifices they make on our behalf. So, anyway, God, we just appreciate you and pray that there will be lots of grace here, in Jesus' name, amen.

## **ADOPTION OF AGENDA**

Simison: Thank you. Council, adoption of the agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: For the agenda we had listed Item No. 10, an Executive Session. We completed our work during the Executive Session portion of the work session, so we can omit Item 10 from the agenda. So, Mr. Mayor, I move adoption of the agenda as amended.

Bernt: Second.

Simison: I have a motion and a second to adopt the agenda as amended. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the agenda is adopted as amended.

**MOTION CARRIED: FOUR AYES. TWO ABSENT.**

## **PUBLIC FORUM – Future Meeting Topics**

Simison: Mr. Clerk, running around, did we have anyone signed up under public forum?

Johnson: Mr. Mayor, we did not.

## **DEPARTMENT / COMMISSION REPORTS [Action Item]**

### **1. Finance Department: Approval of the Fiscal Year 2022 Amended Revenues and Expenditures in the Amount of \$194,907,732.00**

Simison: Okay. Then, with that we will move into the Department/Commission Reports. First item up is Finance Department, approval of the fiscal year 2022 admitted revenues and expenditures in the amount of 194,907,732 dollars.

Johnson: Mr. Mayor, this is just seeking Council's approval to publish that number for the public hearing.

Hoaglun: So, Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move the approval of the fiscal year 2022 amended revenues and expenditures in the amount of 194,907,730 dollars for publication.

Cavener: Second.

Simison: I have a motion and a second to approve Item 1. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? And ayes have it and the item is agreed to and will be published as such.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**2. Finance Department: Tentative Approval of Fiscal Year 2023 Proposed Revenues and Expenditures in the Amount of \$219,724,309.00**

Simison: The second item is Finance Department tentative approval of fiscal year 2023 proposed revenues and expenditures in the amount of 219,724,309 dollars for publishing for the budget.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move the tentative approval of fiscal year 2023 proposed revenues and expenditures in the amount of 219 million dollars 720 -- let me start that again -- 219 -- 219,724,309 dollars and approve that for notice of public hearing.

Cavener: Second.

Simison: I have a motion and a second to approve Item No. 2. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the item is agreed to for publication.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**ACTION ITEMS**

**3. Public Hearing for Proposed New and Amended Fees of the Parks and Recreation Department Fall 2022 Activities and Classes**

Simison: So, now we will move into Action Items of the -- for the evening. First item up is Item 3, a public hearing for proposed new and amended fees of the Parks and

Recreation Department Fall 2022 activities and classes. We will open this public hearing with comments from Jenna.

Fletcher: How's it going? In front of you you will see fall 2022 activity fees. We do have one new class coming in, but other than that everything has stayed the same. Any questions?

Simison: Council, any questions or --

Bernt: That was the best presentation I have ever seen from the Parks and Recreation Department. Did you take a note? Okay.

Simison: Okay. Thank you. This is a public hearing. Mr. Clerk, do we have anyone that signed up to provide testimony on this item?

Johnson: Mr. Mayor, I did not get to the back to check, but nobody's online and I would see if anyone's here. Sorry.

Simison: This is a public hearing. If anyone would like to provide comments on the proposed fees for the fall 2022 activities -- if you would like to come forward now and make any comments or if you are online use the raise your hand feature and we will bring you into the conversation.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Wondering if we shouldn't post the fees maybe on the screen?

Simison: Yeah. I don't think they will fit, but we -- we can do that if we like and I know it's in the agenda packet. And -- and seeing no one who is coming forward yet -- what's the rock climbing fee? Do we have one of that this -- this upcoming -- all right. With that we will close the public hearing on this item.

**4. Resolution 22-2337: A Resolution Adopting New Fees of the Meridian Parks and Recreation Department; Authorizing the Meridian Parks and Recreation Department to Collect Such Fees; and Providing an Effective Date**

Simison: Which moves on to Item No. 4, Resolution 22-2337.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Thank you, Jenna. Appreciate the work you do for our community and in the expeditiousness of the presentation tonight. Thank you. The public appreciates that as well. Mr. Mayor, I move approval of Resolution 22-2337, resolution adopting new fees for the Meridian Parks and Recreation Department. Authorizing the Meridian Parks and Recreation Department to collect such fees and providing an effective date.

Bernt: Second.

Simison: I have a motion and a second to approve Item 4. Is there discussion? If not, all those in favor signify by saying aye. Opposed nay? The ayes have it and the resolution is agreed to. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**5. Public Hearing for Fairbourne Subdivision No. 3 (Lots 11 and 12, Block 3) (H-2022-0041) by Sam Johnson, Located between Lots 11 and 12, Block 3 of the Fairbourne Subdivision No. 3, North of W. Chinden Blvd. and West of N. Black Cat Rd.**

- A. Request: Vacation of a Public Utilities Easement between Lots 11 and 12, Block 3.

Simison: Item 5 is a public hearing for Fairbourne Subdivision No. 3, Lots 11 and 12, Block 3, H-2022-0041, and we will open this public hearing with staff comments from Alan.

Tiefenbach: Good evening, Mr. Mayor, Members of the Council. Alan Tiefenbach, planner with the City of Meridian. Okay. So, this is a vacation of a utility easement. The site is two lots, zoned R-8, located northwest of the North Black Cat-West Chinden Boulevard intersection. Council approved the Fairbourne Subdivision for 176 single family lots and one commercial lot in 2018. It's built out in three phases with this most recent being approved recently for 65 lots. A potential buyer intends to construct a single family home across the lot line between two lots. That's what you can see there in the red. That's between Lot 11 and Lot 12. However, there is a note on the plat that requires a five foot drainage utility construction and maintenance easement on either side of this line. So, a property boundary adjustment would be required as part of this, but in order to have this easement -- utility easement vacated this would have to take Council action. We do recommend approval. The applicant has submitted letters of no opposition from any of the interested parties. With that I would stand for any questions.

Simison: Thank you, Alan. Council, any questions?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Alan, the approval would require, though, that they complete a property boundary adjustment before getting approval?

Tiefenbach: That is correct, sir. That's a condition of approval.

Hoaglun: Thank you.

Simison: Any other questions for staff? Okay. Is the applicant with us this evening? Alan, is that a no to your knowledge?

Tiefenbach: They might be online, but I don't know if they are present.

Johnson: Mr. Mayor, yes, they are online. I am promoting them in now.

Simison: Mr. Money, if you can unmute yourself.

Money: Okay. Can you hear me?

Simison: We -- we can. Just need you to speak up or -- or we can turn up the volume.

Money: Great. Mayor Simison, Members of the Council, my name is Jim Money. I'm with Civil Survey Consultants. I'm an engineer representing the owner of the project Sam Johnson, who is looking to sell the lot to -- to a prospective buyer as was described by Alan. I don't have anything to add to Alan's report, but I stand for any questions you might have.

Simison: Thank you. Council, any questions for the applicant? Mr. Money, seeing no questions, we will see if there is anything from the public. So, Mr. Clerk, anyone signed up on this item?

Johnson: Mr. Mayor, no one's signed up.

Simison: Okay. Is there anybody that would like to provide testimony on this item at this time? Seeing nobody and the one person online I know is from our staff, so they are not looking to do it. Would the applicant like to make any final comments, Mr. Money?

Money: No. Thank you.

Simison: Okay. Then with that, Council, do I have a motion?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move we close the public hearing for Fairbourne Subdivision No. 3.

Cavener: Second.

Simison: I have a motion and a second to close the public hearing. Is there any discussion? If not, all those in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: After hearing from the staff and applicant, I move to approve file number H-2022-0041 as presented in the staff report for the hearing date of July 19th, 2022, and that the -- also include the condition that the applicant complete a property boundary adjustment prior to issuance of the building permit.

Cavener: Second.

Simison: I have a motion and a second. Is there discussion on the motion? If not, Clerk will call the roll.

Roll call: Borton, absent; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglun, yea; Strader, absent.

Simison: All ayes. Motion carries and the item is agreed to.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**6. Public Hearing Continued from January 4, 2022 for Centerville Subdivision (H-2021-0046) by Engineering Solutions, LLP, Located at 4111 E. Amity Rd. (including the outparcel to the south) and 5200 S. Hillsdale Ave., at the Southeast Corner of S. Hillsdale Ave. and E. Amity Rd.**

- A. Request: Annexation and Zoning of 40.49 acres of land from RUT to the R-8 (13.38 acres), R-15 (24.17 acres), and C-C (2.95 acres) zoning districts.
- B. Request: A Preliminary Plat consisting of 249 total lots (124 single-family residential lots, 79 townhome lots, 4 multifamily lots, 4 commercial lots, 34 common lots, and 4 other lots) on 38.95 acres of land

Simison: Next item up is Item 6, which is a public hearing continued from January 4th, 2022, for Centerville Subdivision, H-2021-0046. We will continue this public hearing with staff comments.

Dodson: Thank you, Mr. Mayor, Council. Since it's been six months plus since we have seen this I will just briefly go over what is before you tonight. It is for Centerville Subdivision. It's at the southeast corner of Amity and Hillsdale directly east of the South Meridian YMCA and Hillsdale Elementary School. It is a request for annexation and zoning of approximately 40 and a half acres, which is three existing parcels, from RUT to the R-8 zoning district, R-15 and C-C zoning district. The concept plan includes 219 single family units and 16 multi-family units. Includes a preliminary plat request for 249 total lots, 124 single family lots, 79 townhomes, four multi-family lots and four commercial lots, with 34 common lots on 30 -- approximately 39 acres. There has been no CUP submitted for the multi-family, which would be for the four four-plex units. That would be required in the future. Between -- this was actually continued twice now. It was November of last year -- to November. In that change there was some changes that did occur, as you can see here. So, the applicant removed all of the traditional multi-family apartments along Hillsdale and replaced them with a majority of townhome units and more commercial buildings proposed to be flex space, as well as added flex -- or, sorry, four-plexes along Amity. They did reduce their total units of more than one hundred. They also added the three commercial lots to help with more commercial in the mixed-use neighborhood future land use. They overall reduced the density from 8.4 down to six units per acre and they moved the proposed pool amenity to the large central open space per the Commission's recommendation at the time. In January the majority of the discussion was around transportation and school capacities and schools. My understanding was there was not a specific motion to close the public hearing or limit the discussion. However, the main points of discussion remaining were regarding the schools. Staff -- or I should say Council wanted to have some -- I guess seminars -- I can't think of the word right now, but meetings with the school district to discuss the data, as well as proposed future improvements and plans for future school construction. My understanding is that those have occurred. So, at this time there is no outstanding issues from staff and I will stand for any questions.

Simison: Thank you, Joe. Council, any questions for your staff at this time? Okay. Would the applicant like to come forward?

McKay: Thank you, Mr. Mayor, Members of the Council. Becky McKay. Engineering Solutions. 1029 North Rosario in Meridian. I struggled all day trying to think about what I was going to say to the Council. We submitted this project on July 11th of last year. My first letter from West Ada School District was the 28th or 29th of July of last year and I got a new letter today. Sometimes good things take time and I think this is a particular project that that is the case. The Council asked us to be patient. They asked us to pause and allow them to have the workshops with the West Ada School District. I did watch those workshops online. I think Jonathan and Marci and Dr. Bub and the board are, obviously, taking significant strides to come up with a ten year plan to figure out how we are going to build these schools, how we are going to adjust boundaries. The one thing that always



puzzled me is there was discussion about bussing the children when this particular project is kitty corner to the elementary and when I looked at the -- when I watched the workshop they submitted a site plan for the middle school, which is also kitty corner to this project and when we are designing projects, obviously, we want schools within walking and biking distance. We want that -- those public facilities to be within the grasp and within an economic distance. We have sewer. We have water. And Councilman Cavener said what about the streets. We already have an intersection at Hillsdale and Amity that operates at a level of service F without me and that's because the original developer of Hill Century Farms was supposed to install a signal and somehow it was eliminated. They were supposed to install a signal at Eagle Road across from Sky Mesa and that was also eliminated, because they were -- the ACHD said, well, not that many people make left-hand turns out of the project of Hill Century Farms, so the burden, obviously, falls upon my project and the Mayor has mentioned many times if you have a project before Meridian and we have some issues with transportation, then, you need to figure out a way to mitigate it. Well, our way to mitigate it is we got to install a signal and that has to be done with the first phase and that's part of my ACHD requirement and part of your conditions of approval and we have never skirted that. There was concerns about safety. Safe route to schools. We volunteered that we will do the rapid flashing light. They will also have a crossing guard at the same time to help those kids get across the -- the -- the collector roadway to get over to the Hillsdale Elementary School. I -- I look at a map and -- and it's developed everywhere. Everywhere. Even east of Boise. You look at this map and, gosh, I'm -- I'm in purple. I'm in purple and all the way east to Boise it's subdivisions. All the way west in Meridian it's subdivisions. To the north is Shelburne. It's all developed. This area is completely developed. This is a priority area. This Council, this Mayor, their planning staff have determined they are going to build a new fire station in this area. That this area is a priority. All the utilities, the schools are there to support this development. We have -- we have really tried -- I don't think I have ever tried harder on a project than on this 38 acres. I -- I can honestly say that. Even Bridge Tower was not -- I didn't spend as much time designing Bridge Tower as I did this 38 acres and I think what we have now is an excellent mixed-use project. Councilman Perreault, I read -- I read your -- your article in the boisedevelopment.com and -- and, you know, the -- the subject matter was affordable housing. What are we going to do in Meridian to, obviously, create housing for our workforce, housing for Idahoans, and not somebody that comes in from out of state with a 700,000 dollar cash check and, Councilman Perreault, I mean your words rang true. You spoke of the benefit of encouraging some higher density developments, such as -- and you mentioned Centerville and bringing in a mix of single family townhomes, multi-family, a variety of housing types and that it's encouraged in your Comprehensive Plan and I think now facing the financial situation that we are, looking at the interest rates, that home ownership may be getting further away from people and we need to make sure that we do what we can to have diversity in our projects and we -- when we are on a major transit corridor, like Eagle Road, that's where we want to see some of this density and -- and a lot of people called it higher density -- 6.01 dwelling units per acre, that's -- that's medium density in today's world. You have got Eagle View Landing taking off. There are -- there are going to be hotels. There is going to be TopGolf. We have the St. Luke's facilities and everything happening around that Eagle Road interchange. I remember a day where the interchange was there and there was nothing. There was nothing, because

there was no sewer, there was no water, there was just a two lane rural road. But, you know, this area is blossoming and for it to be a priority area I think is -- is appropriate. As Joe indicated, we reduced this project by 108 units. We took 30 -- 33 percent of the density out. We are -- we are matching all of our exterior lot lines with our neighbors. Our density around our perimeter within our R-8 is like 3.45. We have got I think one of the best mixed-use projects that -- that we can provide. We have our neighborhood commercial component. Mr. Mayor, you -- you questioned well, you know, how is that going to work where they have townhouses. We have significant landscape buffering. You know, we are -- we are trying to integrate this project and blend it and that's the whole idea between -- behind mixed-use that we blend these projects, so that they -- these uses coexist and they create a better community that they fill a need that's there and when I look at Hill Century Farm and Sky Mesa I see seven hundred, eight hundred, million dollar houses. I don't see affordability. And so that's why in your land -- own land use map in your comp plan you talk about diversity and you talk about let's -- let's create housing for all residents. Amity Road is going to be expanded. ACHD is moving it up on its priority list. The dual roundabout at Eagle and -- and Amity is completed. I mean a lot of things have happened since I submitted this application for the good and I think these -- these strides forward are a positive step and I think this project is a positive step and we are committed to building something that the city can be proud of. Mr. Barton has been coming up, he's been having his designers work on new townhome product, new single family product. We have pool facilities, pickleball courts, multiple play equipments, linear open space pathways. I mean I -- I love what we are doing here. I really really do. And I ask the Council tonight to think about the struggles we have gone through. The patience that we have had and I think we have checked all the boxes and one of the neighbors came up to me tonight and -- and he had some kind words and he said you guys have went through a lot and I empathize with you and he said I just want it to get approved and be over and I'm kind of the same way. I mean I -- I don't know what the Council -- what more they want from me, because I have done everything I possibly can and my client has -- has bent over backwards to make sure that -- that this is a quality project and something that we can be proud of. That you can be proud of. I can be proud of. If I put my name on it it better look good and Mr. Barton has the same commitment here. He wants to be part of this community and I ask the Council and the Mayor to consider all the facts and the strides that have been made by the school district and the board and their staff and let us go in there and make this neighborhood safer, make the -- improve this transportation system and do our part to mitigate our impact. Do you have any questions?

Simison: Thank you, Becky. Council, questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Becky, would you remind us where you were proposing the flashing crossing? Was that all the way in the southwest corner of the project or -- okay. Right across the middle --

McKay: Mr. Mayor, Council Woman Perreault, the -- the -- I allowed Ada County Highway District and West Ada to pick the location. There were discussions about putting it clear at the southwest corner. ACHD and the school district said they wanted it right there at our collector roadway. They thought that would be a significant distance from the existing rapid flashing and crossing guard and so they picked that location.

Perreault: Mr. Mayor, a follow up.

Simison: Council Woman Perreault.

Perreault: And the existing is to the southwest farther -- farther south on that road; is that correct? Closer to the school entrance?

McKay: That is correct.

Perreault: So, a lot of the conversation we have had in the last two hearings has been about safety -- student safety. That's really something that's been a big part of this. That's kind of unique to this specific location and we had conversations about students being able to -- being able to safely walk and there is a -- a property that sits on the -- the west side of this street to the southwest of the project that does not allow -- or does not have a sidewalk. Have you had anymore conversation or progress on that?

McKay: Mr. Mayor, Council Woman Perreault, I believe Mr. Nary reached out to Mrs. Hill, who still resides in the property. She's very elderly. And it's my understanding from what I was told by Ada County Highway District and I believe Mr. Nary's comment at the last hearing that she has a life estate for that property and she has a septic system and a well that she wanted to keep that would conflict with any improvements of sidewalk and until -- as long as she lives there that property will remain the same. Now, how that -- how that got approved, why that collector wasn't adjusted to accommodate that, I can't answer that question. I didn't -- I didn't design Hill Century Farm. I would have done it different. I'm surprised that the city allowed it when they are so sensitive to safe route to schools and ACHD, if we have an out parcel, even if it was split off within a year we are required to install sidewalk across their frontage to make sure that we have continuous sidewalk. So, I'm not sure how that happened. Maybe it had to do with -- with stipulations on the donation that was done by -- by Mrs. Hill. I can't answer that question. But I can't -- I can't solve what's already been done. What I can do is try to make it safer and how is it going to be -- I mean what -- what I can -- what I can do is limited.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Becky, just -- I was just kind of curious for the townhome areas it talked about now that you have private streets and they have been approved, but is that all those interior streets are private that are where the townhomes are now located. Following that cursor down there and, then, up --

McKay: Mr. Mayor and Councilman Hoaglun, we did -- we did do -- we have private alleys and some private streets and that was encouraged by Ada County Highway District that they would prefer that those be private streets. We did submit a supplemental private street application to your staff, which was approved administratively. We -- we still have guest parking. We still have two car garages for each townhome, plus a 20 by 20 pad. We also have notches out in the private road area, so we can have parallel parking. So, I have parallel parking along here and -- and it's notched out, so it's very visible. We also have parking down south for guest parking on the townhomes and if you notice all the townhomes are on common areas. They are long common areas here along Hillsdale Avenue. Linear open space here with a playground. Linear open space here. And, then, we also have detached walks with common areas all along these -- these townhomes. This is a public street here. So, the only private streets would be this, this one, the private alley and, then, this alley. And the reason for that is ACHD will not allow a public alley unless you have a public street in front of it and so that's what kind of nudged us into the private roads. It gave us more flexibility in our design and allowed me to add more open space, because we are over 15 percent qualified open space and at the time we submitted the requirement was ten and I did not even calculate in my detached eight foot buffers as my open space. So, that's over and above the 15.4 percent.

Hoaglun: Thank you.

McKay: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Becky, I think in January you submitted your phasing plan.

McKay: Yes, sir.

Cavener: Any intention to -- if this were approved to change your phasing plan based on calendaring and, if so, maybe walk Council through that.

McKay: Mr. Mayor, Councilman Cavener, we have to build our -- our collector roadway coming off of the Hillsdale collector. I have to also install my secondary access, which is my -- my entrance road right off of Amity. I have to install turn lanes, decel lanes, that matches up with Shelburne. We kind of looked at this from a logical perspective. I think we put the -- the neighborhood commercial component in the third phase and, then, we have the fourth phase down in that southwest corner and the second phase made sense, because, then, we are making those interconnections to those other stub streets and if you recall we -- we changed our street network, so they are circuitous so we are not pushing traffic into the Rockhampton neighborhood or into the Hillsdale Creek neighborhood to the south, that we are -- it's -- it's kind of a circuitous connection and, then, we have our pedestrian connection.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Thank you. Just in terms of timing on that, are you planning to adjust your timetable that you have presented? I think I -- maybe I'm mistaken. I thought you sent a letter in early January and I -- I guess I thought it had timing on it. I guess maybe, then, walk Council through what is the proposed amount of time between each phase.

McKay: Mr. Mayor, Councilman Cavener, I did submit a letter that -- that -- that basically laid out the phasing, which units would come online and the number of students generated by each phase. Obviously, that's been pushed out for a year, because it started with a 2022 design and infrastructure install. So, based on where we are now and how long the agencies are taking to review, we won't even start infrastructure until 2023. So, we won't have any -- we won't have any homes going vertical until probably spring of 2024 and based on the market conditions if the clients kind of pull back those phases may get a little smaller, as we saw in -- when we went through the great recession. We had hundred lot phases and fifty lot phases and, then, all of a sudden the phases went down to about twenty lots and, then, the phases just kind of stopped. So, you know, we -- we don't know what the future holds. Obviously I wanted to give you the worst case scenario and that is what I provided you as far as that they would build approximately a phase every year.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Becky, then, still if -- if this were to be approved your timetable is to have the whole thing constructed by 2027?

McKay: That would be the plan. In a perfect world with a continuing housing market and not ten percent interest rates.

Cavener: Thank you.

McKay: I know it's scary, isn't it? It's very scary. Yes.

Simison: Council, any additional questions for the applicant?

McKay: Yeah. I -- I -- I read an article that said that when the interest rates were at three percent the same individual -- you know, family that could afford -- or qualify for a 400,000 house now with the interest rates being where they are can only qualify for 275 and I -- I think Councilman Perreault can -- can confirm that. So, we -- we do have a situation on our hands and -- and we need to adjust and the only way we can adjust is, obviously, creating some diversity in these projects. Otherwise, they struggle. The single product projects will struggle in a harsh economic environment. But if we have diversity that allows us to have pricing ability.

Simison: Council, any additional questions for the applicant? Ok. Okay. Thank you, Becky.

Bernt: Mr. Mayor, my only question for Joe -- Joe, just to confirm -- and it's been, you know, since January since we heard this application, but to confirm the -- the -- the multi-family that's on the north side, the four buildings of -- of multi-family, is that necessary to accomplish the -- the zoning that's for this area?

Dodson: Councilman Bernt, my understanding is that it is just to add diversity to the housing. They didn't have to do that. They don't need it for the zoning, no. It's just another option.

Bernt: Thank you.

Simison: Thank you, Councilman Bernt. Mr. Clerk, I assume we have a few people signed up for this item.

Johnson: Mr. Mayor, we do. First is James Phillips. And, Mr. Phillips, Joe is bringing up your presentation.

Simison: And just state your name and address for the record, please. And are you representing an HOA?

Phillips: Yes. I will be representing Hillsdale Creek Subdivision. Name is James Phillips. 4140 East Rockhampton Street. Today I feel a lot of weight on my shoulders as I represent a number of voices that I have talked to over the past months from the public about real concerns, specifically in the southeast Meridian area where this is proposed. The analogy I like to use is that of a -- of a passenger plane. You can develop and make the -- the most perfect, accommodating, affordable passenger plane there is, going to allow people to go from point A to point B, but unless that is -- unless it goes to a landing strip that can accommodate that passenger -- passenger plane it will not work. There is real concern still -- macro concerns -- and I appreciate the diligence that the City Council has made in double clicking on some of these concerns -- of having that meeting -- joint meeting with West Ada and it helps us come to terms as to the data as to what we are looking at. What is that landing strip looking like for a project like this? So, I will talk to that a little bit. The first one I want to bring up is the school. This -- I took screenshots and this is in the -- the Web links on -- in the City of Meridian's folder here. The timeline that Becky mentioned you can just add one year. It doesn't make the difference. The math still is the same and you will see even on the timeline as well. So, let me -- so, the short -- I will just kind of hop through the numbers real quick. So, if you were to just take the four phases, add up -- you can see where the numbers land in terms of number of students. But instead of end in 2027, add that year that Becky mentioned, it's 2028. So, 64 students for elementary, 32 students from middle school, 42 students for high school. Using the updated metrics from West Ada, you can see the Hillsdale area -- again that's southeast Meridian. We are projected to be over capacity by 390 students, of which this sub -- this Centerville plan will make up over 15 percent if you just take the numbers. On

the middle school side, again Lake Hazel, again, the comment on the southeast Meridian schools area is projected to be over capacity by 153. We are already at capacity on middle school and that over capacity, again, Centerville's proposal is 20 -- 20 percent. Finally, on the high school side as well. Same story; right? We are projected to be over by 409 students and -- and over ten percent of that comes from Centerville's proposal. In other words, if you just take it -- look at it, not -- not taking account timing and building of new schools, there is a real strong argument for city -- the City Council to deny or postpone this -- this based on the fact that we just don't have schools there in southeast Meridian to accommodate this growth. Now, West Ada did do some math and figured out what needs to be built there in south Meridian; right? You have that one elementary school, one middle school and one high school. They also put together a tentative timeline of when those schools could possibly be built. Again, tentative; right? If you look at -- and compare that to the phases of this plan, you can see where it lines up. Again this is based off of that paper with the updated information. You can add one more year. The story is still the same. The phases for this plan is -- tend to -- in the worst case, obviously, would be built out before we would even be considered to have a middle school in south Meridian or high school where there is great need. And, then, finally, obviously, also in addition to timing -- so you have those three components; right? The overall math in the end, the land, the timeline of things and, then, obviously, the -- the -- the -- where the -- where is the money going to come from and I do know that there was some conversations in the joint discussion with West Ada to -- to have the city CFO talk with the impact fee committee to figure out if there is a way to -- to offset some of this cost. But even, then, they acknowledge that a bond will still be required -- expected to have a bond to help pay for these build outs. And that kind of concludes the main points I want to make regarding the school. There is a few other things around traffic. There is real concern -- there is no faith whatsoever by public on the traffic impact study that was in there. I don't think I need to bring too much attention, but even Becky called out the situation that -- at which it was done. It wasn't very -- very -- there was not a whole lot of wiggle around in it from like estimating percentages of where traffic would flow out of the -- the -- the plan, 70 percent north compared to ten percent west and I don't think so given where everything is developed in that plan. The percent -- because it was during COVID they used 2018 to 2019 numbers projected a two percent growth. We know that there has been a lot more than that. Again, kind of bad assumptions create bad conclusions. And, finally, even in the -- in the TIS itself it does call out the traffic count should be recollected in the future to verify background traffic and it just goes to show like -- and these have real consequences. If you look at the -- there is an option -- there is -- there is solutions or conclusions drawn from these, including, for example, putting in that light at that intersection, That's one of the options, that came out of this study. Now, what would be the options that ACHD would like to see if they actually do an up-to-date study of what the traffic is going to be on that Hillsdale Avenue and on Amity? And, finally, if you take a look at the integrated five year work plan that ACHD did and most recently adopted this year, it -- they have -- the budget for the first two years -- and if you take a look at what's happening in Amity, there is a lot of question marks of when things are going to happen. Like there is not even a date for acquiring right -- the right of way to build out Amity. That's not even a date on that yet, let alone a date for construction. And, then, last point from a public -- public concern point of view is safety. Talked about already

a little bit about that sidewalk gap. I really would like to see an update on where that -- that is. If we have a timeline of when that would ultimately be built out or is that still a big question mark because of the living trust there? The blind spot that happens at the corner there and also the additional traffic that the plan will bring to Hillsdale Avenue and that -- this collector -- and Becky mentioned like if -- if she had done this she would have done this differently, because it's a big concern about making sure it's safe -- they are safe -- safe walking areas to the schools. And adding this -- this plan will add additional traffic to Hillsdale Avenue that -- that this collector turns, in essence, into a drop-off, pick-up line of parked cars all the way up to Amity during school drop off times and that will be competing with the traffic of people going in and out of -- from work that are going to be ultimately living in that area. And, then, lastly, I -- I think that's the main point. There is one other slide about the plan itself that I really wish we had an opportunity to talk about this plan in P&Z. We hyper focused on the original plan and -- and it was revised, but there were things that were brought up, even in discussion with Becky on the land about what we can do for transitional density down in the southwest corner that never made it to the final revision that I really would like to have an opportunity to talk to -- to the developer and P&Z around. But given the macro condition it's not -- it doesn't make much sense to -- to really talk about it here. That's kind of it. I think there is a real responsibility that the -- I -- I do believe that this -- the Mayor and the Members of the Council really do take their -- this job serious and they want to make sure that the -- the plan does land properly in the area, but there is real still public concern around what's happening in southeast Meridian that just doesn't accommodate the current plan for Centerville. Thanks.

Simison: Thank you. Council, any questions? Okay. Thank you.

Johnson: Mr. Mayor, next signed up is Chris and Amy Johnson. I will let you decide who is first.

Simison: If you can state your name and address for the record and be recognized for three minutes.

A.Johnson: Amy Johnson. 4069 East Tenant Drive in Meridian. I'm part of the Hillsdale Creek Subdivision. Been here quite a few times for all these meetings. Quite honestly, I will just kind of start with my feelings as a community member and seeing especially Council Perreault -- I'm sorry if I mispronounced your name -- but praise Centerville in that article that Becky brought up. It was kind of disheartening, because it hasn't been approved. You don't have a lot of community support. You have seen a ton of us come out every single meeting, provide support. We are just not satisfied with the way this is, for a lot of pretty fundamental reasons. Our kind of focus more on parking and traffic. Those are the big problems in here. So, James just spoke about having Hillsdale Lane. It's going to become a parking lot. With that light you cue in people. It's going to become so hard to move and maneuver in and out. I don't see how that's going to be an addition. It's only going to be a really big problem for the community. This is the time right now to correct that. I think the developer and Becky -- they need to widen Hillsdale Lane. They need to add a designated turn lane if it's to go forward, because, otherwise, there is just



no places for those cars to go. Additionally, I have never seen a CBH development -- and I have driven quite a few of them -- provide enough parking at all. If we are talking about higher density, we are talking about people who are bunking together, renting together. That's more cars than are being produced for the two -- or the tandem garages or the parking garages and things like that. There is just going to be more cars and the way the driveway sits in those developments you can't park between them. They are too close. Or maybe you got a small car. But you walk -- you drive through some CBH developments specifically and they are tight and they are really hard to navigate and I think that's only a setback to our community, because we have a really great community, we have great developers come in and produce a really nice neighborhood and this just is not in keeping with the area I don't think. It's not a walkable area. There is no public transportation. It's not going to be in the future anytime soon. So, I think it's really paramount -- now is the time to -- if you are going to go forward with the apartments, there needs to be so much more parking that's already -- that's not been addressed properly and the new revised one it's really hard to know how many parking spots are designated. But I sat on the traffic commission for the city of Beaverton for eight years. We have never seen a development that had enough parking and so those are the two biggest things. And, finally, it kind of sounds like a NIMBY thing, but I don't find CBH houses to be that much more affordable than any others in the community. But you see that they don't landscape the backyards. They have just sheer boxes. So, there is a quality issue. I quickly went to the Better Business Bureau. There are 34 complaints against CBH in the last three years. Ten in the last 12 months compared to Biltmore, which had one and Presidio, which had zero. And those are neighborhood builders in the communities that we live in. So, that's all I have to say.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, I just want to clarify. It sounds like we have some confusion about this article that was published in March. That article was published highly incorrectly. I was not quoted correctly. The article -- the nature and the topic of the article is not anywhere near the discussion I had with the reporter and I brought it to the attention of the owner of Boise Dev at the time that the article was published and he offered to not rescind the article, which would have been my preference. He offered to publish corrections to that article and to talk to him about it and I thought about it and I decided, you know, the news cycles every -- people will forget it. It's a news cycle. And clearly they haven't. So, I, obviously, need to contact the owner of Boise Dev and get him to publish a correction to that. There -- I wasn't praising Centerville. I'm not going to go on all the specifics on that article, but that's not for this conversation, but I just want to be clear about that. The conversation I had with the reporter regarding Centerville was whether she had watched the public hearing about Centerville as an example of how housing is being developed in the area. Had nothing to do with the merits of Centerville. We don't discuss those while there is still a public hearing. It was whether or not she is paying attention to what's

happening in the city of Meridian. That's the extent of the conversation with that reporter regarding Centerville. So, I just want to put that out there for the applicant's sake, for the public's sake, on the record that -- that -- that the article is very incorrect. The reporter has zero experience reporting on housing in the entire valley. Excuse me. So, just want to put that out there. In regard to this particular application, am I hearing you correct that your two main concerns are traffic movement through the neighborhood, parking within the actual neighborhood itself, and, then, was there a third one?

A.Johnson: It's traffic and parking are my two primaries. Hillsdale Lane being the collector street that it is, is just -- it's -- it's too -- it's an F right now and even if you put a light in from my experience being on the traffic commission, you are going to queue in a bunch of traffic at one time; right? Light turns green, you are going to get five, eight, ten cars turning left at that time. If it's the same time that school pick up is at, where are they going to go? I mean that -- I assume you guys have all driven the area. You understand how it's going to queue up. There is just no safe places. And, then, again, to go back to school safety, there is no place safe for the kids to cross when you have cars constantly doing that and with the commercial aspect of it where it is, that's where people are going to be typically coming in or off of Amity. But it's just going to be too congested. It's too congested now.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: There are other areas of the city that have the same concern and we hear these types of objections in other areas of the city as well and what I have been wanting to hear, hopefully, from our public testimony this evening is what is it specific about your location that makes it unique that this development shouldn't be there versus other areas where we work through traffic and parking issues and so anything really specific that you give -- or that the -- you know, that we can hear about that's not just this is congested, because we have congested -- we have conversations about congestion all over the city; right?

A.Johnson: Yes.

Perreault: Which is not so much in our control, but -- so, if there is something that's specific to that other than just general congestion and parking challenges, please, feel free to share that as well.

A.Johnson: Well, it is also the graduation of the actual hill that goes down into Hillsdale Elementary. It is very specific and unique to this community. It's just not going to be safe. There is no sight lines going down. Even if they cross over at the YMCA at this point, like Becky was testifying, there is no sidewalk over there to continue the kids down. At this time, unique to our space, there is just not a safe way to have that kind of congestion add to the -- to the traffic and now is the time to address Hillsdale Lane not being wide enough. I mean once it's developed there is nothing we can do about it and I'm not saying no

development, don't -- don't develop it at all, but, you know, I think the onus is on you guys especially and us as a community to say not right now. We need to really get these -- our priorities straight. We need to have the infrastructure. We need to have the fire stations. And we need to have the schools pretty much ready to go, then, move people in, not the other way around and I think we have reached kind of that crux and so that's kind of my point with the traffic. But I have never seen -- I go back to the parking thing. I have never ever seen an apartment complex have enough parking and why can't we say, you know what, that's fine, but create a lot more parking, especially when we are talking about possibly another recession and more density. There is just going to be more people, families, multi-families living together, things like that. It's just a reality.

Simison: Council, any additional questions? Okay. Thank you. Mr. Johnson.

C.Johnson: Thank you. Chris Johnson. 4069 East Tenant Drive, Meridian. I reaffirm everything that my wife said, like a smart married man. You know, I -- I really -- I'm not part of this NIMBY crowd. I don't have the NIMBY mindset. Of course we moved here to Meridian a few years ago knowing that it's one of the fastest growing cities. There is going to be tons and tons of development and that's great. I especially like the fact that we are trying to build affordable housing. I think that's -- that's wonderful. My concern is really just the same things that she said. Just the congestion, traffic, and the school overcrowding and I realize that you guys don't have any influence over what's going on with the school. That's a state thing. And a lot of the roads and things like that are state issues, too. So, I -- I would just encourage you to -- first, let's make sure that we have a good plan in place for another school or two to handle the density, the -- the overflow from the current schools. So, Hillsdale Creek, of course, is completely full. Anybody thinking they are going to move into this community now and send their kids there are sorely mistaken. So, those -- those are the -- the main issues that I would like to get across. My thought is -- I just -- I don't see any harm -- what -- what is the harm in just delaying this a little bit further, just allowing things to catch up a little bit, some more studies to be done, that kind of thing. So, that's all I have to say.

Simison: Thank you. Council, any questions? Thank you.

Johnson: And, Mr. Mayor, those were the only people that marked they wanted to speak.

Simison: Okay. Well, if there is anybody else present that would like to provide testimony on this item just, please, come up one at a time. You don't need me to call on you. You all -- you all police yourselves to figure out. But come on up and state your name and address for the record and be recognized for three minutes. And if you are online and would like to provide testimony, please, use the raise your hand feature at the bottom of the Zoom call.

Prestwich: Mr. Mayor, Council Members, I had no intention of speaking today, but it seems that as I listen to testimonies --

Simison: If you can state your name and address for the record.

Prestwich: Oh, I apologize. I'm Rebecca Prestwich. I live on Bleachfield Avenue, which is connecting to the Centerville Subdivision in the Hillsdale Creek Subdivision currently. I wanted to share with you what happened at the last meeting at the end of the meeting. I sat down, along with one other individual, to talk with Becky and just ask her a few questions and we were in the middle of a conversation when one of the Council Members walked up to her, interrupted our conversation, shook her hand and said we will get this done and winked at her. Now, that didn't leave a really good feeling with me, because it felt like this was a done deal no matter what anybody said or we are going to do and I would hope that as a Council you don't allow outside influences to buy your vote, so to speak, because that's what it really seemed to me was happening. I think that we do need development and we need responsible development in our community. I'm not against development -- development, but I am against this project, because I don't think it fits seamlessly into our community. I would have no objection to having single family homes on that property with no mixed-use, but I know you are -- you want that and so that's probably going to happen, but it seems to me that the -- the Council's been very polite in listening to all of us, but you have already had a preconceived notion of what you are going to do and you, yourself, Mayor said in one of our meetings that, you know, as long as you have lived here schools have always been a problem and you have always overcome it and so when we bring up schools all the time that doesn't seem like it's really something that you have power or control over, but you have to politely listen to all of the testimony. I do think it's deeper than just the schools, it's the whole community having a really feeling of not being listened to, a feeling of things not going as the plan said, the Comprehensive Plan. A feeling approving projects one after the other not knowing what the consequences of all the growth is and that's a concern to all of us. We -- we talk about it all the time, every time we meet each other, run into each other and I think you need to listen to that, because it will affect you as elected members of our community and that's all I have to say.

Simison: Thank you. Council, any questions? Okay. Thank you.

Prestwich: Thank you.

Simison: Come on up. Like I say, if you -- if you want to testify maybe come up and sit in the front row and, then, you can each take turns for those that want to speak, so --

Baker: Hi. My name is Dallas Baker from -- I live in Meridian, Hillsdale. 5313 South McCurry Way. And I live directly behind the school and the YMCA. My qualifications -- I am a -- a water purveyor from the University of Florida and Florida State and I'm a master plumber from the state of Washington. So, as a plumber my job is to keep the -- the state and the citizens safe. That's my job. I am the safety officer of society, basically. The house right there -- Ms. Hillsdale that lives on the corner has a septic tank and I don't know if anybody here has any experience with that -- septic tanks put out what they call brown water or gray water. That water will be at this site forever -- ever and a day and so what happens is those little children go out there and they will stomp around and they will get their feet wet with contaminated water. Excuse me. Had to pull this thing up. Contaminated water. So, we don't want our children to get contaminated water and so,

therefore, I think as long as that house is there and the septic tank will be there until somebody decides one day to pull it up. But even that -- so, that water from that drain field is contaminated and so, therefore, there is waterborne diseases and yadda, yadda, yadda, yadda. Anyway, I'm sorry if -- I'm not used to getting in front of people and talk, but I think it's very, very important that people know that the little guys and girls will end up running through that drain field, going home to mom and daddy and spread -- could be potential spreading waterborne diseases and that's very, very, very important. Thank you.

Simison: Thank you. Council, any questions? Thank you.

Harris: I will make it short and sweet. My name is Kathy Harris and I live at 4066 East Tenant Drive in Hillsdale Creek and I think my only complaint about this is when we bought our house four years ago we were told that that land had been purchased by CBH, but it was going to be strictly single family homes and we bought under that pretense and I think if they were to stick to that original plan that would eliminate a lot of the parking and traffic issues and even the school issues. So, why -- they have changed the plan since then. I don't quite understand and I understand you guys want more density and stuff, but that land originally was planned for single dwelling homes. So, thank you.

Simison: Thank you. Council, any questions? Okay. Is there anybody else that would like to provide testimony on this item? Okay. Then the applicant -- would the applicant like to come forward to close?

McKay: Thank you, Mr. Mayor, Members of the Council. Becky McKay. Engineering Solutions. Representing Challenger Development. There was discussions about macro concerns, that the joint meeting with West Ada School District didn't accomplish anything. At least that's what was inferred. That there is still school capacity issues, timeline issues, and when bonds will be ran and these schools can be built. We did receive -- oops. Excuse me. We did receive a new letter from West Ada today. It did analyze the project again. This is my third letter. And it did indicate that the school district has a plan for transporting students to alternative schools with available classrooms. Attendance areas may be adjusted based on availability in nearby schools. Passage of bonds for new schools to fit enrollment needs and possibility of portable classrooms placed on properties. And West Ada thanked us for trying to improve the safe route to schools and creating bike paths and micro paths that will, obviously, make things safer in this area. When you look at this map you have got Skybreak, you have got The Keep, you have Pinnacle Subdivision. They have all got to be bussed, because they are too far away. They can't walk to this school. Whereas this project can. And what Dr. Bub and Jonathan and Marci indicated to me when I met with them was that, you know, one of the things that we look at is adjustment of these boundaries and our goal is, obviously, to have as many children as we can walk to the schools and what do we have here? We have a project that's kitty-corner to an elementary school. That school is Hill Century Farm School. That Hillsdale collector is a mid mile collector, intended to be signalized, intended to take traffic out of this section to Amity Road, which is a minor arterial, which is going to be expanded to three lanes. They indicated that the traffic study was bogus, which is not

correct. The traffic study followed all ACHD guidelines and every mitigation measure available to my client was placed as a condition upon us. Turn lanes, decel lanes, signals, rapid flashing lights. I'm doing everything I can, other than build a new freeway to Boise. I mean -- I mean we are -- we are limited in what we can do and -- and I guess one frustration that I have is their traffic does not impact our roadway network. Their kids don't impact our schools. There were no special assessments paid by them for that school. That school was built with a bond. Owyhee was built with a bond. There -- the rules need to be the same for everyone. You asked us to pause. You said we are going to take a pause. I watched every Council agenda after that. Every single one. And not one project was paused due to schools. Amy Johnson, who was on the school board at the time, testified the situation is worse in north -- in Star and north Meridian as far as school capacity and the number of potential students coming into the system than it is in south Meridian. Yet Quartet was annexed, zoned, and the preliminary plat approved. I have seen other projects just zoom by me. Zoom by me. What is different about this project? Nothing. In fact, this project has more facilities -- public facilities and is in a priority area than any other project I have ever had and -- and -- and I -- I am puzzled. They talk about transitional densities. I have -- I have done the transitional densities. I have got three -- a little over three dwelling units per acre all along my perimeter. I have a total of 6.01 gross density. They talk about the Comprehensive Plan land use map. That map, as Joseph indicated in his previous reports, supports exactly what we are proposing and that level of service -- oh, you can't build anything until the level of service improves. We are going to improve the level of service. It's F. It's going to go to B. I mean -- and they are saying that we are -- we are skewing the numbers? ACHD analyzed what I need to do to mitigate. The school district has analyzed what we need to do to plan to serve this particular piece of property that is across the street from this school and they are going to do that. If not right now, then, let's just shut down all of the cities. Shut them down until everybody passes a bond and the legislature comes up with a magic wand to fix all of our problems. That's never going to happen. It's just never going to happen. And they kept talking about apartments. I have no apartments in this project. I only have single family dwellings, townhouses, which are three and four and, then, we have four four-plexes that back up to an arterial. So, we have a little bit of a rental component next to our neighborhood commercial. I have no tandem parking. No tandem parking is -- is suggested in this. They are all two car garages. No tandem. I have incorporated on-street parking, off-street parking. I mean we -- we have gone way out of our way to make sure that this is well parked, because I know what the parking situation is. I see it and I always try to have more parking. This project is a good project and just because it is different than what is in Hill Century Farm does not make it incompatible. Your comp plan states that in this area is mixed-use and medium density residential and that's what we have provided and we have provided a darn good project and they talk about it -- oh, it's -- it's going to be so dense and tight. We have so much open space and linear open space and wrought iron fencing -- I mean it's going to look very very open. We are not going to put solid fences on those townhomes, because that compartmentalizes them. It doesn't create for an open atmosphere and we want people on that open space and feel like even though they have a townhome lot, it's smaller, they are on an open space. They have pathways. They have amenities. They have things to do. This is not a hindrance to this neighborhood and this neighborhood is not the all knowing, all seeing. We have

gone and jumped through every -- every hoop there is and this project's been scrutinized and scrutinized and re-scrutinized and we have adjusted and, like I said, I have never had a project where I dropped 108 dwelling units and the staff wanted my density to be higher. I -- I did multiple pre-apps and so I -- I listened to them and -- and, then, when they saw the -- the backlash, they said, hey, you know, you -- you better take another look at it and I think where we are at the staff is happy. We have a good -- darn good project and if this project can't be approved here, then, I don't think the city of Meridian should approve any project anywhere in the city, whether it's in a priority or non-priority, because this one meets all your goals and we have -- we have -- I don't know what else I can do. I just don't. And deferring this -- what -- what does that accomplish? I -- I don't -- I don't understand it. I -- I just don't. I am frustrated and -- and speechless and for someone to say that there is ex-parte communication -- I say that's wrong. That is wrong. The only statement made to me was to be patient and let these workshops take place, so that the Council could get more information. That is it. That is all. No one promised me anything and I have never asked for any special favors. I just want to be treated fairly, like any other project that's in this area and all the projects that have previously been approved. Thank you.

Simison: Thank you, Becky. Council, questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Question for Becky regarding the exit. I know in our subdivision where we have got a collector going out onto an arterial and we don't even have a light, but we will get one someday, but there is enough room for cars and they queue up and so cars that are going right stay to the right and cars going left stay to the left. Is that the situation here or is there room for lanes? What's -- what's that situation exiting out on -- I think that's Hillsdale Lane that goes out.

McKay: Mayor Simison, Councilman Hoaglund, that's a good question. When we did Bridge Tower -- typically most engineers go with an expanded throat, so that, then, you can -- when it becomes signalized and it's warranted, which this is, then, you can stripe those lanes, so -- so, they will go in and ACHD will -- when we submit a signal design, which we have to do as a condition, then, they will evaluate restriping and creating turn lanes, so you have left turns and right turns and if it requires some additional widening, then, they have us do that. Locust Grove and Overland is a prime example. When the Fast -- when I did the Fast Eddy's and that commercial project there and, then, we did the backage road into Mountain View High School, because they were overloading Millennium, which I did that collector and signal, then, ACHD said, hey, you know, while you are at it let's widen and lengthen that intersection there and create longer turn lanes. We did the same thing at Linder and State Highway 44 with a project called The Preserve for Coleman Homes. We went in and we lengthened the turn lanes and we stripped it. So, you know, that -- that's up to ACHD. It's their traffic engineers that make the determination. Our traffic engineer analyzes it, makes their recommendations on how to

mitigate and how to solve the problems that are out there. This is an existing problem. This is not a problem created by me. But the burden falls upon my client to fix it and we are willing to do that and I think that's what's important and I think that's what the Mayor has been saying, you know, if we have some deficiencies in our transportation system, our sewer or water system, and you want to bring a project in, then, you need to mitigate and fix the problem and that's what we are doing here. And I ask the Council to support this. I have -- I have -- I have never -- like I said, I am speechless and that's -- that's -- you know that's uncommon for me.

Simison: Council, any additional questions for the applicant at this time? Okay. Thank you. Don't go far, but thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: While probably Council is taking some time to digest a lot of the testimony and commentary from the applicant, but I'm happy to at least start a couple things up for conversation. First, I want to thank Council, Mayor, staff, applicant and the public. I know this has felt a lot like a marathon and I think a lot of the reason why we are here tonight I'm -- I'm to blame for that. I wasn't supportive of -- of this project in January for -- for some of the reasons that we have talked about tonight. It's really the impact on our schools. And I was -- in a rare moment of optimism I was very hopeful that our legislature would work to try and provide us as cities, us as a community more solutions to provide better access to education for our kids. They failed, which makes it really hard, because, Becky, you -- you touched on this. You said -- you have checked all the boxes and I agree, I think you have checked every box that has been presented for you you have worked to find a solution. That is your brand. That is your MO. And I commend you for it. But you also said what's different about this project and -- and I will tell you just for me where I'm coming from what makes this project different is when you look around our community there is much more easy access in areas of growth to divert students to other schools. We don't have that in south Meridian. We have students who live in south Meridian who are bused to Franklin and Linder Road. For an elementary kid that is not fair to them. We have high school students that are being crowded into portables with no plan. These aren't necessarily some things that you have the ability to solve. I know if you could you would. But the fact of the matter is these are impacts on our community and I can't in good conscience continue to exacerbate a problem that already exists and so for me that's -- that's what makes this different. In north Meridian, in central Meridian, in Eagle and Star and Boise we can put those students in other places and we don't have the mechanism to do that in south Meridian. We continue to see growth and without a plan -- and that's where my questions came about your phasing is that if we could come to a mechanism about when this would be built and how that would coincide with some of these schools being built, I think I could get there. I just can't get there tonight. And so I appreciate everything that you have done and it's the reason why I wanted to continue this project and I know I probably frustrated you by doing that and I have taken a lot of heat from many of your colleagues for pushing for this, but I thought it was to at least give



you a fair opportunity to allow the state and our community to find solutions to some of the problems that you haven't helped to create, but that your project will continue to exacerbate. So, I'm not going to be in favor of the project tonight, not because I don't love it and because I don't hope to see -- that we see more of this in Meridian, I just can't in good conscience be in favor of it tonight in this particular location.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I appreciate the patience shown by everyone. This is a long process to be at this for over a year is -- is a long time. It's unusual. We had a lot of meetings over that course of time. Three -- three different meetings with the school district and school board involved and it is difficult and having grown up in this community -- moved here in 1970, seen a lot of changes, and that change includes my kids going to schools in portables. That includes my kids going to be bused to Eagle to go to school when you live in Meridian and -- and there are options to that and for my oldest son it was a private school, because we weren't going to have that happen, because that was not our community. Nothing wrong with Eagle, but just wasn't -- wasn't workable. So, anybody who comes here and if they are going to be bused that is part of their decision and that -- that process it -- it's up to them to decide. Do we want to move and live here if our kids aren't going to go to Hillsdale. That -- that's the market at -- at -- at work. But what was clear from the meeting that -- my take away with -- with the school district and the board and the administrators is the fact that they say it's on us. It's our responsibility to make sure kids where ever they come from get a good education -- quality education and we have -- we have to trust them with that. They are elected. They are appointed. They have that responsibility. Yes, we pay attention to it, but it was very clear to me that they said that is our responsibility. You guys take care of what you think is important for -- for you and for some of us it's -- it's different things. There are different -- different priorities, which we don't always agree on that and that -- that's fine. That's -- that's why we are up here. You know, I would love for Meridian to be single family homes everywhere, but it's just not possible anymore. I live in a development that is single family homes. Used to be a farm. I know all about septic tanks and wells and everything else. I'm not concerned about that particular place having contaminated water. If you got surface water coming up you have got a serious issue and -- and if it's not present, then, they are not going to be walking in water. So, anyway, the -- the issue we are having is over that time Meridian has greatly changed. It's because people are coming from out of state, we have been discovered, lots of money coming in, they are able to purchase homes driving the price up and I have -- we have young people, married couples, just like my son and daughter-in-law looking to purchase a home a few years ago, they can't afford a single family home with a big yard and it's -- it's out of reach. It's out of reach. I want them to live in Meridian. I don't want them to live in Kuna or Caldwell or anyplace else. I want my little grandkids being close to home and so we are doing things a little bit differently. We have to. Land prices have gone up. Housing prices have soared. You know it. You get your property tax assessments. You have seen what's been going on. So, how do we -- how do we have people, young people, are getting started in life be able to afford Meridian? Well,

you have to increase densities a little bit. You have to squeeze things a little bit. The yards aren't as big and I know if you are in a single family home you go, well, I want everything to look like ours, but in this case, in this particular area, it was zoned a medium density residential. So, that means different lot size -- sizes and -- and different densities and the good thing is -- because we -- we get this all the time. We are always trying to match these things that we look at it as in fill to some degree, although this is 40 acres, it's been there quite a while. The ability to try and match what is surrounding on the outside, so there is not a lot of variation and -- and you guys are fortunate, because we have seen a lot of plans come in a lot worse where those -- those lot lines don't line up and you are having two, three homes -- so, my home that was a farm at one time, we have got three houses behind us, not one, and here you have got matching, matching, matching, matching and a little variation on the east side, but pretty darn close. So, there has been a lot -- to me a lot of thought that went into that to make that work a little better, because a lot of times it doesn't work and that's -- that's the hard part and I get it, it's hard for change, because we went through that ourselves personally, going from a farm to the middle of a subdivision, and it's hard, because you have lost your views, you lose this, you lose that, there is more traffic, there is more noise and -- just don't talk to my wife, because she will really go off. But it's just one of those things that -- that -- how can we do the best that we can within the law that our -- our zoning laws require and we have a state land use law. There are a lot of things and it gets complicated, but property rights is very paramount in Idaho. So, people who own the property and want to do something with it, we have to be very careful that we follow certain structures and laws, because they have a right to sue and take us to court and say they are -- they are taking a property right. So, we -- we pay very close -- close attention to what we say can be zoned and, then, we really have to find very specific areas that it's not meeting our criteria and that's -- that's what makes it difficult. You just can't say, nope, we don't want it. Oh, we don't like that developer, they don't build quality homes. We cannot go there. We cannot go there at all. We can't say, oh, we like this developer better than that developer. We -- we just -- we just can't. So, that's -- that's difficult. Traffic. Certainly we look at that. That was my question on that. Is there going to be a backup on that? Yes, that's a concern. How far will that go down? Will there be turn lanes or putting in a light, that's -- that's big. I -- I know what it's like not to have a light on a very busy arterial and to make that work. So, there is a lot I -- I guess to unpack here. The testimony is good. The testimony has impacted this development in many ways. There has been a lot of changes and I think a lot of good changes that have come about. It's never a perfect plan, but it's one that -- it's one that I can see has -- has come a long ways and we will just let people decide if -- if that's the development that's right for him if they are -- for them if their kids aren't going to be going to school nearby, so -- and in due time another school will be built and you -- for my kids it was Chaparral and got to go to a brand new school and -- but they had to put up with portables for several years. So, it's a -- it's -- it's one of those decisions that -- that you have to make and that they will have to make if this development moves forward in -- in the future. So, just my perspective on that, Mr. Mayor. I -- I think I can -- I can go there. It has changed immensely. Losing 33 percent of the density is -- is massive. I think that's the largest I have ever seen in -- in a project that's come -- come before us. We have had changes before, but I think that's -- that's been the largest, so -- and -- and the variety is -- is what we call for in our plan to allow people to have the

ability to -- to stay living in Meridian if they are just starting out or maybe winding down in a career. So, there is -- there is both aspects of that, so -- anyway, my thoughts.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: First off, before I give my thoughts about this project, I just wanted to thank the citizens who have been super passionate about this development, who have spent a lot of time and a lot of energy expressing concern and -- and have been really involved and if there is one thing that I appreciate as a City Council Member is the involvement and the engagement of the citizens of our great city. There was a comment earlier about that we don't listen and sitting in my seat and doing what I do, I can reassure you one thousand percent that I take not only what's said in testimony on the evening on the Tuesday night of -- of City Council meetings, but also the public testimony that's in the packet that we receive during the application process. It's a big deal and -- and so I -- just a comment to -- to -- to -- to just let the community know my thought process when it comes to these issues. Just ask my wife, we -- I -- I -- we talk all the time. I -- we bounce ideas off each other and -- and this is some -- sometimes we don't get night sleeps knowing that we have to make tough decisions and this is the difference between the state legislature or -- and -- or -- or -- or our federal representation, right, because they make decisions in buildings where normal citizens aren't at. We make decisions looking in the eyes right here at City Hall and this is what makes local government so special, because citizens have access to your local elected officials on a much more intimate level than you do elected officials at the state and federal level and, frankly, it's the reason why -- frankly, it's the reason why I -- I -- I have loved what I have done and this -- the service I have provided this -- this city for the past four years. But these type of decisions are difficult. They are -- they are not easy and when -- when these -- when -- when the decision has been made and the votes been cast, it's quite common, at least for me, to be thinking about the decision, the vote that I made, weeks after the fact. I have to say that I -- I have to say that during tonight's testimony and tonight's presentation and along with the -- the presentation that was made back in January and testimony, there is one word that comes to mind and it just keeps on repeating itself in -- in my thought process and that's consistency and there was a thought -- there was a comment earlier by someone that says that we don't follow our Comprehensive Plan. I couldn't disagree with whoever that person was more than anything. You know, for the past three years we have been following very true to our Comprehensive Plan. We have been following very true to our future land use map and that's not just for the developers and for the builders who -- another comment was made that we are in -- you know, we -- we -- you know, wink, wink deals or whatever. That's just not true. It isn't true. And I take huge offense to that when people say that I'm on the hook to development. When a person comes to this -- to this -- to this dais and accuses us of impropriety it's just not right. It's just not right. And it's not fair. It's not -- it's not fair on any level. But we have these comprehensive plans and these future land use maps not just for development, but we have them for our citizens as well, so that they know what is going to be built and what is going to be developed in certain areas of our -- of our -- of our city. It's crucial that we -- we stick to these plans.

It's important that we stick to these plans. It's important that we are consistent. It's incredibly important, not only for development, but for the citizens who live near the development as well. I -- I don't have any control over what realtors say to you when you buy your house, unfortunately. You know, all I know is that when we -- when I -- and we rely heavily on staff and their recommendation of what that looks like with our -- with our future land use maps and our comprehensive plans. I -- I echo a lot of the testimony that was stated by -- or the thoughts that were stated by Council Member Hoaglund and -- and I won't rehash what he said, but what he said was -- was very true and very poignant and -- and for the reasons that I discussed tonight and for a lot of the reasons Mr. Hoaglund discussed, I -- I will be in support of this application this evening.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you very much to my fellow Council Members for sharing their -- their thoughts on -- on the testimony. I -- I agree with a lot of what has been shared in regard to our commitment to our community. We live here. We are -- we are your neighbors, too. We see the same challenges you see every day. We drive in the same traffic that you drive in every day. All of us live in very different areas of the city. We all are in the corners and we -- we feel your frustrations and we also feel that same frustration when so much of those decisions are -- are not influenced by us and not made by us, but I do want to reassure the members of -- of our community here that we are listening as -- as Councilman Bernt mentioned in that our comprehensive plan took well over a year to put together and there were multiple public hearings and there were multiple meetings about it and there were many many members of our community that were involved in designing that Comprehensive Plan. So, we do take it really seriously that we follow that, because we didn't design that, the community designed that and as -- as elected officials because that is designed by our public and by the community, we have got to follow that, so, you know, the -- the transportation -- ACHD has hearings on many of these applications. You can contact ACHD and let them know what you think about these projects. Every year they go through and they set their priorities for what -- what roads and intersections they are going to work on for the city of Meridian. That's a public hearing that you are welcome to attend. So, there is many many opportunities for the community to be involved in these decisions and not just when it comes to this hearing that we are having -- this third hearing that we are having for this community and we pay close attention to what our partners are doing, so that we can collaborate with them in a way that's beneficial to our public. So, I -- I agree with Councilman Bernt in that it -- it is a little kind of surprising to hear comments made about we don't listen, because that's what we do every single week that we are here. All of us -- I'm not going to get on a soapbox, but all of us make incredible sacrifices with our families and with our businesses and with our jobs and our schedules and our vacation -- everything to -- to be here and we love doing it. We really do. It is -- it's true public service and we -- we wouldn't trade it for the world. So, please -- please know that this isn't an us against you kind of thing, this is really wanting to get this right for the community. So, this is -- I also lose sleep over these things, think about them for weeks later, wonder if I have made the right decision when there is a variety of different factors

involved in an application like this and there isn't always a perfect outcome, so what I have to fall back on when there isn't a clear answer is did the applicant abide by our code? Did the applicant abide by what we have asked them to do as far as modifications. Are they make -- are they making efforts to listen to the community over the course of the different hearings? You know, if we weren't taking this seriously we wouldn't have asked the applicant to continue this project this long so that we could get more information to make a better decision. So, this is -- this is a tough one for me. You know, the reason we -- that we postponed this from January was to get more information from the school district and even though we did get more information, we are pleased that they are finally putting together a plan that has some teeth to it as far as the next ten years and what their estimates are, that's an improvement from where we were before, which was really not anything specific. It doesn't help to solve this specific concern regarding Hillsdale and my main concern in all of these hearings has been the safety of the students, that's been my main concern, because this is a unique situation. As Councilman Cavener mentioned, it is unique in that, you know, there is -- the students have locations they can and cannot go. There is some geographic issues. There is -- there is a variety of things and while I don't have huge concerns about the -- the density of the project, the -- they are fitting within the Comprehensive Plan, there isn't anything in that regard that is -- that the applicant has not addressed. I still have concerns about the safety in this area. So, my -- sometimes this is a gut decision in regard to how -- how will we know that this city should develop based on what we hear from the community every week and based on what our Comprehensive Plan says and so I just -- I'm -- I'm -- I'm really leaning in the direction of Councilman Cavener, which is this just isn't quite sitting well with me yet and I want to be able to give the applicant some clarity on why and the only thing I can say is that I just really still have concerns about -- about safety -- of pedestrian safety in this community. So, that being said, I would ask the Mayor, since the public hearing has not closed, if the -- if the applicant could come forward and allow me to ask some additional questions.

Simison: Yes.

McKay: Thank you, Mr. Mayor. Council Woman Perreault.

Perreault: Thank you very much. So, I had asked earlier about the location of the -- of the current -- the current flashing -- or the current crossing on -- is it Stockhampton? What is the name of that street that heads south from Hillsdale?

McKay: Joe, do you have a vicinity map? No?

Perreault: So, there are three entrances into the school. Is there any possible way that we could get the district to allow all crossing to happen at the entrance that is the farthest to the south, so that the crossing is consistent, there is not crossings going into all three entrances? I don't know exactly when crossings are happening as far as locations go. I want to get more information about that, because I would rather have all pedestrian activity stay on the east side of -- of your development and the development of the south, not cross across and go in front of the -- the Hill property. Stay all on the east side and

have one consistent crossing along the farthest south entrance into the neighborhood and maybe that is something that we can get the district to help us on, so that the students are staying consistently on one side of the road. I think there is a fairly wide sidewalk that exists there right now and, then, all of that crossing will happen kind of to the -- to the south of the school. That -- that's just my number one concern about this is pedestrian safety in this area, even more so than the vehicles. As you mentioned, there is a lot of students that can walk and not need to drive, but that's just really the thing that has me so hung up on this.

McKay: Yeah. Mr. Mayor, Councilman Perreault, so they have the -- the flashing light is right here on -- is it Stockenham Way and I -- I think -- I think it's right here. You can see the ped ramps right here. I believe that's -- that's where the rapid flashing is and what -- what Marci -- yeah. Here you can see it. You can see it's striped pedestrian crossing. They have got the flashing lights that they can activate and what the -- Marci spoke with the principal of Hillsdale and she said that they have a crossing guard there that makes sure that the kids get across in a safe manner and, then, come into the school in this direction. Now, what I was told from some of the Hillsdale residents is their kids come across here and not necessarily do they come all the way down. The response I received when I brought that to the attention of -- of the school district was, well, the crossing guard and the flashing light is down further south -- further west and so they should be coming down the sidewalk and crossing where it's safe. So, the option that I gave the school district and ACHD is we could put the rapid flashing right here or we could put it at our collector roadway. We will be building a detached walk with landscaping all along the Hillsdale Avenue and, then, as you can see there is a gap here and they have plantings. So, ACHD is going to have us -- why there is a gap I don't know, but they are going to have us extend the sidewalk here, because these plantings are in the right of way and make a connection. Now, what the school district said was if we put it here we feel it's too close to this one. So, that was their reasoning of wanting it further north. Now, obviously, from our perspective we want to make sure that the kids get across safely. So, if the Council's recommendation is that it's better that the kids stay, as you indicated, Councilman Perreault, on the east side and that we put the flashing light and another crossing here, then, I'm open to that. I just went off the recommendation of the school district. You know, obviously, there is that gap. Now the kids can safely go across to the Y, but to traverse here, you know, the crossing guard would either have to walk the kids down along the roadway or, like you said, we put it here. So, maybe that is the solution to make sure, regardless of the fact that they are closer together and -- I mean we are talking about a pretty short distance. So, our collector roadway comes in in alignment with this. Is it further north? Oh, I'm sorry. I'm not -- it's right here at Hill Park. Right, Joe? Yeah. So, our entrance is here at Hill Park. So, the kids could come across here, but, then, you have the issue of the outparcel. So, then, if that is a concern of yours I would recommend that we put it here. Bring our kids down, do a widened ten foot walk along Hillsdale, so we accommodate pedestrians and bicycles, because one of the comments I heard from the parents -- the reasons the kids go across here is because of the heavy traffic from the peds and the bikes and the little skateboards and stuff. So, maybe what we do is we do a ten foot walk all along the east boundary and we make that

connection here and, then, bring those kids across there. Does that kind of help you with the safer route to schools?

Simison: Council Woman Perreault.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you for answering that. I realize that some of this is out of your control. I know -- I know -- I realized that and I'm glad that you clarified, because I was under the impression that ACHD was requiring that -- that ACHD was requiring it to be on the -- on that more northern section and so I didn't realize you had the option to change it if you could or wanted to. So, that is helpful information for me.

McKay: Yes. It was -- it was not a requirement of them that we install the rapid flashing. We -- we did that on our own prerogative. Helps with the safe route to schools. I just relied on the school district for their input, so -- so we do have latitude.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I assume that because this is a collector roadway that there aren't other traffic calming measures that can be implemented in this area or are there -- are there exceptions that can be made in front of a school -- in a school zone for additional traffic calming? Obviously there is probably a speed limit decrease, but are there speed bumps that can go in? Is there anything like that that we can discuss? The main concern for me is really that element.

McKay: Mr. Mayor, Councilman Perreault, that came up in the Sky Mesa development and with that long collector that goes downhill and the speeds in which people drive it. We did end up coming up with a design on the collector that was pedestrian friendly and slowed the traffic down. We -- our first initial design was we did a raised pedestrian crossing, so it was -- it was striped. It was elevated. It was visual and the cars would have to slow down. ACHD said, no, maintenance doesn't like that, because of snow removal. So, then, they had us come up with some chicanes that we put in that slow -- had to slow the traffic. I -- we -- I -- we used them in Eagle on some private parking lots over there at Winco and -- and Home Depot in Eagle at 44 and 55. I mean if you go through there and it's stamped concrete, so it's very -- it has a sign, stop pedestrian crossing, and you have to physically go up over it and that's what I would prefer, because I think it slows that traffic down and when they were rerouting traffic due to the roundabout improvements through this neighborhood, the speeds were excessive. I saw it myself. So, I am all on board for traffic calming and I think if you guys in your motion would send that strong recommendation to ACHD that will help me convince them to let us install

something that will slow that traffic down and make that a safe -- safer collector. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I'm sure all of us took notice as the applicant was testifying, there were some members of the public with their hands raised and I don't know if you want to grant additional public testimony, public testimony from people who haven't testified. If you want to take a break.

Simison: I will leave that up to Council and we -- the applicant can come back up afterwards, so I'm not worried about that. Why don't we do this. Why don't we -- it's 8:00 o'clock. So, if we would like to take a break to do phone calls to families and other things. Go ahead and take a ten minute break and we will -- we will try to come back at five after 8:00 and determine a path forward, so --

Cavener: Sounds great. Thanks, Mayor.

(Recess: 7:55 p.m. to 8:06 p.m.)

Simison: All right. We will go ahead and come back to order from that stand -- standpoint. We had a few people that have raised their hands that wish that they wanted to speak. Is the applicant back in the room? I don't want to go without the applicant. Okay. So, we will go ahead and wait. Okay. Well, we will go ahead and keep moving forward. We had a few people that raised their hands that they wish to come back -- or they wish to provide comment. Let's start with anybody that did not testify can come forward and we will ask you to keep your comments to what was being discussed during that time frame. We don't want to try to introduce new material if we can. So, assuming you are speaking to one of the items that was recently discussed between the Council and the applicant. If you would state your name and address for the record.

P.Prestwich: My name is Paul Prestwich. 5249 South Bleachfield and I was just going to address the new item of moving the light and the problem with where they suggested it get moved to -- it's even -- it's probably the worst area, because it's coming down off of a blind hill down at the bottom where everybody turns into the school. So, that's definitely not the place to put a crossing light. Of all the areas on that street -- the original place is better, even though you have problems with the kids, if you are going to try to put it down where she suggested it it's really the worst place. You are better off keeping the kids all on the east side, have them cross the street and go down to the light and, you know, go with the crossing guard. Just have the one, if -- if that's what you are going to do. If you want the flashing light back up to where it was that's a better solution. But right where it is and -- where there is no sidewalks. All the cars are turning, everybody's trying to get there from two ways and if you try to throw kids into the mix it's a disaster. So, that's the



-- that's all we had to say is -- because we know the area and the topography -- you don't see that on the map, but it's a pretty steep blind hill coming down to that area.

Simison: Council, any questions? Thank you. Okay.

M.Phillips: Is there any chance we could pull up that map one more time that we were looking at before?

Simison: If you could state your name and address for the record, please.

M.Phillips: Melissa Phillips at 4140 East Rockhampton Street in Meridian. Okay. So, as a mom with kids that actually go to the school, I have never seen a single student walk across this area, because this lineup right here is where the cars are and so they are instructed to walk all the way down this east side. So, we don't have a concern with having a light here because that encourages students to walk across, which we don't want, because the cars will be right there. So, we are fine not having a light here. The light up here would assist with the residents in this community and the ones that walk up on the east side to go to the YMCA. But we would probably ask the school and district to provide a crossing guard to keep all students from Centerville on that east side just walking straight down all the way. My other concern with having that light, which is a positive thing, but the negative would be students would try to cross there and take the path of least walking distance and try to get over here. But it's just going to take a lot of communicating with students and teaching them the best route to go. And, then, as far as Hillsdale Avenue -- oops. Anyway. It is not slated to be widened and it is not on ACHD's radar, but that would need to have three lanes for the cars turning left onto Amity and the cars turning into the community. Otherwise, all those concerns with the traffic backing up exist. And, then, lastly, there has been a resident change with the woman that was living in that home, so that should be explored. I don't have the ability to explain the situation, but there has been a change. So, that should be looked at as well. Thank you.

Simison: Thank you.

A.Johnson: Hi. Amy Johnson again. Just real quick from a traffic commission perspective. Those blinking lights don't do diddly squat, honestly, to slow traffic down and what's specific to this community is that gradation down to the bottom. So, just like Melissa just spoke, that is the worst place a light could actually possibly be and the only thing I could see from the experience I have seen from trying to mitigate traffic would be a HAWK and I know I just spoke with Becky briefly and she was saying that ACHD prefers the blinking lights. But I strongly discourage that. I think that's -- safety perspective that is the worst thing you could possibly do and -- and having kids cross over to the YMCA and the lot that -- that thing -- or that house that's there, they can create that sidewalk on that side. There is no safe place to cross kids over to that west side and get them down to the school. It's just not -- but the only kind of a signal that might actually have an effect is a HAWK, but that only works, too, if there is three lanes across on Hillsdale Lane, because you are going to queue traffic -- just logistically, specific to this location. I get traffic calming. I get it all. I mean we did that for a long time and it's just a really bad drop.

It's blind. And people fly down that hill and I do think now is the time to address that. So, if you can approve with conditions that would be something, so --

Simison: Councilman Bernt.

Bernt: Mr. Mayor, question. So, you say they fly going down the hill toward Amity.

A.Johnson: No. They fly down the hill going into Stockenham. So, Hillsdale becomes Stockenham as it makes that turn and if -- if there is a -- that a beacon, even at the bottom of that -- where that -- where Hillsdale, Rockhampton Boulevard and Hillsdale Lane intersect -- I don't know. I don't have the map. But that's at the bottom of the hill and that's -- and you know. And where Melissa is pointing out where the cars queue up, there is just a no -- I don't see a single safe option and that -- that is coming from years of experience on a traffic commission where we just mitigated traffic over and over and over again and I will just -- since I have the mic for just one last minute, reiterate parking. It is a big deal. It will overflow and it will congest and it will -- within the community itself. So, if you guys are leaning towards approving this, can you approve it with the conditions that parking and traffic get addressed and mitigated before it gets built? That's -- now is the time to kind of address those issues, so --

Simison: So, do we think that there is agreement on the concept, the long term -- at long term build out we want a sidewalk there where Mrs. Hill's house is and a crossing up at the Hill Way -- long term. You know, is that what's best when this is fully developed as a -- as an area or would the community say no sidewalk and no crossing -- neither one of those is in the best interest. Because to your point, some of this may not be able to come now, but it may come in the future. Whatever is developed. Does the community think that that's in agreement, crossing up there where they currently have it proposed and a sidewalk on that property? Was that --

Phillips: Just like it -- it was just mentioned, if you make that a three lane, so you can put a HAWK up top for calming, that makes a lot of sense. There is the rub; right? Is making that three lane, because it's not on ACHD's radar. It's not part of the plan. There is a whole thing that needs to happen to get that prioritized, but that's the rub. That -- that would be the ideal is you have that additional lane for traffic going into the community. Also additional lane to allow them off of Hillsdale onto Amity as well.

Simison: I understand that. I'm trying to go with what we are focused on right here, because of the -- whatever Council decides to do or don't do can make a -- they could make a recommendation that in -- when the Hill house goes away at that point in time we put in a -- flashing lights up there. That -- that may be what they can do or is it, no, we never want that in that location and don't worry about it. But that's -- some of it's going to be timing. If we don't want to -- if we want to influence children's walking decisions, maybe there is some things that we don't do for five years, because it -- it doesn't create that attractive nuisance or that -- that idea. So, I think it's just like long term. So, we want a sidewalk on the other side where the house is. I think the city would like that. Is there a crossing that we want up at the other location? Because my -- my recollection was more

about getting people into the YMCA as much as anything else at that time. But that's kind of where I was going, so the Council could consider that.

Phillips: Yeah. I don't have an opinion on that, but --

Simison: Okay.

Nary: Mr. Mayor, Mr. Phillips, could you make note, you -- you spoke on the record so the record is clear?

Simison: Thank you, Bill.

Phillips: James Phillips. 4140 East Rockhampton Street.

Simison: Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. Just to make sure. It sounds like everyone is in agreement that sidewalk on the east side is -- is definitely coming in. Where Mardia crosses Hillsdale slash South Stockton -- Stockenham Way, it is at the bottom of the hill. It is very difficult for a light and they do come fast. It's best that the kids keep using that where the crossing guard is. So, it sounds like neighbors do not want that option whatsoever at the bottom of the hill. So, I think -- I think there is agreement on that. And, Mr. Mayor, up there at East Highpack Street. I don't know what -- oh, Hill Park. Okay. East -- okay. Hill Park. That -- I guess the timing of when that light there to cross would come into play. I mean I can see people from that development wanting to go over to the Y and use that, but at the same time is that encouraging the kids, then, to cross there and, then, come down and there is no sidewalk? I think definitely Ms. Phillips, who is a mom, kids will take the path of least resistance and they will -- they will find a way down. So, I guess that -- you are looking at the timing of that particular light of when that should go in. Is it phase one or phase five and --

Simison: Or after the -- that property redevelops that the developer could put the -- give the money to somebody else to make those improvements in the future.

Hoaglun: Right.

Simison: As an example.

Hoaglun: Right. And as we know on -- on that one house, the Hill house, you know, whenever that -- and interesting to find out, I think Mr. Nary, if -- if we could kind of follow up to -- to see about Ms. Hill and -- Mrs. Hill and what that status is there, because that is a -- definitely a spot that needs a sidewalk connection and -- well, we can -- we can get

that -- that taken care of, so -- when the time comes. But, yeah, I guess timing for that upper light, but I can see it in use right away, but how do you keep the kids from, then, going down except for -- but I think for quite a while the kids are going to be bused somewhere else. It's not going to be at Hillsdale. So, it's not an issue from that perspective in the -- in the near term, so --

Simison: Was there anybody else that had their hand raised on the issues that were resolved? Becky, would you like to come back to make your final comments again.

McKay: Thank you, Mr. Mayor, Members of the Council. Becky McKay. Joe, can you go back to that screen you had?

Dodson: Sorry.

McKay: So, one thing that we could do with the rapid flashing light is the Council could provide a condition of approval that we trust fund with Ada County Highway District for that light and that it would be installed when the sidewalk along Mrs. Hill's property was constructed. The other thing that -- that we looked at, too, is -- as the Mayor indicated, the hill -- what is it? Hill Park Street does get the kids across to the Y. The kids do have the ability to come down through the park and come the long way. So, there is that option. I do agree with the neighbors, this is -- this is the -- where it starts elevation wise dropping off here. So, it does make more sense that there be some type of safe crossing here. But I would trust fund for it until such time as this sidewalk is installed. In the meantime, we could do a ten foot sidewalk along Hillsdale Avenue, so that we could accommodate both pedestrians and bicycles and, then, they would come down and use the crossing here that's in place and none of those rapid flashings are left unattended, according to the school district. They have to have a crossing guard there when they are utilized during school times.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, it's hard to see from these aerials, but when pedestrians walking south on -- on Hillsdale and they crossover Mardia Street, what is that -- I -- I have seen cars line up there to make a right and they are just taking a right and taking a right and taking a right and I -- I'm concerned that they won't, you know, be really paying attention if somebody's crossing. So, what is the crossing like right at that section if there is going to be an encouragement that all pedestrians stay on the east side? Are there any safety concerns in that location? Is it just white stripes?

McKay: Yeah. Typically what we would do is right now, as I indicated, the sidewalk stops short of our boundary, so we would continue this sidewalk and wrap it around up in here and, then, what you can do is we can come in and do pedestrian striping with permission from ACHD. Is there -- it doesn't show up. It's been added recently? Okay. So, it's already there according to the neighbors. It wasn't there when I was out there.

Simison: Council, additional questions for the applicant?

Hoaglun: Mr. Mayor, real quick, Becky.

Simison: Councilman Hoaglun.

Hoaglun: That ten foot sidewalk on the east side, is that already conditioned? Is that already part of staff conditions?

McKay: Mr. Mayor, Councilman Hoaglun, I believe we had to install ten foot sidewalk along Amity based on the Meridian Pathways Committee, but they did not condition ten feet along Hillsdale. They only conditioned five. So, that would be an additional condition of approval.

Hoaglun: Thank you.

Simison: Thank you, Becky.

Hoaglun: Well, Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I will close the public hearing on H-2021-0046, Centerville Subdivision.

Cavener: Second.

Simison: I have a motion and a second to close the public hearing. Is there any discussion on the motion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I appreciate the excellent dialogue by everyone up here and -- and by the residents and applicant trying to find ways to work things out. That's what we really try to do whenever we can. We try to find a way to make it work, if we can get parties to agree and fix things and even if not still try to mitigate some things that -- that we see and I have no idea of the outcome, so I will make a motion and -- and, then, see where that lands and that's one good thing about this Council, we often disagree and -- and -- but we don't -- we aren't disagreeable. So, there is still good people. We all -- all have a vision for a great Meridian and sometimes you all just see it a little differently and how to approach that, but we do it in a way that makes me very pleased to be up here and colleagues --

everyone colleagues and friends and -- and just try to do the best we can for our community. So, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After considering all staff, applicant, and public testimony, I move to approve -- approve H-2021-0046 as presented in the staff report for the hearing date of July 19th, 2022, and with the additional condition that a ten foot sidewalk be installed on the east side of Hillsdale from the development down to Mardia and that also we -- staff asked ACHD to review any -- the need for traffic calming and expansion options on South Stockenham Way and Hillsdale and I -- I -- and accept all the revisions and conditions that were also included in the staff report for this -- for this hearing date.

Bernt: Second.

Simison: I have a motion and a second for discussion. Discussion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: The applicant proposed a condition which would -- would basically time the flashing crossing with the sidewalk being implemented on the property of the south. I -- I -- I don't know how that get -- I mean that just could be years out and I don't know how that gets enforced, but just curious if the motion maker had left that out intentionally or if the Council could comment on that.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Council Woman Perreault, no, that's a good point. I just had missed that inadvertently. So, I'm happy to include that in the -- in the motion that a light at East Hill Parkway be installed upon the completion of the sidewalk on the Lila Hill property. Does that work for your purposes?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't -- I don't know if the applicant actually stated when they intended on installing it originally. It's not a requirement, so it's something they are doing voluntarily. I just -- my question was more about whether that was the timing that if -- if the motion maker intended that to be the timing or if we could state clearly when the timing would be for that light to go in. Not necessarily that I was suggesting that that -- that be the process.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, Council Woman Perreault, yeah, it was my understanding that the timing that -- of that light would be installed with the -- with -- following the installation of the sidewalk on -- on the out parcel, so --

Simison: And the applicant mentioned putting that into a trust and we would know that we could -- I don't know how we could tie it, but the YMCA is going to have to come in for an application for their long-term vision to make that a parking lot. I think it's probably a staff level of application to my guess, if there is not something else. But I know that's the long term plan is to -- to make that a parking lot for the YMCA.

Hoaglun: Mr. Mayor, I'm -- I'm pleased -- happy to include that in the motion for this application.

Simison: Does the second agree for purposes?

Bernt: Second agrees.

Nary: Mr. Mayor, Members of Council, just wanted you to know -- mostly for the record, I have reached out to the residents. The Mayor is correct, the -- the resident had a life estate there. If she no longer lives there the Y does own that property, so the next conversation would then be with the Y on the timing, as the Mayor stated, when they want to do that. You know, can they assist in creating a safer path now based on whatever their future, you know, growth is. So, we will -- we will work on that and we -- we can see if we can expedite that, so -- and I have reached out to the residents to verify whether or not she's still there.

Simison: Okay. Is there discussion on the motion?

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: I did want to point out the -- I already have a condition -- or I would say a DA provision requiring the RFB with the first phase, so you don't have to be I guess specific in the motion, but just to clarify there is a condition requiring with the first phase, but now we are modifying that provision with the motion.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglund: Yes. I would include that in the motion, that that -- that is -- that revision is being made with -- with the timing as we indicated.

Dodson: Thank you.

Bernt: Second agrees.

Simison: Second agrees on that? Is there further discussion? Okay. Clerk will call the roll.

Roll call: Borton, absent; Cavener, nay; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, absent.

Simison: Three ayes. One no. Motion passes. Thank you all for being here and for your involvement in this process.

MOTION CARRIED: THREE AYES. ONE NAY. TWO ABSENT.

- 7. Public Hearing continued from June 14, 2022 for Bountiful Commons East (H-2022-0015) by KM Engineering, LLP, Located at 5960 and 5984 N. Linder Rd.**
  - A. Request: Modification to the Existing Development Agreement (Linder Mixed Use - Inst. #2018-052340) to update the conceptual development plan and building elevations.
  - B. Request: Combined Preliminary and Final Plat consisting of three (3) building lots on 2.20 acres of land in the C-C zoning district.

Simison: All right. Next item up is a public hearing continued from June 14th, 2022, for Bountiful Commons East, H-2022-0015. We will continue this public hearing with staff comments.

Dodson: Thank you, Mr. Mayor. I'm covering for Sonya on this project, so be nice with your questions. The applications before for you tonight are a development agreement modification and a combined preliminary and final plat. The site consists of just over two acres. Currently zoned C-C and it's located at 5960 North Linder, directly south of the Linder Village, but I guess now it's called Orchard Park or something like that. The future land use on the site is mixed-use community. The property was annexed in 2017 with a DA. A preliminary and final plat was approved in 2018. A property boundary adjustment was recently approved, which established the current configuration of the property. This is the existing development agreement with the conceptual elevations, which depicted -- as you can see one of a -- one larger building with ancillary parking around it. The modification before you tonight is proposed to update the conceptual plan and remove the conceptual building elevations for Chili's and the event center from the agreement and replace them with concept elevations for the proposed single story commercial office



buildings. Changes to the concept plan consists of replacing the seven and ten thousand square foot buildings, which include the shared outdoor plaza and between the two buildings with four multi-tenant -- sorry -- four multi-tenant commercial office buildings with individual outdoor plaza areas at the rear of each building. Staff recommends changes to the concept plan consisting of removal of the parking spaces on the west side of the site that back into the backage road and removal of the parking in between each set of buildings for the provision of a common usable area plaza as required in the DA and the comp plan for mixed-use designations. Since the Commission hearing an updated concept plan was submitted that depicts the removal of the parking spaces along the west boundary, an additional plaza space here. A combined preliminary/final plat is proposed to resub divide a portion of Lot 1 and all of Lot 4, Block 1, of the Bountiful Commons Subdivision. The proposed -- the proposed plat consists of three building lots on the two acres. Access to the subdivision exists via private driveway backage road that runs along the west boundary parallel to Linder Road. The Commission did recommend approval with conditions. The key discussion by the Commission was pertaining to the MDA and the proposed design of the site in relation to staff's recommendation for a more centralized open space plaza area. So, to be clear, that recommendation would be to remove these parking spaces -- or at least some of them on both ends here to have that shared plaza in between the buildings. Commission was generally supportive of the parking spaces being removed along the drive aisle on the west, but didn't -- was not in support of removing parking. As you can tell by what was submitted with the updated site plan, the applicant agrees with that assessment. And I will stand for any questions.

Simison: Thank you, Joe. Council, any questions for staff? Is the applicant here?

Hopkins: Thank you. Good evening, Mr. Mayor, Members of Council. Stephanie Hopkins with KM Engineering. 5725 North Discovery Way in Boise. 83713. Thank you to Joe for giving that great summary. It's like he was Sonya. He's just channeling exactly what we talked about the last time and what happened during Commission. So, I'm here representing our client, the developer, for Bountiful Commons East. We are requesting a development agreement modification to renew the existing development agreement and the concept plan that's attached and a combined preliminary and final plat for the project. He covered the location well. I'm just going to skip past this. That's the original concept plan. This is the original proposed concept plan that we showed at the Commission and based on our discussion with them and staff's recommendation we removed the parking that was on the -- the west side adjacent to that drive aisle. So, we have replaced that with a couple of open space and plaza areas that could be used for the entire development and did leave parking where it was recommended that we replace with plaza space. So, that's the -- those are the open space areas that we added. And, then, we also added a sidewalk along that drive aisle to allow for access up to the north. There is a pretty neat park that's being developed with the Orchard -- Orchard Park development that will be in close proximity to this development, so it will be a nice amenity for the area. So, this is our -- our third site plan, too, I might mention. Our client actually had a neighborhood meeting with adjacent neighbors and based on their feedback he actually moved -- initially -- I don't know if you can see my pointer or not, but initially there was a -- a couple of plazas proposed adjacent to the existing residential subdivision to the east

and based on the comments that he received during that neighborhood meeting he understood that they were concerned about folks being close to their homes and so he -- he asked that we move those to the rear of the buildings on the north and south of each of these buildings. So, these are the conceptual elevations and proposed floor plan that's attached to the -- the buildings that are attached to this development plan for this concept development plan. We would like to request a little bit of flexibility with this concept plan, which we think would work really well with the provision in the DA to allow for reconfiguration of the buildings if a different tenant came in. So, right now our client has, I believe, one tenant procured for professional services at the northwest part of the site, but the -- the remainder of the property is -- they don't have anyone in mind as far as users, so he would really like to maintain some flexibility as far as the way that the buildings are oriented and how they -- they would be accessed. So, right now we are showing multi-tenant buildings, but we would like to have a provision considered in the development agreement to allow us to have some minor modifications to this concept plan as long as it's in substantial conformance with the concept plan. So, this is our combined preliminary and final plat. We are proposing three lots. As Joe mentioned we recently did a property boundary adjustment for -- to get that northwest property out of this property, so that a user could develop there. This is a landscape plan that was -- was part of the original approval for Bountiful Commons. A 25 foot landscape buffer was required adjacent to the residential lots to the east and so this incorporates that 25 foot landscape buffer, as well as a berm, and as you can see it's pretty heavily vegetated to make sure that any nuisance or sound or light would be mitigated as much as possible. You know, it's always tricky when commercial properties abut residential. In this case the developer has done his best to generally integrate the commercial uses that will eventually be here, but provide a little bit of mitigation to those -- to those residents. So, as I mentioned, we are requesting to modify one of staff's conditions initially before -- when we met before Commission we were wanting to also modify this condition to remove ten parking spaces in the west boundary of the site, but we have since revised our site plan to go along with staff recommendation based on our discussion with Commission that night. We, however, would like to request to omit the requirement -- or the recommendation to replace parking areas between buildings A and B and C and D with plazas. We -- we think that the replacement of the parking along the drive aisle has added open space that complies with the comprehensive plan's intent for those plaza areas and think that it's going to really be more of an asset than a central open space would be for this development. We are really trying to consider who is going to be using these open spaces and our intent is for this property to be -- or this project to be developed with professional offices for the most part and we don't believe that the users of those spaces are going to be wanting to locate or hang out in the middle of the parking lot in a plaza. We think that they will probably -- more likely to go north to the -- the park that will be in the adjacent development, so -- as I mentioned we are -- we are showing these open space areas. We have added that sidewalk to add the connection to the north and -- let's see. And we -- an important part of this request is we really want to include as much parking as possible for future users. As I mentioned, the developer doesn't know who is going to locate here. He wants to maintain flexibility for future users and make sure that the site plan is adaptable and that it can be easily -- easily modified and includes as much parking as possible. We really don't want to create an issue with less than adequate

parking in this area. And just so you have a visual, here is the Linder Village or the Orchard Park -- Orchard Sands I think is what they changed their name to. The park that's going to be located there. There is going to be a parking lot, as well as other walking amenities. So, our -- our sidewalk will connect well with that development. So, we believe that flexibility can be afforded to this project and we are excited to work with you on a DA provision to allow for that by not only allowing us to include the plazas and open space on the west side of the site, rather than in the center, and to include a DA provision to allow a little bit of flexibility on the concept plan. We appreciate staff's support and help on this project, too. Sonya and Joe have both been great. So, I will stand for any questions.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Hi, Stephanie. Good to see you. So, a couple of questions. If I read correctly, the square footage of the original buildings -- there was supposed to be approximately ten thousand square foot building, seven thousand square foot building, but this new proposal almost doubles that in terms of building square footage. So, I assume there is -- parking analysis has been done and -- and that's all compliant. But that's quite a bit more -- that's several more users -- tenants than would have been in the prior buildings, which would have essentially been two, if I understand right. So, I see this as being a fairly big change to use, not -- maybe -- maybe bigger than the Commission really had discussed. So, if you could share more about that in terms of, you know, you -- I assume there is going to be like a business HOA that's going to keep these buildings in shape and keep the parking lots, you know, in great condition and that kind of thing. So, if you want to -- if you would talk about the additional square footage of the buildings and how that will be -- how the parking will be affected, how that will affect traffic that's going to be brought in versus what was there before. So, that's -- that's that. And then -- well, go ahead and address that. I have one more question about the open space when you are done.

Hopkins: Sure. Thank you, Mr. Mayor, Commissioner Perreault. Yes. So, that the user before that had been contemplated was an event center and a dance studio, as well as restaurant users, such as Chili's, and so those users, although smaller in square footage, tend to have a little bit more foot traffic and vehicular traffic and I believe that the users that are now proposed, although the square footage is higher, will be -- will include less vehicles and less parking. I know the -- the user to the northwest -- I believe the dentist office, which is probably going to be one of the more heavily parked and needs more parking than maybe some of the other users. They are going to be more like professional offices. I don't know exactly what is planned there and it's hard to predict the parking that will be required, but that kind of -- that solidifies our request to make sure that we keep as much parking in the center as we can without losing the flexibility there. Staff actually did a really great job of summarizing how much parking we are currently providing and so

for commercial and office use in a commercial district a minimum of 63 off-street parking spaces are required for the square footage that we are proposing, which is about 31,500 square feet. So, we are actually -- I think with the loss of the ten parking spaces adjacent to the drive aisle we are proposing 144 spaces, so we are double that, and that's really -- I don't know -- it's hard to predict exactly who is going to come in, but we wanted to make sure it was overparked, so that it's not an issue for fire and police and all the folks that take care of the area.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Yes. I caught that with -- with the parking spaces, but my thought was -- it looks at least from this concept plan that there could be up to 16 different tenants in here. Am I seeing that correctly? And so I thought, you know, what if -- yes, I realize these spaces are probably, you know, 1,000, 1,500 square feet, but what if you have a boutique shop and, you know, a smoothie shop -- and I mean the uses will really have an effect on the parking. So, that's why I wanted to just ask that question and -- because the Commission's conversation was that this might primarily be office specific and that doesn't necessarily mean there is less parking -- parking than retail, but since we don't know that, you know, I just wanted to make sure that there is -- there is a plan for all contingencies.

Hopkins: Yes.

Perreault: My second question about the open space is the Commission had not made the recommendation to alter these center areas between the buildings, the spots in there to become open space, because they -- they expected that these would be more office like uses. But you are saying that you don't know that that's actually what it's -- what's going to happen.

Hopkins: Mr. Mayor, Council Woman Perreault, I could have our client come up and speak to that in a little bit more detail, but my belief, based on our last discussion, is that these are going to be professional users. It's just hard to predict. I don't want to say on the record that for sure it's going to be, you know, professional offices, without specific people in place, you know. But --

Perreault: Mr. Mayor, one more.

Simison: Council Woman Perreault.

Perreault: So, just really quickly, the -- the areas around the building that are dotted, are those sidewalks or is that like landscaping? Around each building.

Hopkins: Mr. Mayor, Council Woman Perreault, are you talking about -- so, I believe there is the -- no, that just indicates the 25 foot landscape buffer. The dashed lines.

Perreault: Okay.

Hopkins: And, then, there are sidewalks along the rear of each building, as well as the sides and that's to really provide pedestrian connectivity to all the plaza areas behind the building. We are trying to comply with the mixed-use community future land use map designation with that one. So, I don't know if that answered -- the little speckled spots there, that's sidewalk.

Perreault: Okay. Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Stephanie, to the east you talked about a berm and heavy landscaping. Is there a fence on top of the berm? I -- I would assume that subdivision to the east they already have probably vinyl fencing, six foot. So, is that changing? What -- what -- tell me a little bit about that, how that interaction occurs there.

Hopkins: Mr. Mayor, Councilman Hoaglund, so the plan right now -- there is a 25 foot landscape buffer with a three foot berm. It's at a three to one grade, so it actually takes up that whole 25 foot of landscaping. I believe that the trees and everything will be placed within that berm, so they could be placed up or above and kind of interspersed throughout there. There is an existing fence -- I think it's wood that's on the -- the property boundary, so that's along the rear of the homes that are to the east of us.

Hoaglund: Follow up, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: On the buildings I know you want some flexibility and -- and you don't know all the tenants that you will have, but are there -- is the potential -- I mean would you entertain for building B and C, which are buildings to the east up against that, would there be a possibility of any restaurants going in those areas?

Hopkins: Mr. Chair, Councilman Hoaglund, I don't believe that our client has that planned. I know that there has been talk about potentially changing the orientation of buildings, so building B and C could potentially shift, you know, with more of an east-west kind of orientation, but I don't know that they have a user in mind, so -- yeah, he's shaking his head no.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglun: Stephanie, yeah, I mean it's been our experience that sometimes we imply -- you know, commercial and offices are great and, you know, they are limited hours and whatnot and, then, a restaurant moves in and, boy, it changes and the hours are longer, the noise is elevated, it's just a whole different ball game. So, that is something that I would be concerned about if there was going to be restaurant, delivery trucks, all those things that occur in the restaurant business. So, I -- I'm -- I don't know if that would be a condition or not to say any easterly buildings not have the restaurants. You could do on the -- on the western ones, but up against homes, that's just a -- that's -- that's asking a lot. They are going to be impacted anyway, but that's -- that's something that just goes a little far in my experience that I have found and -- and, Mr. Mayor, if I might ask Joe a question.

Simison: Go for it.

Hoaglun: All right. Because I'm -- I'm out to stump Joseph tonight, because, you know, he's filling in and -- I can't stump him. I have tried. Joe, Stephanie's asked about, you know, having some flexibility in the DA for minor modification. What is minor modification? How -- what does that -- what does that look like in your -- in your opinion?

Dodson: Mr. Mayor, Councilman Hoaglun, that's a great question. Usually -- I guess it depends on the planner, but usually Bill and I, when we look at these, if the -- if it shows four buildings we typically want to keep four buildings. However, sometimes it -- depending on the conversation within that hearing and Bill's elephant brain, he's like, no, the discussion was really more focused about the square footage total, that type of thing, and so at times we have said -- like as long as you keep the square footage approximate you can reduce the number of buildings kind of thing. To keep it on the record, I would prefer that flexibility to be in the DA and, then, to add a provision that says -- or I could modify the existing provision that says it should be substantial compliance with the submitted concept plan with the modification -- or with the exception of the number of buildings can be reduced from four to three and not have to come back for a DA, which I -- is my understanding is that's more of what would be the potential option of just instead of having four, maybe having one larger building in a certain area and, then, having the other two and just that kind of flexibility. I don't believe that we would require a DA mod if they changed the orientation of the building. Not really concerned with that typically. I -- I think that that's kind of the flexibility that we inherently have in that. But I would prefer a specific DA provision, just to make sure that the record is clear and for people like -- not Bill with his brain.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: So, to that point, then, so if they combined buildings B and C, oriented them going north-south and made it -- and it was a 16,000 square foot building, just to -- as a for instanced, so you got the two going this way and one big one going this way, that's a modification -- being flexible and minor modification, it didn't increase square footage. It

didn't increase number of buildings, because you combine two to one, but -- I'm just trying to wrap my brain around, okay, what is a minor modification here and how do we -- you know, if this goes forward what -- what does that look like, so --

Dodson: Right. That's great -- this is -- every time a DA modification comes through -- or our applications comes through I have to make that call. You know, does it require a DA mod or not, because of something like that. And based on the conversation of the hearing, I -- I -- it's your call if you want to make a specific provision saying that they are allowed to reduce the number of buildings without coming back or based on the conversation we can understand that Council is okay with it. Or if you are not okay and you guys want to be very strict that's also a possibility.

Hoaglund: Okay.

Dodson: But there is inherent flexibility. But, again, typically it's showing four buildings we would want four, but that's not always set in stone, unless Council specifically states that.

Hoaglund: Thank you.

Simison: Counsel, any additional questions for the applicant?

Dodson: Mr. Mayor? Sorry.

Simison: Yes, Joe.

Dodson: I did want to note, Councilman Hoaglund made the comment about the -- limiting the location of a restaurant. C-C district does allow restaurant use. I was going to recommend if that's a concern for Council and the applicant is okay with it, to limit that to the west side of the site or something like that I think would be a good middle ground there. But that would be a new DA provision.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Joe, is restaurant -- does it have a broad definition, like are we talking like wine shops, tobacco shops, is it going to include all of that or are we talking about dining in service?

Dodson: Council Woman Perreault, it's pretty broad. If they sell food -- I mean Jamba Juice to, you know, Chili's or whatever, that's all restaurant and our code is not specific enough to limit that. Wine shops and things like that get a little more complicated, but, typically, yeah, it's -- it's -- it's -- so, if they sell food and that's their primary use we are going to say it's a restaurant and, then, their parking ratio doubles. So, based on their parking counts they -- theoretically every single suite could be a restaurant and it would

meet code. I don't think that would functionally work, but I think that that -- mathematically it would meet code still. So, I think even if half the site was restaurant use, depending on the user and the hours, it would probably be okay, but it doesn't sound like that's what the applicant wants to do anyways. So, I think we should be safe with the parking ratio and restaurant uses.

Simison: All right. Thank you. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, yes. Kelly Carpenter.

Carpenter: Hello. Good evening. My name is Kelly Carpenter. I am a neighbor that backs up to this. My address is 5991 North Arliss Avenue in Meridian. Thank you, Mr. Mayor, and thank you, City Council, for hearing this tonight. First off, I would like to state that the developer, Mr. Gasser, has been very flexible and very accommodating to the neighbors. So, I do appreciate that and I do appreciate your time, like I stated. We just have a couple of concerns as neighbors. First concern is the fencing. The fencing is wood. It is slatted. Currently our bedrooms are on the back of our home and that can't change. So, unfortunately, the headlights shining through the slatted wooden fence does cause a problem. I have spoken to Mr. Gasser about potentially doing a solid wood fence of some sort. I don't know what that would look like. Paramount does have a very specific wooden fence. I think potentially if we could stain it the same color, it could look similar, just more of a solid fence that might work, just to keep the headlights out of our windows in the evening. Another point with the east side of the property, Mr. Gasser's property, there is currently a dumpster on the plan right up against the 25 foot berm. We can actually hear the dumpster being emptied across Linder Road at the Homestead Restaurant at 4:00 a.m. every Wednesday morning. So, I can guarantee you that I will be able to hear a dumpster 50 feet away from the back of my home. So, I am a little concerned about that. Mr. Gasser has stated that the waste department is very specific about where they will allow their dumpsters. I'm just hoping that we can come to some sort of resolution potentially on the northwest corner. I have seen on his plan that there is currently one on the southwest corner and on a previous plan he did have a dumpster on the northwest corner, so I don't know if we -- if that is possible we would appreciate that. Additionally, with the minor modification we really do not -- would -- would not like the Building B and Building C to be turned north-south, because it would go from looking at just a smaller section of a side of a building to, then, a full strip of a side of a building. So, that's just something, again, that we are not super happy about with the -- the northwest potential modification. Another thing that we were speaking with Mr. Gasser about was the berm, the 25 foot berm. As of right now -- and there has been debate as to who did this, if this was Brighton or if it was an easement, but outside of our fence is three feet of our land and, initially, the farmer that owned the property used that three feet as an irrigation canal and so now that that is no longer irrigation land, we are in the discussion of do we move the fence the three feet and gain our land? Is that part of the 25 feet that is the berm? Does Mr. Gasser -- so, there is a whole bunch of the conversation about what to do with that. But if we can come to an accord as to the berm, what type of berm. Are we going to do a sloping berm? Are we going to do maybe a 90



degree berm? We are not really sure. Also what are we going to do with the fencing? So, I think there is a lot of questions right now as to what we want to do. The problem -- two problems I see with the sloping berm and, I'm sorry, I know I have gone past my three minutes -- is we are concerned about if it does slope, that potentially irrigation water from the line of trees could come down into our backyards and potentially create some sort of swampy situation. That's concern number one. Concern number two, safety. I don't want somebody standing on that berm and looking over into my yard. I have three small girls. Also recently I know -- Meridian, it's a great town, we love it, it's so safe, but there was an active shooter that was loose in our neighborhood about two months back. Police tried to pull somebody over in the Winco parking lot and they took off into the Paramount neighborhood and we were all put on lockdown. So, just seeing that there is a berm that somebody could potentially use that to leap over into my yard to take refuge, again, it's just a concern. But we are willing to work with Mr. Gasser. Again, I'm not an architect, but, you know, I was thinking something of the extent of if we did more of an angular berm with a fence at the top, potentially an eight foot wooden fence. Again, I'm not really sure -- that would give us more privacy, a bit more safety and, then, again, the headlight issue. So, those are our main concerns as neighbors.

Simison: Thank you.

Carpenter: Thank you.

Simison: Council, questions?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. Kelly, real quick. Do you have to have wood fence to -- to match the rest of the neighborhood? I mean if it was vinyl is that an option?

Carpenter: I -- we would have to --

Hoaglun: Or not an option?

Carpenter: Yeah. We would definitely have to talk to the Paramount HOA. I know that they are very particular about the fencing, because it is really the look of the HOA. If you drive around either the Chinden or Meridian Road or Linder Road you really see that dark wood. So, I would think that they would be pretty upset by that.

Hoaglun: Okay.

Carpenter: But not a hundred percent.

Hoaglun: Got it. Thanks.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, it's your property and one of your neighbors that -- essentially two houses that back up.

Carpenter: Yes. There is only two of the neighbors that are here this evening, but there are I believe five houses that are affected by this.

Perreault: Are all of you on the same page as far as working together with the developer to get fencing and the berm and everything worked out or is there -- I mean if -- if the neighbors don't agree how that -- you know, if the developer is going to say, yes, I will work on this with you, we will get together and we will do a design, I mean is this going to become like a major issue for the developer, who is trying to help do things that maybe he wouldn't -- wasn't otherwise planning because the neighbors aren't in agreement or something along those lines?

Carpenter: As of right now Mr. Gasser does not want to provide a fence. He wants to utilize the fence that is already there. So, he has told me that he feels that that is not his responsibility as a developer. So, that is where we are in disagreement. One neighbor, when this whole property started coming in, he wanted a large cinder block wall to the tune of 30,000 dollars and we all thought that that was a bit overkill and, obviously, not -- not the look of Meridian. But since then we really haven't heard from him. The lady next door to him has personal issues and really doesn't come out of her house much. Next family it's a -- a family with three boys and a girl and he has been on some of the Zoom calls with Mr. Gasser. I don't know why they are not here tonight. But I do believe that we would all be on the same page.

Perreault: Mr. Mayor, one more question.

Simison: Council Woman Perreault.

Perreault: So, with the fence -- I like the idea of the fence sitting on top of the berm. The challenge is landscaping, what, then, becomes the slope between your fence and that fence. It becomes -- kind of becomes this black hole of problems, because you have got this dead area that's, you know, maybe -- maybe it's landscaped, but they have got to get in there with mowers and get in their trimmers and that fence along the berm creates an issue. So, has there been any thought put into that in terms of -- like what -- you know, there is -- has there been any discussion about what that dead space would be -- would look like?

Carpenter: Right. And that's exactly the concern. Myself and my neighbors have been flexible in talks of do we move the fence out three feet and reclaim that land? So, then, the berm starts and there is not that dead space as you are speaking about and I have even had a neighbor say what if Mr. Gasser wants to purchase the three feet from us.

So, I don't -- I mean we personally would like to gain that three feet, but I think we are flexible. If we can come to an accord with Mr. Gasser in terms of do you want to purchase that three feet or are we going to move the fence out the three feet. But I agree with you, right now it's just a big weedy mess and it would just continue to think -- I think to be a big weedy mess. So, I don't think that any of the neighbors would be willing to go back there and trim and mow and take care of it and especially, again, if it's our property, that's not Mr. Gasser's responsibility, so I know I personally would like to move the fence and claim the three feet on our property.

Simison: Council, any additional questions? Okay. Thank you.

Carpenter: Thank you so much for your time.

Simison: Is there any -- that's everyone who has signed up. Is there anybody else that would like to provide testimony on this item? Good evening. If you can state your name and address for the record.

Badigian: I'm Leonard Badigian and I live at 5965 North Arliss. All I have to say is at -- at a future -- at a past meeting they offered us a berm or fence. Okay? They -- they didn't offer it, they said you could have -- it's berm or fence. That -- that's the way it was worded. We got up and tried to explain that our land is higher than their land and we wanted that dirt filled in -- or I did. Only me and my wife were there. That we could do it. They asked what the other neighbors thought. I said I couldn't talk for them. Because we had a -- we had a representative for us. We didn't have to be even at the meeting. But he didn't show up. So, we didn't know what had been proposed. All we heard was fence or berm. So, the Council -- I will -- I will tell you the truth -- made a joke of me. What do you mean two fences -- double fences? I said I would have to put up another fence on my property and let them put a fence on their property if they want a six foot fence they were offering. They didn't say -- they weren't offering anything, to tell you the truth, berm or a fence. After the meeting was closed and, you know, we couldn't talk anymore -- of course, the developer could say what he wanted to say. He said what he wanted to say and, then, Councilman Carven --

Cavener: Cavener.

Badigian: -- Cavender. Yeah. You got up and said, you know, we spent enough time on this and the -- the man has offered a fence -- now, the meetings closed. We can't talk anymore. Has offered to put up a fence -- haul your old fence away, build a fence and you said he -- he could put a -- he could still do it, but he can't do it on my land. I had already said that. Well, I didn't know what the proposal was, because we never heard from the guy who took control of us and, then, you decided, okay, give them the berm. Oh. Then, Councilman Bernt -- yeah. He said -- he thanked -- he thanked Trevor for his cooperation and everything he had done after they -- after they had okayed a berm. So, anyway, we walked, we couldn't say anything. Not one word. We had -- the other mayor was here. They -- it's like there were different rules and if you look at -- if you could find the transcript of that thing you would know what was said and that was it. I didn't think

the decision was fair, but I mean you couldn't talk and that was the end. Now, if they -- if he was willing, then, to put up a fence, okay, bring our property to level, well, I would have went for it and I would have talked for the other three. But I never had the chance. Anyway, that's it. If there is any other questions -- if I said it wrong, ask me.

Simison: Thank you. And -- and this was back during the 2018 application, the original --

Badigian: Two years -- and two years. And then -- then we had okayed a dance studio there and everything and it was -- it fell through for him and naturally everything changed and now we are back here again. I figured maybe it was time to correct the error.

Simison: Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Leonard?

Badigian: Yeah. Leonard.

Cavener: Thank you for being here tonight. I -- I tried to follow your testimony and it -- and it sounds like that -- and it wouldn't be the first time that I -- I said something where I put my foot in my mouth and so if I -- if I -- if I said something during my testimony that -- that upset you or offended you, I just -- I want you to know that I apologize. That's never my intentions and if I did say something, whether it was taken as I intended or not, I just want you to know that I'm sorry about that.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Leonard, a question. You had talked about your land is higher than what this development --

Badigian: When we moved in --

Hoaglund: Keep the microphone in front of your mouth, because we have to record it.

Badigian: When I bought the place I bought an empty lot. When I got there the perimeter fence was up. Okay. I didn't even -- I didn't know it was my property on the other side of it. But there was a -- an irrigation ditch. Okay. Later -- I didn't find this out for eight years or right before -- right before the land sold -- the farmer sold the land to Trevor. They said, you know, two feet of that's yours. That's when all this came up. I figured, well, hell, what happened. So, Brighton had -- had sued or wanted to -- wanted that -- no. The farmer

wanted to cover the canal or pipe it. Brighton said no. He fought it and Brighton won. Okay? So, now the farmer left his canal there. I don't know if there was an easement for it -- I don't know anything about it, so I'm not going to lie and say I did. But the canal rotted -- rotted our fence posts. We have had to repair them -- we had to fight Brighton the first time to repair it. The second time we just -- we repaired it and that was it. So, there we are, we are stuck. Now, it's -- as soon as he was ready to sell it the farmer filled the canal up and moved the canal in -- or the ditch. Yeah. He moved it in. Sold the property. I don't know what he disclosed to the buyer. Anyhow, then, it came -- and you guys came up with this other decision. Well, I wanted -- okay. Take -- that's why I -- I wanted the fence taken away, but my property is higher -- or was -- the grade was higher, water comes right into my backyard, okay, then it drops -- it drops about, oh, that much. And it -- it's a trench. That's why I wondered if it was evened off -- evenly graded properly down to -- down the other way -- mine stays at where it was, even though I'm not happy with it, but it does and, then, it -- like I said, they made -- the Council -- and you apologized. I'm sorry. It was -- I was made a joke of. Burton -- I don't know where he's at. He says what -- what's this double fence? You know, it was a joke. And the only one that really knew what was going on was the gal next to you -- was her name Geneva? Yeah. And she knew what was going on and tried to explain it, but, hey, you had a lame duck Mayor, you had two lame duck councilmen and a newbie on the Council. Okay? And that was it. But the vote was unanimous. That's all I have got to say. I mean --

Hoaglund: Mr. Mayor. Leonard, I --

Badigian: Go ahead.

Hoaglund: I need to understand, because Kelly had mentioned they didn't want a berm and people looking in and, then, you say your property is higher and -- and Kelly can -- I will probably ask her the same question later. So, your property is up here. Is the ditch that was filled in -- is that where the property starts a little bit -- that's just a little bit lower? And then -- and so it was level all the way to his property?

Badigian: Because of the ditch. It -- it is all on the ditch. Okay? It's like that.

Hoaglund: Yeah.

Badigian: Okay. When they level that off my fence is higher.

Hoaglund: Okay. Your fence right here.

Badigian: Yeah. Up there. Then everything is descent. Then they are putting a -- just a berm.

Hoaglund: Right. You fence the property, but, then, they are going to put a berm.

Badigian: A berm. So, now my fence isn't six feet high anymore.

Hoaglun: Yeah. Because this is up here, so maybe it's only three feet high.

Badigian: Yeah.

Hoaglun: A three foot berm.

Badigian: I said, well, I will -- I will build a fence -- eight foot fence. Then we don't know if the HO would go for -- HOA would go for that. The Council said I don't know that there is any rule against that. You could do anything you want. And -- and he said -- he said, you know, you could do whatever you want with the property. Give it to him if you want.

Hoaglun: I'm sure the newbie said that.

Badigian: And that's -- you could -- you could bring that up and you will see it all.

Hoaglun: Good. Well, thank you, Leonard. I appreciate it.

Badigian: Thank you.

Hoaglun: Mr. Mayor, if --

Simison: Yes.

Hoaglun: Kelly, could you come and enlighten us a little bit on this property thing? I mean it sounds like you guys are very close. It's just some details that need to be hammered out on -- on this.

Carpenter: Yes. So, what Leonard was trying to explain is -- I'm sorry, but forgive me that I just didn't come more prepared with photos. So, our fence is in the land and so here is our houses. Sorry.

Hoaglun: Uh-huh.

Carpenter: And it does, it slopes down. But it comes up first and, then, it goes down into our backyards. So -- I mean technically you could scrape the land and level our backyards and, then, Mr. Gasser's property is still slightly on a decline from our backyards. So, that's where I was talking about if -- instead of doing like a hump of a berm, doing more of a decline or even my husband brought up the point of even doing like a -- a u-shape, like an undercut and, then, planting trees -- almost like a dry creek. So, again, we are not architects or landscape architects, we are just trying to come up with some sort of like, you know, what's going to work for, you know, our homes, keep them safe, our privacy, all of that, so -- but, yes, what Leonard is saying is that our land is high -- is it's higher and, then, it slopes down and that was also another concern for the flooding of -- potential -- potential flooding -- potential irrigation runoff and turning our backyards into swamps, so -- yeah.

Hoaglund: That helps. Thank you. Appreciate that.

Simison: Is there anybody else that would like to provide testimony on this item? Then would the applicant like to come forward to close?

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Just really quickly. I did want to confirm that the parcel lines that I am showing do show that their fence is off of their property line, which, again, I guess Trevor will confirm this, but their landscape buffer is not measured from the fence line, as was asked. It's going to be measured from the property line. So, their technically is a 28 foot buffer, depending on where that fence line is. So, I just want to make that clear for Council.

Simison: Okay. Thank you. State your name and address for the record, please.

Gasser: Trevor Gasser. 74 East 500 South, Suite 200, Bountiful, Utah. I appreciate the comments from the neighbors. I have -- I have tried really hard to work with them. You know, when I first brought this forward I was asking to do multi-family on this back piece. I brought a plan in with a hundred units and, you know, I got a lot of pushback and so I went back, changed the plan, tried to see what I could do. I found a tenant that wanted to do a dance studio and an event center, which would have brought in, actually, a lot of traffic on the weekends at nights for recitals and two weeks before we closed the property they came to me and said that they are no longer going forward. I had to scramble really hard. I -- I was able to get it together and -- and purchase the property and now I'm just coming back with a new plan and, like I have said, I have got a dentist that's taken that northeast portion, but I would like to just comment on some of the comments that were made by -- by the neighbors. So, when I brought it forward there -- there was another gentleman that wanted me to do a CMU fence and I -- I felt like that was over and beyond what I should be doing. I went and took pictures of my developments that had just --

Bernt: Hey, Trevor?

Gasser: Yes.

Bernt: What's a CMU? Is that a --

Gasser: A cinder block.

Bernt: Yeah.

Gasser: Yeah. I went and took pictures of all the developments around being -- surrounding this development. They were all wood fenced and they were the original fences from the residential development and -- and so I approached -- my approach was, well, that -- that's -- you know, what -- what's been done, I don't know why I would need

to come in and build a new fence. There was talk about -- I don't want to build a fence on their side of the property. I would want to just build it on my property if I was going to do that. Some people didn't want to take down their fence and so we were going to have a gap in between that's two to three feet and so, you know, there was discussion there. I -- I -- I would prefer to have you guys say what we need to do, rather than me go back and try to communicate with everybody and get on the exact same page, because I just think that could cause some issues. I would be willing to put a fence on the property -- on my property line and, then, they can do what they want on their side. But I -- I just think that there could be a lot of issues trying to work on their side of the property and -- and so there was talk about headlights coming in. That's why we were building a berm, so that would stop headlights from coming into their backyard and so that was --

Bernt: But you are lower than they are.

Gasser: We are. Yeah. It was a gravity ditch, so water would come in and, then, it would grade down to -- to the rest of the property. So, we are lower.

Bernt: Mr. Mayor? Substantially, like three or four feet lower?

Gasser: Three to -- yeah. And so -- and that berm, too, you know, if -- if we are 28 feet from the fence line, the berm at the crest is in the middle of that 28 feet where it's 25 feet. So, it's even further back. So, you know, it's still quite a ways away from anyone getting up and trying to look into their backyards and we are going to have trees and -- and, you know, Joe, we could pull up the -- the landscape plan, too, and just show the vegetation that we -- we have proposed to plant there. I feel like there is going to be plenty of screening. But, again, I would be willing to put a fence on that -- on that back property line and get rid of the berm if -- if that's what they would like me to do.

Simison: So, Council, questions? And I guess in your estimation is the gravity irrigation -- is it on the neighbors' property or is it on your property? Is there another three feet that we are just going to assume is behind their fence?

Gasser: Yeah. When -- when I bought the property it was -- just Brighton was -- was the developer of that site and they put the fence line on their side, so two -- two feet -- two to three feet on their side.

Simison: Where is -- where is the irrigation -- the former irrigation --

Gasser: I think it's just right at the back of their fence line.

Simison: So, you -- you would think it's on their property, not your property if you were --

Gasser: Would you guys say that the canal -- is it two feet off the back? I mean there is a lot of weeds back there. I -- I haven't really gone back and inspected exactly what -- where it is, so --



Simison: Yeah. I think -- because at least where I'm going to -- I mean -- I mean you -- if you -- I'm not going to say these aren't great people, but if you are just saying tell them to tell you what to do, I guess are you agreeing to do whatever they say you are going to --

Gasser: I would just propose -- I would just say let's either do a six -- a new six foot fence on my property line and -- you know. And get rid of the berm, because I -- I think that's what they are requesting. I -- I would do that.

Hoaglun: Mr. Mayor -- I will yield my time to --

Gasser: But I would ask if you guys have any questions.

Hoaglun: -- Council Woman Perreault.

Simison: Council Woman Perreault.

Perreault: Mr. Mayor. I'm a real estate broker. I have dealt with this before.

Gasser: Sure.

Perreault: It's not fun. It ends up being a three foot gap full of weeds and nothing. I -- I agree that -- that we can't -- if it's truly on their property, which it sounds like it probably is. I pulled up the original plat and it's not showing on there in the Paramount side, but there is no plat notes that say that there is a ditch or an easement or anything on that -- on Paramount's original map. But if you -- would you consider doing a taller fence, maybe an eight foot fence and just, then, allowing them to deal with that three feet however they do and -- I don't think we are placing their own subdivision fence -- first of all, you can't, it's not your property, but even if they agree to let you do it it just doesn't make sense. So, the berm issue -- I don't know. The berm just -- in this situation I don't feel like is the best -- you know, you are asking us to make a decision. We can't technically, but just talking out loud the -- I don't -- the berm doesn't make sense in my opinion and so would you be willing to do a taller fence or a fence that's more substantial, that's not just, you know, maybe has -- maybe it's more like a -- a block wall or something that -- along those lines.

Gasser: Yeah. You know, honestly, I would prefer to keep the plan as is. I would do a six foot wood fence, just like every other developer has done in that area. I -- I don't know why I would be held to -- to go in and do an eight foot fence. That's substantially more substance. You know, it was approved that way last time I came in. I'm willing to work with the residents and put -- you know, right now it's approved without a fence, so I can go and put in a six foot fence, you know, I -- I would be willing to do that. Their -- their land is already higher, so I mean it's not like I'm on an even playing field compared to some of the other developments that just have a six foot fence and, you know, their land is flat right behind their property. So, they are there -- it's already, you know, elevated for them.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And, Trevor, though, if -- if you move the fence -- a six foot fence to your property line, such as -- you can build it on your property right there, then, there is -- they -- they will have a little bit of fall in their -- in their ground. There -- it sounds like it starts where their fence is, it drops off from their fence?

Gasser: Well, it goes up, so there would be actually something that goes up if I build it off of theirs. Right now there is -- there -- there is their fence line; right? And, then, it drops down. So, if I bring it back to mine that's going to be down lower than their -- what their property is, so it shouldn't like -- water shouldn't be coming up and over.

Hoaglund: Right. That's what I was -- that's what I was trying to get at to understand that water -- water flow and whatnot.

Gasser: And there shouldn't be a lot of water back there and -- you know, I mean I'm not planting grass or anything. It would be probably like a drip system with -- you know, to those trees.

Hoaglund: Mr. Mayor --

Simison: Well, if I could just -- on this -- you know, I -- I -- I know as part of the development process you are required to keep all the -- all the water on your property. That is what is in theory required. That's why I'm trying to figure out where the water -- the irrigation ditch is -- whose property is it on, because that -- because that really was --

Gasser: I told them that I would fill in that ditch, you know.

Simison: Well, that's -- you know, that would be part of the question, is like why would we not level this -- is there a reason why we would not want to level your property to the back of their property through this process? Is there a reason why we -- that ditch doesn't -- should not be filled in or -- just curious, because that seems to be a --

Gasser: I'm fine to fill in the ditch. That's not a big deal to me.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. My -- my same thought process is similar, because if you go to their property line, make sure they are kept level to -- right to the edge of yours and, then, that fence is built and you got a six foot wood fence, it sounds like you have to match what the HOA requires, but that would be new and, then, where ever your property goes from there is up -- up to you, if it -- you keep that grade or you drop down, that -- that's fine. But they are -- they are kept level with a new fence and, then, if you do substantial landscaping for headlights and different things, I think that takes care of headlights and

-- and those types of things. You don't have to build a berm. Moving dirt is expensive. I mean just leveling up that short strip -- but that -- that would take care of the berm issue in my mind, but --

Gasser: Be happy to do that.

Hoaglun: Dumpster, Mr. Mayor.

Simison: Councilman Hoaglun.

Hoaglun: I'm not talking about you, I was talking about the property. It's late. You got to throw something out there to keep people awake. No. I -- I noticed you had it here. I noticed on the original plans you actually had it where that outdoor -- open space outdoor plaza was up when you had parking up in there and it got moved, so --

Gasser: So, Councilman, I have -- have more land next to this building right here. So, for Republic Services to get in there -- they -- they can kind of get out of the private drive here. That's why that one's a little easier. I -- I did have it up here before, but my engineer just said they have had a lot of issues with Republic Service backing out into a private drive here and so that's why we moved -- we moved it down here. Originally I had the dumpsters in the middle at the back right here and they felt like Republic Services would not drive all the way in and pick that up and drive all the way back, because that's exactly where I would love to put it and, then, get it out from there and get it away from the neighbors. I could add more, you know, stalls. I mean it -- it would be better for me if I could do that.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. That was my thought as well. I mean they are having to go clear in there, so why not have it at the end of the north side, because that's all going to be commercial, so you are backing up to commercial and -- and -- and move that dumpster there.

Gasser: So, I will put them right there and we will see what they say.

Hoaglun: Yeah. I think that -- that makes it work much better for the neighbors. Although Kelly sounds like she has hearing like my wife, she hears everything.

Gasser: I -- I agree. I think that would be a great spot for it.

Hoaglun: Okay.

Simison: And I'm just -- how much say does Republic have in this process, out of curiosity?

Nary: So, Mr. Mayor, obviously, we take it very seriously from them, because, again, they have to pick it up. So, I don't -- we do -- we do really respect their comments, but -- so, I don't know if it's undoable for what you are proposing. My assumption is it's not undoable. It's -- it's more difficult -- it can be more difficult, but it doesn't mean they can't do it.

Gasser: And we have put --

Nary: It's your call. Ultimately it's the Council's call.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Typically when we have certificate of zoning compliance come in -- so, when commercial development comes in that's the next step. Part of our sub -- our submittal process is they need to provide proof from Republic Services that their trash dumpster locations have been approved and that's approved through their standards. So, I haven't -- I want to say maybe once or twice they have not approved it and the applicant has told me, hey, I can't submit, because they are saying I can't put my dumpsters where I want them, et cetera, and so I have had to communicate with them and we have had to move dumpsters sometimes from where the applicant wanted it in order to accommodate Republic Services. So, I don't know if we can just say, hey, put it here and Republic Services will pick it up, because they have their certain requirements about how far they want and can back up with their dumpsters similar to fire. I don't think it's as serious, but that is the -- the communication I have received from Republic Services.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Joe -- but we have -- they have to know we don't want dumpsters backing up to residential homes if at all possible. I mean that's just a nuisance and no one's happy.

Simison: And the new plastic lids, so that they are not metal lids --

Dodson: Yeah. I will say, Mr. Mayor, that -- I mean I have seen this in other developments -- they could put it here in one of these and take up a couple of spaces and have it angled in a way that Republic Services can pick it up. I know it's not great to have a dumpster in front of the building, but -- I mean that's a potential option.

Simison: That's the way it is at Gramercy. They have -- they have got -- I mean it's -- it's horribly unattractive and awkward in this location, but --

Dodson: But it functions.

Simison: It functions.

Dodson: Yes, sir.

Gasser: I would like to move it where we have proposed and, hopefully, I can get support from staff on that at least, you know, and they will say okay.

Dodson: On the record I would love to have it at the back of those little parking areas.

Gasser: Yeah.

Dodson: For sure.

Simison: Councilman Bernt.

Bernt: All they got to do is just back up. So, I -- I just -- I think it would be pretty easy just to back up. I just think that's really simple.

Simison: If you were able to hear, that's what he just said.

Hoaglund: Mr. Mayor, one last question --

Simison: Councilman Hoaglund.

Hoaglund: -- on Kelly's list here. Don't turn building. You know, I can understand from their perspective, but in -- you know, Stephanie asked about flexibility and minor modifications. What type of possibilities do you envision -- and I know it depends on clients and you don't know who you have yet. So, where are we in that thought process?

Gasser: You know, I mean that -- that would be one of my -- the possibilities we would like to have is if on Lot B -- Building B and Building C, you know, if you had a tenant that wanted to take one building in the back there, you know, I would probably get a little smaller than the two combined, but, you know, I would like that option. You know, we are 28 feet right now, but it's still 25 feet off the back of the property. It happens all over the city, you know, where houses back up to single story, where before I could have gone three story with the event center. So, I would like that flexibility -- or combining Lot 9 and Lot 8 with one building there, too, you know, it -- it -- I'm not going to grow the square footage, but I would like that flexibility if one tenant came to me and -- and needed both buildings.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: We are trying to kind of work through a couple things. I -- I wouldn't mind if -- if Kelly came back up and kind of commented on some of the things we talked about, where they are in that thought process and, then, have Trevor come back up, because we are getting there. We are getting there. Mr. Mayor --

Simison: Kelly, if you can state your name and address for the record again.

Carpenter: Kelly Carpenter. 5991 North Arliss Avenue in Meridian.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Kelly, let's talk -- start with the berm and the fencing. Your thoughts on if we had the developer put a new fence, six foot wood, whatever the HOA requires, at the -- it would be on his property, but your property would be right there and that would be leveled off. So, yours and Leonard's and the other two properties would be made level and, then, he maintains the fencing, because it is on his property and, then, it's just -- if he leaves it a couple feet down and goes out and does substantial landscaping, what are your thoughts on doing something like that?

Carpenter: I actually think that that would be fine. Absolutely.

Hoaglun: Mr. Mayor and Kelly, on that our -- our ordinances call for maximum height is six foot.

Carpenter: Oh. Okay.

Hoaglun: So, yeah, six foot is -- yeah, we can't go eight foot, so --

Carpenter: That's totally fine. But, no, I think that would be a good solution.

Hoaglun: Okay. Dumpster. I think if we can get that moved that would -- that would be helpful. And with the fencing and -- and substantial landscaping I think the headlight issue, hopefully, is resolved. That's one thing about turning the building, though, would help with noise and lights. That's -- your thoughts on -- on something like --

Carpenter: My only thoughts is if -- again, we don't know what it could be; right? It could be an office building, which would be great, but it could be some sort of a food eatery and my thought is just people going out the back door, having a cigarette break, obviously, again, three small girls, don't want them smelling cigarette smoke or hanging out after work, so it's just hard -- it's hard to look into the crystal ball and see who the tenant is going to be. And, again, if it is -- if it is a lease situation the tenant could change, if I'm -- I don't know if I'm correct on that or not. I'm assuming if it's a lease option. So, it's just -- it's just hard to know. I guess my suggestion would be that if the building was to change direction can we come back for another meeting at that time? Is that -- is that an option? I don't know.

Hoaglun: Okay. Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglund: And, Joe, the -- the elevations on these, they -- they aren't two story office buildings, but they do have some height to them, just because of the facade and different things. They look taller than they typically are, if that's -- memory serves right.

Simison: Yeah. The applicant said they were one story.

Dodson: Mr. Mayor? Yes, they -- they are one story. It looks like the top of the parapet is a little over 20 feet. So, shorter than a house elevation that's for sure.

Carpenter: And -- and you are absolutely correct. It -- it -- double edged sword; right? If the building was turned, absolutely, it would block a lot of the sound and the light. So, I guess my biggest hesitation is who is -- who is the tenant and, again, crystal ball, none of us know.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Kelly, you are right. And that's why I -- I know -- I have done it in the past when I was on Council previously, there was a location on one and the condition was that a particular section of the building could not be any restaurant or food establishment that operated past -- you know, I can't remember if we did a time limit or not, because they tend to be open later and there is music, there is noise, there are the -- all those things that -- that occur that -- so, I -- I'm thinking that would be something I would be interested in pursuing as well, just for those -- that section. If he has restaurants up the other side, that -- that's fine. Especially if that building is turned that helps -- that's even better, so --

Carpenter: Absolutely. I agree with you. I will tell you as of right now we can hear Homestead, again, across Linder going until midnight and 1:00 in the morning. Guitar music. Luckily it's all nice guitar music, but -- but, yeah, it can be -- you know, obviously, if you need an early night on a Friday or Saturday it's not ideal. So, if it was not going to be a restaurant, if it was going to be a business, I think that that would be something that we can agree to. I do have a question in return for you and maybe this is more of Mr. Gasser, but would we, then, lose the berm -- not the berm, but the strip with trees if the building was to turn orientation or would that still remain?

Hoaglund: Landscaping is still required.

Carpenter: Okay. Thank you.

Hoaglund: Correct?

Simison: Correct.

Carpenter: Okay. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I just want to say thanks, like I -- we do this a lot and I always appreciate when neighbors come up and it's a collaborative and -- not only have you brought, hey, here is our concerns, but here is the proposed solutions that you are looking at. I just -- you just ran a really good master class on being an advocate for yourself and your neighbors and your HOA. So, I just want to say thank you.

Carpenter: Well, thank you. And, truthfully, appreciate all of you and your job and your time and, yeah, thank you. We just want to make Meridian great. Keep it great and keep on pushing and all those good things.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I know it's an informal rule, but there is a rule that if -- if, you know, you are in a City Council meeting after 9:30 with little kids there is some type of ice cream that's made -- you know, you pick up ice cream on the way home or at a later point in time. I don't know if that's enforced at your house --

Carpenter: They just had a bag of Skittles and M&Ms, so I think we are pretty sugared up right now.

Cavener: Perhaps -- perhaps -- perhaps another time. But thank you for bringing your kids and appreciate them sticking with us, too.

Carpenter: Thank you again. I appreciate you.

Simison: I -- I think we were just going to go with City of Meridian pins, you know.

Carpenter: Yes. And thank you for those.

Simison: Thank you. Mr. Gasser, would you like to come back up?

Gasser: So, if I turn the building, her concern was people going out back. I would make sure that there was a condition, too, that at least the plaza areas were still on the side of the building and not directly behind it. That could be a way to mitigate that from ever happening. As far as the restaurant use, you know, I -- I, honestly, don't foresee restaurant use coming to this space. But if there is a small thousand square foot tenant that wants to do some type of food use -- you know, I -- I -- I would hate to restrict my property and -- and miss out on that. I'm okay to restrict how late it goes, because I don't -- I'm not going to have a big sit-down restaurant here. I don't have enough parking for it. It just wouldn't work. It would kill my -- my development and all my other tenants and so I'm --



I'm very conscious with how much parking I have and what my parking ratios are. I don't think that a food use would like this location anyways. They want to be close to the street and be visible. This is -- this would be buried in the back of the property. So, I'm not too concerned on that. But I would still like some flexibility there if there was a -- you know, if there was a little food use in there. But, you know, I'm not looking for a sit-down restaurant or anything that goes late and I -- I just don't know if there will be any type of tenant like that. Like I said, I am going for more of that. Yeah. Yeah. Professional use. Your dentist. Your attorney office. Engineer office. You know, those type of tenants.

Simison: Councilman Bernt.

Bernt: I don't see any use like that. I mean you have two commercial properties that are in front of this property.

Gasser: Yeah.

Bernt: So, that's -- that's abutting Linder Road and so these properties are behind -- so, there is two -- there is going to be two big commercial properties in front of this and so I mean there is not going to be any, you know, big restaurant that would ever spend that type of money to be -- like have a back seat -- you know, I -- I don't -- I just don't ever see it. I would never spend money doing that. My business would go out of business.

Gasser: Yeah.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just trying to get this in my mind's eye. I'm such a visual person, so -- you have the edge of the parking lot. Twenty-five feet of landscaping; correct? Your six foot fence.

Gasser: Correct.

Perreault: Drainage ditch. And, then, Paramount's six foot fence. Is that what I'm understanding?

Gasser: Well, that wouldn't happen unless they took down their fence.

Perreault: Okay.

Gasser: I think the drainage ditch is right on the property line. I -- I would fill that in. I can fill it in up to their fence line. But, then, I will put my fence on the property line.

Simison: Which gives them the opportunity to reclaim their three feet if they so --

Gasser: If they wanted to tear it down and -- yeah.

Perreault: Okay.

Hoaglun: So, Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: What I'm hearing is that the applicant would build a new six foot fence on the applicant's boundary and level the ditch area to match the neighbors' current property.

Gasser: Councilman, could I ask -- do you guys want it to go a little lower on -- on my side of the fence? Okay. But do you want it to be even or to go -- on my side? Okay. Yeah. It will be --

Hoaglun: So, you will level the neighbors' ditch area to their satisfaction -- to their specifications, how about that?

Gasser: How about I just level it to where it is right now at the bottom of their fence?

Hoaglun: Yeah. Yeah. To their fence. That's what I'm thinking. Level it to their property -- to match their property line. Then you build your fence to match what -- to HOA specifications. We don't -- we don't know what that is. And there will be no berming, but there will be good landscaping as required by -- by -- by city code. Dumpster going to -- between the two buildings in the middle section somewhere. That back dumpster. Or trying to -- to -- to talk -- you know, on questions earlier to Joe about the flexibility and what that looks like, I mean it sounds like we are talking about either having the two buildings or possibly one building of one story and that it's professional office functions in -- in that -- in that building and I think -- and so that gives you that flexibility, two buildings, or you can turn -- and it sounds like they would be a little bit -- might be smaller, instead of combining 16 square -- thousand. Might be less than that.

Gasser: And it's -- it could still be the same, but --

Hoaglun: Could be.

Gasser: -- just because it's -- I'm not losing land when I do that; right? So, it -- it still could be that, but, you know, the tenants that have approached me -- because I have had some approach me. It would get a little smaller than that.

Hoaglun: Okay.

Gasser: But -- I have people call me all the time, you know. You -- you just never know what's going to happen.

Hoaglun: Was -- was there anything else we are -- we are missing?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: And I -- I don't want to stop this process. We heard from one resident. There was another one that was here. I just wanted to make sure that as neighbors we are all kind of in -- in agreement. Okay. Thank you.

Dodson: Mr. Mayor?

Simison: Joe.

Dodson: I just wanted to clarify. Was part of what Councilman Hoaglun stated limiting the use, as well as I said -- no restaurant uses on the east side or -- I can't remember.

Hoaglun: For -- for the -- yeah. If he turns it -- it's -- it's limited to professional office functions only.

Dodson: Okay. Thank you.

Gasser: Or non-food use?

Hoaglun: Or non-food use. Well -- yeah. Non-food use. I mean -- yeah.

Gasser: Okay.

Hoaglun: If it's an office and they want to have a birthday party, I mean, you know, they can have cake.

Nary: Mr. Mayor? Again, I don't want to belabor this, but down the road we have these conversations. Non-food use does allow, then, a tap room. Is that okay? Because that -- tap rooms don't have food.

Gasser: I would like to have --

Nary: Okay.

Hoaglun: Okay.

Simison: The other thing that you mentioned that you could do is you -- you could limit the hours that would traditionally prohibit the restaurant or other things from that standpoint.

Gasser: Thank you.

Simison: All right. Thank you. So, with that, Council, do I have a motion to close the public hearing?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move that we close the public hearing.

Bernt: Second.

Simison: I have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, after considering all staff, applicant, and public testimony, I move to approve File No. H-2022-0015 as presented in the staff report for the hearing date of July 19th, 2022, with the following conditions: That the applicant will place a six foot fence on his boundary line to HOA specifications, as well as level the ditch to match the neighbors' property. And, of course, there will not be a berm and -- and will meet landscaping requirements for the city in that 25 foot area. That the dumpster -- one of the dumpsters be placed in -- in -- between the buildings in the middle area and that the back offices would be no food use or tap room in those back buildings.

Simison: Do I have a second?

Cavener: Second the motion.

Simison: I have a motion and a second. Discussion? Seeing no discussion, Clerk will call the roll.

Roll call: Borton, absent; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglun, yea; Strader, absent.

Simison: All ayes. Motion carries and the item is agreed to.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**ORDINANCES [Action Item]**

**8. Ordinance No. 22-1983: An Ordinance Amending Meridian City Code Section 3-3- 3(C), Regarding Limitation on Release Fees; Repealing any Conflicting Ordinance; and Providing an Effective**

Simison: Thank you. Mr. Clerk, do we have pins for the -- we already did? Awesome. With that we will move on to our final items of the evening. Next up is Item 8, Ordinance No. 22-1983. We ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance amending Meridian City Code Section 3-3-3(c), regarding limitation on release fees; repealing any conflicting ordinance and providing an effective date.

Simison: Thank you. You all heard this ordinance read by title. Is there anybody that would like it read in its entirety? Seeing none, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Since I have so kindly let my fellow Council Members make all the motions this evening, I will make one. I move that we approve Ordinance No. 22-1983, amending Meridian City Code Section 3-3-3(c) regarding limitation on release fees, repealing any conflicting ordinance and providing an effective date.

Cavener: Second.

Simison: I have a motion and a second to approve Ordinance No. 22-1983. Is there any discussion? If not, Clerk will call the roll.

Roll call: Borton, absent; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, absent.

Simison: All ayes. Motion carries and the ordinance is agreed to.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**9. Ordinance No. 22-1985: An Ordinance (Alamar Subdivision – H-2022-0004) for Annexation of a Tract of Land Located Within the Southeast ¼ of the Southwest ¼, Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho; and Being More Particularly Described in Attachment “A” and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City of Meridian; Establishing and Determining the Land Use Zoning Classification of 8.23 Acres of Land from RUT to the TN-R (Traditional Neighborhood Residential) Zoning District in the Meridian City Code;**

**Providing that Copies of this Ordinance shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date**

Simison: Next item up is Ordinance No. 22-1985. We will ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to Alamar Subdivision, H-2022-00004 for annexation of a tract of land located within the Southeast ¼ of the Southwest ¼, Section 10, Township 3 North, Range 1 West, Boise meridian, Ada county, Idaho; and being more particularly described in Attachment "A" and annexing certain lands and territory, situated in Ada county, Idaho, and adjacent and contiguous to the corporate limits of the City of Meridian as requested by the City of Meridian; establishing and determining the land use zoning classification of 8.23 acres of land from RUT to the TN-R, zoning district in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing for a summary of the ordinance; and providing for a waiver of the reading rules; and providing an effective date.

Simison: Thank you. Council, you heard this ordinance read by title. Is there anybody that would like it read in its entirety? Hearing none, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Chris, if you need a side gig as an auctioneer I have a friend that owns a company.

Johnson: Sold.

Perreault: I move that we approve Ordinance No. 22-1985 with the suspension of rules.

Cavener: Second.

Simison: I have a motion and a second to approve Ordinance No. 22-1985 under suspension of rules. Is there any discussion? If not, Clerk will call the roll.

Roll call: Borton, absent; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglun, yea; Strader, absent.

Simison: All ayes. Motion carries and the item is agreed to.

**MOTION CARRIED: FOUR AYES. TWO ABSENT.**

**EXECUTIVE SESSION**

Simison: Item 10 was not added to our agenda, so it does not exist.

**FUTURE MEETING TOPICS**

Simison: Is there anything under future meeting topics? Or a motion to adjourn?

Hoaglun: Mr. Mayor, I move we adjourn.

Simison: Have a motion to adjourn. All in favor signify by saying aye. Opposed nay? The ayes have it. We are adjourned.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 9:53 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
MAYOR ROBERT E. SIMISON                      DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK