

A Meeting of the Meridian City Council was called to order at 6:19 p.m. Tuesday, March 14, 2023, by Mayor Robert Simison.

Members Present: Robert Simison, Brad Hoaglund, Luke Cavener, Jessica Perreault, Liz Strader and John Overton.

Members Absent: Joe Borton.

Also present: Chris Johnson, Joy Hall, Bill Nary, Stacy Hersh, Berle Stokes and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☐ Joe Borton
☒ Brad Hoaglund	☒ John Overton
☒ Jessica Perreault	☒ Luke Cavener (5:09 p.m.)
☒ Mayor Robert E. Simison	

Simison: Council, we will call the meeting to order. For the record it is March 14th, 2023. It's 6:19 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: It looks like we don't have anyone here for the community invocation.

ADOPTION OF AGENDA

Simison: So, we will go ahead and move on to adoption of the agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: We didn't finish our items under the -- in the Executive Session. So, at the end of the meeting I will add Executive Session, Idaho Code 74-206 (d) to our agenda. So, with that change, Mr. Mayor, I move adoption of the agenda as amended.

Cavener: Second.

Simison: I have a motion and a second to adopt 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: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, do we have anyone signed up under Public Forum?

Johnson: Mr. Mayor, we did not.

ACTION ITEMS

- 1. Public Hearing for Alexanders Landing Subdivision (H-2022-0084) by Kent Brown Planning Services, located at the southeast corner of W. Pine St. and Black Cat Rd.**
 - A. Request: Annexation and Zoning of 5.2 acres of land from RUT in Ada County to the R-8 zoning district.
 - B. Request: Preliminary Plat consisting of 24 building lots and 4 common lots.

Simison: Okay. Then with that we will go on to Action Items. First item up is a public hearing for Alexanders Landing Subdivision, H-2022-0084. We will open this public hearing with staff comments from Stacy.

Hersh: Good evening, Mr. Mayor and City Council. The applicant has submitted an application for annexation and zoning and preliminary plat for the Alexanders Landing Subdivision. This site consists of 5.2 acres of land and is currently zoned RUT and is located near the southeast corner of West Pine Avenue and Black Cat Road. History on the property is none. The Comprehensive Plan FLUM designation is medium density residential. The subject property is 5.23 acres. Currently contains an existing home. The subject site is abutting an R-8 development to the north in Horse Meadows Subdivision to the east and west is currently residential and not yet annexed into the City of Meridian and to the south is the railroad and Purdam Gulch Drain. The subject property is designated as medium density residential on the future land use map, consistent with the approved development to the north. The applicant proposes a 24 lot subdivision and four common lots for a single family residential detached home at a gross density of 4.59 units an acre, which is within the desired density range -- range of the medium density designation. An existing home is on the property is proposed to remain on Lot 1, Block 2. The outbuilding located on Lot 3, Block 2, shall be removed with the development of this property. The existing home does not meet the required

number of off-street parking spaces per the UDC for a three bedroom home that requires four parking spaces, at least two in an enclosed garage and other spaces may be enclosed for a minimum of a ten foot by 20 foot parking pad. The existing home does not comprise of an enclosed garage. Staff recommends that the nonconformity of the home be remedied to meet the off-street parking regulations and prior to the city engineer's signature on the final plat. Access is proposed -- proposed from Quarter Horse Lane from the north. Direct access to North Black Cat Road and West Pine Avenue is prohibited. The subject property is dependent upon the development of the Horse -- Horse Meadows Subdivision directly to the north to reconstruct the portion of Quarter Horse Lane, which is currently a private road now, as a public street -- street, which would provide public street frontage and access to the site. Due to access availability, development should not commence until a public road access is available to the site upon development of the Horse Meadow Subdivision prior to submitting a final plat for approval. A local stub street, which is West Newland Drive, is proposed for interconnectivity between the two developments that are stubbed at the east-west boundary on the site in accordance with the UDC. The street does extend 150 feet. Therefore, a temporary turnaround is required. The applicant is proposing to construct a temporary turnaround on a common Lot 10, Block 1, which decreases the usability of the area. Staff recommends that the applicant construct the temporary turnaround on Lots 5-7, Block 3, in the southwest corner of the development to increase the open space for the development. The reason for this recommendation is to ensure that the open space for the development remains intact without placing a burden on the HOA to remediate the removal of the turnaround. The applicant included a concept plan for the property to the west -- sorry. Which is shown that demonstrates how the R-1 property could potentially develop in the future. Landscape buffers. There are no street buffers are required per the UDC table for internal local streets. Common open space landscaping is proposed as shown on the landscape plan. Common open space and amenities -- a minimum of 15 percent or 1.23 acres based on 5.23 acres of qualified open space is required to be provided in this development per the standards listed in the UDC. An open space exhibit was submitted that depicts 1.29 acres of common open space for the development with a 0.78 acres of this area as qualified open space. The minimum -- the minimum amount of qualified open space required is 0.78 acres, approximately 34,194 square feet, and a ten foot wide pathway is required per the master pathways plan in lieu of the proposed six foot pathway running along the southern border of the site. The project size of 5.23 acres requires minimum of one amenity point for every five acres. According to the submitted plans the applicant is proposing the following amenity use worth three amenity points. Picnic tables with a shelter. Pathways. The proposed amenities and their point value is correct and exceed the UDC requirements for a project of this size. Sidewalks are five feet wide. Attached sidewalks are proposed within the development according to the UDC standards. The Purdam Gulch Drain does run along the southern border of the site. Staff did not receive a response from Nampa-Meridian Irrigation District on whether or not an easement exists on the property for the lateral. If it does it should be depicted on the plat and no encroachments allowed within the easement and per the UDC the applicant is requesting a Council waiver to allow the drain to remain open in a natural state. Building elevations were provided. Three conceptual revised building elevations with

floor plans were submitted that demonstrate what future homes in this development look like. Variations of two-story homes with a two-story garage -- two-car garage are proposed. The submitted elevations do depict a number of architectural and design standards and field -- field materials of lap siding, stone of differing colors, roof lines and sand -- and varying -- and varying of home styles. And the last thing that staff does -- staff requests that Council strike a condition A-3-C pertaining to the landscape plan submitted. We would like it struck that it depict an open vision fence at least six foot -- feet in height around the Purdam Drain per the UDC. This is not required. Commission recommended approval of this application and the summary of the Commission public hearing -- in favor were Kent Brown and opposition were none. Commenting were Kent Brown. Written testimony was none. Key issues were none. Key issues of discussion by Commission were timing of the proposed -- proposed development not commencing until public road access is available to the site upon development of Horse Meadows Subdivision to the north. Recommend or request that the historical advisory committee works with the city in preserving the Roosevelt Elementary School that was used in 1910 located on the property to the west and I did look that up on GIS and, actually, there is -- there are people that are living there and it's considered a residential home. It doesn't say anything about a school. So, I'm not sure if that is the correct site or not that they were referring to. Commission changes to staff recommendation. The developer shall set aside funds for -- for remediation of a temporary turnaround on Lot 10 and I did add a condition that the developer would submit a surety for that and we would hold it until such time that they -- that that road develops and, then, they would -- we would refund them and they would landscape that piece. And outstanding issues for City Council are none. There was written testimony since the Commission hearing from three different people. Courtney Munnell, Jane R. Byam and Kathy Gallentine and mostly the concerns were about traffic concerns down Black Cat Road and the other concerns were they would like to see a better transition with -- like to see R-2 zone lots or something with less density proposed with this development next to the existing R-2 and RUT lots that are within the county. And with that said that concludes the presentation and I stand for any questions you may have.

Simison: Thank you, Stacy. Council, questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Stacy, thank you for being so thorough. If I remember correctly with the Horse Meadows Subdivision, there was some issue with getting existing property owners in that area to sign off and be in full agreement on access on Quarter Horse Lane and whether it would be a public road or not. Do we know what the status is of that?

Hersh: Mr. Mayor, Council Woman Perreault, I do not know what the status of that is. I know ACHD submitted their report and require this to be a public road and I know the applicant has more details, because he -- they are working with that development to the

north together on when the timing is going to come. They have not submitted the final plat, but ACHD's comments were that they were -- in order for this development to have public roads that they would approve that that road does need to come in and I -- at this time there is no update on that part of it.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Excuse me. The limitation to not access Black Cat or Pine from this development, is that a limitation that's -- that was put on by ACHD specifically or is it just a limitation of the designer of this parcel or an issue with accessing through the north?

Hersh: Mr. Mayor, Council Woman Perreault, so that is actually a -- a requirement from us and ACHD. So, Pine is going to punch through I believe this spring or summer. That's going to finish and so the development to the north is going to take access from Pine and, then, that will also allow everything else to develop to the south and so that will be the access everyone will use from Quarter Horse Lane.

Simison: Council, any additional questions for staff? Okay. And I see the applicant coming forward.

Brown: For the record Kent Brown. 3161 East Springwood, Meridian, Idaho. Stacy, could you put up my little slide? I'm really IT or electronic challenged, so I'm going to try to describe -- I have tried to use the mouse and show an arrow and I'm terrible. I'm -- just to make you aware. When the map does come up, working with the developers that are doing Pine Street that is to the east at Ten Mile, they are in the process of building the bridge. Currently Pine -- so, if we take that top drawing and blow that one up -- so, they are scheduled to have the bridge done before water goes into the ditch. It's a precast structure. Okay. Perfect. So, currently there is over 5,000 vehicle trips of people that go down Pine Street from Black Cat and they drive up to the end there where the bridge is now being installed and, then, they have to turn around and go back. So, that has increased the traffic in the Black Cat area and ACHD I -- I believe the City of Meridian is -- and everybody is real anxious for this bridge to go in and that's supposed to be completed -- let's see. We are in March already. So, next month before the water goes in they are supposed to have the structure there and, then, they have got paving on both sides already. So, that will function and will relieve a lot of that traffic that's of concern in that area. I have kind of highlighted -- there is a solid green line that is over in that area. High Mile Pines is a recorded plat and, then, Foxcroft. They are all building a pathway that goes up to the park, as you can see my solid line. I think one of the biggest challenges that I face as a planner is taking a piece of property like this and, then, making it work and we are asked to do certain things -- like we are putting in a -- a -- a pathway, basically, that goes nowhere. It dead ends to the west and it dead ends to the east. You can see where we are building it in Ten Mile -- or High Mile Pines and, then, it goes up the ditch. But all of those subdivisions -- the Chesterfield Subdivisions that went in there, none of them had that pathway. So, there is close to 2,000 feet there

that that pathway can't go through and yet we are going to be on the one end building some and there is some on the other. I see the merit to it. I have -- it's kind of hard to see -- unless you maybe blow that up just a little bit where we can see the -- thank you. You see the site. I put a dotted green line that -- where that pathway sits on our site, but also the five acres that's to the east of us, when that development comes in and the city puts the same requirement, then, that pathway can go there and if they run a micro path up to the street, then, they can cross the street and, then, cross Pine and in that development -- and Pine, again, you see my dotted lines that go up through that common area, there is actually a bridge crossing in there. Yep. That's it. That drops off into the park. There is a pathway that's along there also that -- that -- that system connects into. So, maybe the residents in my development aren't going to see that it's going to work, but overall I can see the benefit in us at least doing our part if the neighbor next door has the same requirement and so that's part of the challenge. There has been some discussion about Quarter Horse Lane. It's private and our clients have actually even worked with the Quarter Horse people in getting the right of way to them, so that they can put that as a part of their plans and they have gotten their plan approval for that development -- construction plan approval from ACHD as I understand. So, we know that that development is going to take place. Can we go to the next slide, please? You can see the Quarter Horse development that's there to the north and how you can come out of our development -- when we had the neighborhood meeting we had it right in front of the existing house, which one of the neighbors came up and said currently he has got snowmobile trailers and horse trailers and he says he can't get out -- trying to get out next to the railroad tracks and out on Black Cat and he looks forward to these roads being built and being public, so that he can get out onto Pine and that would give him a straight shot. He -- he wasn't in opposition. It was actually a very -- very comfortable meeting. They just wanted to know when -- when things were going to happen. We understand that it's good planning to stub to the property to the west. If we go to the next slide, we have kind of shown how that property could redevelop. That's a requirement that Planning asked us to look at. It's not necessarily that they have to do it that way, but it at least shows that they might be able to do something. They could just hook on to where we are at and turn it into a cul-de-sac and, then, come in a short distance with a common driveway and probably accomplish the same thing and maybe not build as much road. Either way it's about the only place that we can put the -- the road stub, because we have that Purdam Drain that runs along the south and for us to get as much of that pathway in our design to that -- to that location. Going through the conditions of approval, on page 19, the -- the one that Stacy read about our not being able to submit the final plat until we have a public access, I -- I would just like to -- I guess the Council to understand that to me if I can get an easement from ACHD to cross that property -- maybe the subdivision isn't recorded yet, I -- I wouldn't even have thought of this a month ago, but recently I recorded -- or was in the process of recording a subdivision. The developer next door was building at the same time and they are both building at the same time and I'm faster. So, I get to the county before this other guy does and yet you drive out there, you can drive on the road and you can get to it, but they won't allow me to record it until I got a public access easement. So, if the interpretation from staff of the condition that's written that I can submit when ACHD gives us some public access, whether that's an easement or not, and that's Condition 1-

D. I -- I can see the merit. Instead of me having to wait for that subdivision to get recorded, they are not going to grant that easement and me submitting a final plat -- I still, then, have to get my plans approved. I still have to go through a hearing. There is a bunch of steps that are going to take place versus having it -- the subdivision be recorded. Just having that understanding I think allows us to -- to move forward and meet all of the requirements. I -- I don't have anything else. I -- I think that we have tried to do the best with what we have got and I will stand for any questions.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, Kent, full disclosure. I lived on Newland in Chesterfield four houses down from here for 11 years. So, I'm very very familiar with this entire area and traffic flows and -- and everything. I'm curious where your -- if you did start construction -- start infrastructure construction, excavation and whatnot, prior to Horse Meadows, what access would you use? Is that what you are --

Brown: No. I'm not asking to do it before they are -- they are doing it, because they are bringing water and sewer --

Perreault: Okay.

Brown: -- and we are working with them already. So, we have been in close contact -- at least my clients have and discussing how to move both projects forward and participating in and assisting each other and that's about the only way that you can do in-fill is to -- to make that happen. The street that runs along the bottom is Newland, which aligns up with the -- your street that is to the -- to the east of us.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Was there a conversation with the Horse Meadows developers to take primary access from Pine, rather than to use Quarter Horse Lane?

Brown: Yes.

Perreault: A lot of concerns about -- the neighbors are -- or excuse me -- the -- the folks who wrote in testimony are not wrong that that is -- that is not a safe area to put an access to Black Cat. It's just too close between the railroad tracks and, then, you have Quarter Horse and, then, you have Pine and they are all within less than -- less than quarter mile. So, what -- yeah. Can you share with us what -- how that conversation went?

Brown: No one has approval to continue to use that existing private lane. The highway district won't allow it. You guys aren't allowing it. Quarter Horse has to do it as the previous slide that showed going out. That's a part of the construction plan that they have been working with. As you see what they are building, we -- where we are adjacent to that roadway, we have been helping them with giving them the right of way so that they can improve that road section that's adjacent to our site, so that that gets done. Yeah. Right in that area. So, both developments -- the access that goes directly to the north at the cursor drawn, that's how both of them have to go out. We would have to come back before the Council -- both developments for anything else and it wouldn't be supported by the Highway District or Planning Department and shouldn't. Quarter -- Quarter Horse Lane, as it exists, is exactly what you talked about, is not a safe location for it to come out onto Black Cat.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I don't love it when the existing house stays and everything else develops around it and, then, I feel like, okay, this one's hogging all the space. If we develop the whole thing at once it probably wouldn't look like this. It's not the most egregious that I have seen, but give me an idea about how -- how the existing home is going to blend in with the rest of the subdivision in terms of aesthetically or --

Brown: It faces Quarter Horse Lane. We have done many of the ones like this. This is the first one that I have done that's been close to the street.

Strader: Are there trees and stuff along the -- excuse me, Mr. Mayor, if you don't mind, I have a couple --

Simison: Council Woman Strader.

Strader: All right. Is it -- is it going to stick out like a sore thumb compared to all the other surrounding homes or is it -- are there -- you know, is there landscaping that sort of buffers it or how is that -- how is that going to look?

Brown: Realistically it -- you are looking at the side view for the rest of the development. The front of the house faces Quarter Horse Lane. Currently there is like a circle driveway that is out there for -- for where they currently park and so forth on that. I -- I guess the -- the challenge comes is -- and we have seen those property values go up and usually that kind of causes someone to maybe even think about moving the house. This -- this house does have a basement in it and a second story. So, I would say that question comes with every developer that I ever work with as -- is it worth keeping the house? How does it fit into the neighborhood? The space between that house and any of the other neighbors takes place and, again, that's a challenge of doing in-fill.

Strader: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Kent, can you -- either you or maybe I will ask staff -- give me some history on the -- on the property to -- to the west.

Brown: Have no clue.

Cavener: Then talk to me a little bit -- you have got this kind of like strip of open space that kind of bleeds over to it down here below -- yeah. It's in the -- in the striped --

Brown: Oh. We -- we own 30 feet of frontage on Black Cat, but that 30 foot of frontage is all Purdam Drain, so -- I drove by today and we are required to put signs on our frontages. Well, that sign sits down in a hole, because that is what we own and it's -- it would be on someone else's property. The -- the house or the property that is directly to the west of us has a vinyl fence that runs all the way in -- along its frontage, but that's -- that's that hatched area and that's not counted as a part of the open space, it's just --

Cavener: Got it.

Brown: We are not getting -- we don't get any benefit from it, but we can't make it go away, so --

Cavener: And Mr. Mayor?

Simison: Councilman Cavener.

Cavener: And, Kent, I think you speak to exactly was -- I think at least the question that came up in some of the written testimony that we had received where some people were confused as to why you are putting a noticing sign over there and that's because you are doing that to comply with the law and so I appreciate providing some of that clarification.

Brown: I -- I get asked to do a lot of different things by the government. I used to use a word -- my wife says that we don't let our kids say that word, so -- but I get asked to do things and you just -- it's on Stacy's list is what the problem is, so -- anyway.

Cavener: Fair enough. So, Kent, I will -- I want to be up front with you. I'm really struggling with this annexation and so -- and not that I think it's not -- I think you used the word trying to be really creative and I think you have been really creative. Part of me feels like it's a little premature, particularly with -- you know, I think Pine is surprisingly rated level C I think from ACHD. I imagine that's going to change come this summer, as we are going to see I think many of our residents use Pine, they are going

to get off at Ten Mile to cut over, particularly at 5:00 o'clock and at 9:00 in the morning. I have got lots of challenges with Black Cat, none of which are your fault, but will help to contribute towards that and part of me feels I -- I think you -- you used the term -- and I think even the Planning and Zoning Commission referenced it as in-fill and certainly there is some elements of that. To me it just seems like too high of density in a small piece of dirt that has lots of complications when it comes to access and even to your -- to your point, not a lot of opportunity for pedestrian circulation to move people through. Anybody that's going to come in and out is going to use their car. I don't love that. So, help me understand -- because you do this a lot and you are the expert -- the opportunity that you see in this and -- and why we -- the Council should be considering this annexation right now.

Brown: You -- you end up needing to put all the puzzles together and there isn't anything, for example, that the current owner there puts the garage that you are asking and puts that on the house and that changes that house's value and he sells to somebody and someone tries to split that and you guys make him do a short plat, that is kind of standard procedure as -- the amazing thing to me is that when I do -- you know, and you do 300 acres or 200 acres and you are buying from a farmer and he's going I can't live on anything less than five acres.

Cavener: Right.

Brown: And as soon as he has his five acres and neighbors start moving and he's going, well, I don't like looking out what used to be my field and seeing houses, so it changes and your codes kind of put enough restrictions -- this meets the matrix for what the Comprehensive Plan is saying to go forth in this area and we are working with pieces of property that in the past people would have walked away from, because you are paying a high price -- this piece of property is paying a high price for Purdam Drain property that they are not -- they are going to mow weeds. That's -- that's going to be their -- their -- their charge as long as they own it and -- and moving forward. But if someone didn't do those pieces, then, the road that everybody wants to be connected to the east doesn't take place and if you don't -- I mean I don't know how many times I have heard the former mayor say, you know, if you didn't put that sidewalk in on one of your major roads that -- you know, if you didn't put it in, then, how long were you not going to have it and so those things have to kind of take place and you have to do it on those different pieces of property and, yes, could they go another ten years after this and neither neighbor that has the five acres change? Realistically we are not impacting them. If we are doing anything, we are helping them and with Quarter Horse get to Pine Street, not stop using Quarter Horse Lane and helping the situation. You -- I have had people ask me -- you know, tell me where development is going to take place. Well, it follows the sewer. Well, we -- we don't have access to the sewer unless Quarter Horse goes in next door. No one to the east of us has access to the sewer until we put it in and so it's all those little tiny pieces that get put together that allow something to take place. Would it be a lot easier if you bought all of those pieces and -- and you came in all at once? Yes. But we all have property rights. We all -- I mean I -- I can point out properties another time and you and I can talk about them when someone should have

sold sooner and now they are kind of stuck with where they are at and at this point it really doesn't affect either neighbor. So, I -- I would view what we are doing helps the area, helps the city grow in this part -- portion of it, but at the same time has very little or low impact and helps the situation in getting people to Pine, because that's where people need to come out is on Pine. The master plan calls for it being extended and going to the west into the industrial stuff and we know that people currently want to get to the Ten Mile interchange. Right now they are having to drive to Black Cat, go up to Pine, drive down, turn around and come back to make that -- that trip. Emergency services and everything else is going to be changed by what my other clients are doing, building that bridge and making that connection. Traffic -- traffic patterns are going to change in that area and that's -- how many developments do we hear the major concern is -- is -- is traffic. So, that part's changing and yet traffic here -- us and Quarter Horse are affecting each other. We are not really affecting our neighbors is what I'm -- what I see when I look at this. That's a long answer and I apologize.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Borton: Mr. Mayor. Kent, there was questions about that -- setting aside funds for remediation for the temporary turnaround area in that common Lot 10. Is that --

Brown: That's fine.

Hoaglund: You are good with that?

Brown: That sounds reasonable. What the -- what the concern of the Planning and Zoning Commission is that -- is the HOA going to be stuck with paying for that temporary turnaround. You know, realistically the -- the difficulty of the city holding the funds is, you know, it could be ten years if the neighbor to the west doesn't do anything, but if there is the funds that -- that -- it's the funds. So, what we are talking about is just picking up the asphalt and planting grass, so --

Hoaglund: Okay. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, as you know, Pine on that section from the drain to Black Cat is really not set up to be a three street -- there is no striping, there is no sidewalks on the south side for a good majority of it. Any idea if ACHD is going to actually, you know, make some improvements on there, so that it -- it does act as a two way through street? It's just -- it just is a -- essentially a subdivision street at this point. I mean it's public road, but it is behaved as an entrance to these two subdivisions solely for the last 15 years that they have been there and now with the request to have two subdivisions accessing

that section of Pine, which it's my understanding if Horse Meadows goes in they will run sidewalk. I don't know if they will go all the way across the front of the private property to the east.

Brown: They go to the east and --

Perreault: So, there will be a gap where there is no sidewalk.

Brown: Exactly.

Perreault: On the south side. There is a sidewalk all the way on the north side. So, two questions, essentially. If I understood you -- I'm very bothered by how the traffic will flow in both of these -- both of these potential subdivisions. I know you don't have any control over Horse Meadows. We had a lot of conversation with them about their -- their road design as well. If I understand correctly, that emergency access there on the very southwest side -- right there. That will stay emergency access. You are not -- the -- you aren't attempting to change that or request Horse Meadows to change that of any -- of any kind. So, why not line up Bareback with their street that heads straight up to Pine, rather than when the neighbor to the east develops, creating a challenge for them that -- that's going to kind of limit how they develop that southwest corner of their property.

Brown: From a planning standpoint we want people to drive short distances. I mean immediately -- if you think about that, if we were all lined up -- first of all, it makes a bigger challenge for me on my side to try to -- I'm dodging that Purdam Drain, but we are meeting offsets and so with people having that street be offset and you have to stop and start, people are not traveling fast. If that was a straight shot and you came down to the bottom and, then, you align with Newland that goes all the way to the east, you would have kind of a thoroughfare of people driving that 2,000 feet on Newland and -- roughly. Somewhat. It does -- it's not a -- a through street. It -- it breaks that up and from a planning standpoint, if I -- if I owned everything and we were bringing that development, I would still probably have what I'm doing here to offset that, just -- just to slow traffic down.

Simison: Council, any additional questions for the applicant? Okay.

Brown: I -- I would ask that maybe one of the things that the City Council asked Planning and Zoning to do is to look at incentives for developers to develop these types of properties. Boise City has a -- a kind of -- they used to -- they have always had a one-time land division, even when I worked there where you could split a piece of property into four pieces, kind of like your short plat process. But to curb urban sprawl you need to take your downtown core and create more density and if there is incentives for -- for people to make that process easier, generally all the rules that you are seeing and the new things that are coming forward are in these bigger subdivisions and the amenities and so forth that are involved, but yet your city services, police and fire, are still driving down those existing streets and if there was one more unit in there or

something like that in your neighborhoods of your existing area, I see that that would be a benefit, because these are a challenge. You wouldn't think that we would maybe have four or five designs on this, but we did. So, anyway --

Simison: Thank you. Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, we do not.

Simison: Okay. Is there anybody in the audience who would like to come forward and provide testimony on this item? And last time I checked I didn't -- I guess we do have someone coming forward. And if there is anybody online you can use raise your hand. Go ahead and state your name and -- no. You're good. State your name and address for the record.

Alexander: Brent Alexander. 4575 West Quarter Horse Lane, Meridian, Idaho. So, I am the current occupant of the existing house.

Simison: If you can speak into one of the mics.

Alexander: I'm the current occupant of the existing house that we want to maintain and there were some questions about landscape. I have many mature trees around my house. Big ash trees. Big silver maples. My -- my circle driveway will be eliminated when the easement comes through and they do that road up to the edge of my property and at that point it will be curb and gutter and fence and -- just like a regular house front. The garage I plan to put on it -- I will actually access it off of the road to my east and will attach to my garage to the left side of my house, kind of the way my house is kind of angled. So, it will come in there. I will build the garage there and that will actually be my driveway and that's -- that's kind of the plan to -- to do that and, you know, the fence that's required, like every other neighbor that has -- except my neighbor to the east pasture fence will remain the same, but I will do the same fence standard that all the other houses will be required in the subdivision. So, I just wanted to speak to that to let you know what -- the plans for that piece of property are going forward. It should blend in with -- I mean it -- it's -- it's -- it's not full -- it's not a single story house on a basement. It's a daylight basement house. So, it's kind of the -- the basement is kind of half up, so it's a split entry with the daylight basement. So, I believe it will -- it will blend well with the residents and -- and, really, at the end of the day nobody's going to see it except the Caseys, who live at the end of the lane and the Morgans who come out of their driveway. The -- the -- the neighborhood will see the new garage and the landscaping around that. So, I just wanted to speak to that.

Simison: Council, any questions? Okay. Is there anybody else that would like to provide testimony on this item? And would the applicant like to come forward to close? Okay. The applicant is waiving.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I suppose we can have the discussion, leave the public hearing open in case there is a further question that comes up for the applicant to -- to -- to answer. Yeah. And in-fill is always difficult and Mr. Brown has -- has done some in-fill projects before that -- that fit the need and they are thoughtfully planned and -- and -- and make it work. I think the big thing is we definitely need to have that access point that's going to be in -- in the other subdivision at that time. I -- I don't have any objection to having to submit final plat upon ACHD's granting an easement if this were to go forward. I mean it makes sense. As long as the road is there and is built to the standard that ACHD requires, how the timing comes out -- it's going to be used by both parties at -- at some point in time and there is also a request -- Council waiver to allow the Purdam Gulch Drain to remain open in a natural state and I believe it's natural all the way down headed east already. So, it would be unusual to have it covered in this -- in this situation and I think there is some wild turkeys on the part you don't own, so -- I have driven by there and did a double take, so -- 26. They can do some damage, you know, to your -- to your garden. But I saw one on Chinden Saturday by -- by Spurwing crossing the road. Why did the turkey cross the road? Well, it did barely. It made it. Five lanes. But -- yeah. In the in-fill, it is -- I think Kent described it as a -- you know, everything is a puzzle piece and how do you make that fit? And sometimes we like the fit, sometimes we don't. I'm not sure where this one will end up in -- in -- in the Council's final decision, but I'm -- I'm okay with this fit. It's -- it works with the property that's to the north. It allows that access. It's the right density. It fits the development that's on that eastern side of Black Cat. I know some of the folks on the west side with the higher density -- or lower densities, bigger properties, don't like it, but to me that Black Cat Road is a -- is a dividing line there. So, I think that kind of makes a difference, because we had that discussion with -- with the other development and what -- what existed there and going north and how things fit and where the roads fit and that sort of thing. So, you know, I -- you know, I'm -- my mind's always open. If Council Members have real concerns that might change my mind and I'm willing to listen. But I'm not -- not necessarily opposed to moving forward with this project.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I have got to agree that these five acre in-fills are tough. In fact, Mr. Brown and I have a history on a five acre in-fill property that was tough. I look at the fact that we are talking about 24 units and a density of 4.59 and I think I would rather be facing that and what he's come up with right now than a potential down the road of seeing something come in that's a much higher density that we don't want and in reviewing this from every angle, because there is a lot of angles on this five acres, I think he's done about as good a job as you can do given all the restrictions on this lot and I would be in support of it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I think it's well thought out. I appreciate him working with the property owner to the north to figure out the connections and work together on bringing services and I think that kind of an approach makes in-fill feel a little more palatable. I would like staff's feedback on whether they are okay with the final plat when ACHD grants an easement. That feels like a departure from our normal process and that always makes me nervous. So, I would like to get some feedback from staff on that. I don't have a lot of energy around the drain. I think that's fine. I do agree we have a transportation challenge in general in this area, but it feels like the connectivity is part of the answer and it's not as bad as some areas we have seen, but if -- if you don't mind, if staff could comment on -- on that final plat point I would like to hear their feedback.

Hersh: Mr. Mayor, Council Woman Strader, as far as that condition request, I have not had experience on any other projects requesting that. So, whether that is a negative thing I am not sure. We -- I don't see that happening a lot. We don't get too many of these.

Simison: Mr. Nary, do you have a viewpoint on that topic, on whether or not to do the final plat at the time that's been recommended.

Nary: Mr. Mayor, Members of the Council, yeah, I really -- I really don't. I mean I -- kind of where Kent was at was the timing is really going to be tied to the adjoining property anyway. So, I -- I guess I'm not really concerned what Mr. Brown was asking for versus what the staff's asking. So, I -- I don't know that either one is going to be a wrong decision. So, I'm -- I'm not concerned about it, so --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, just to think out loud, I guess the kinds of things I would be concerned about, maybe for feedback from Mr. Nary, would be is there any possibility that ACHD grants the easement and, then, the development to the north brings services, but, then, doesn't ultimately complete its project or -- and I don't know if this is for feedback from him or from staff, but like what kinds of risks could happen in that scenario? I just don't know enough about what our normal process is compared to waiving that condition. I'm not saying that we -- I guess -- and the other -- the other thing I would say is I -- I didn't hear a hugely compelling reason why you thought that was super important to deviate from our normal process. So, maybe that's a good place to start, just because I feel like we should always use a consistent process. At anytime that we are not using a consistent process -- and I know the wheels of government are grinding you down, man, but if you could just, please, give us some feedback.

Brown: I -- I got to admit that I was totally shocked that I had to do this, but it states on the document -- and what they do is they go to the landowner that is in the process of

getting his plat recorded and they say that -- they give a description, which would be that connection to Pine, and they would call that out and say you are okay with this being a public access until the plat's recorded. What -- what the -- the wheels of justice, if you will, is that it's officially not a public right of way until the plat gets recorded. So, since it's not public, it's owned by the landowner that is doing the development, he has to consent to it and ACHD has to sign off on it. What I started envisioning, as Stacy was reading it -- I -- I hadn't even thought of it before, but because I just had this experience -- and it's in Star -- that you guys are stopping me from submitting a final plat, which, then, you guys start looking at my plans for approval, I'm going to be in at ACHD, we are not getting plan approval in 30, 40 days, it's more like 40, 50 days. So, you guys -- me getting to a final plat hearing can take some time. I'm looking at all of those things are going to be done by the time that the plat gets recorded, but it's going to save me three or four months and we have a construction season. There is a time to build and there is a time not to and if we can get in and get the plans approved, then, we can start moving forward and -- versus me waiting until it's totally recorded -- I technically -- without changing the condition, I could probably present this to Planning staff and convince them that the way that it's written is taken care of, but I thought, well, if I raise the issue and say really up front if it need be, if I get this public access easement that ACHD, you know, would grant to this piece of property, everybody's recognizing that there is -- there is some kind of surface that we can drive on, whether -- we are not going to be using it until -- most likely, because we are not getting plans approved very quickly anymore.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Aren't you sort of taking a risk, because you are assuming that your neighbor is going to record that final plat; right? At that point. What if something happens?

Brown: The highway district is -- if they don't record the plat and I have a public access, It's -- it's not just for construction.

Strader: Right.

Brown: So, I guess when you have spent your money the only way that you get your money back is by recording your plat where you can start to sell. I mean subdivision process, according to our -- our Local Planning Act, is a legal means of subdividing the ground and creating something that's sellable. Can't sell it in smaller pieces until you record it. So, developers get really anxious when they put a million dollars out -- that money is not doing them any good until they get their plat recorded. So, they get real anxious about that. So, if they are in that process, they are going to record and I -- I don't worry about that part. I just worry about me maybe missing a window for the construction season, because I had to wait four months, because maybe they didn't have bonding capabilities for the city's improvements, which is landscaping or whatever that was required. So, they are going to build it all type of deal.

Hoaglun: So, Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: So, for public safety -- so, Fire protection -- that access would still have to be approved by Fire. So, it's -- it's not like, oh, this is kind of sketchy how to access the point, so -- to get in for your final plat. I -- I'm thinking of a scenario, then, that -- where the climate we are in -- the developer moves forward -- and this is more going back to the '08, '09 era where they get in the sewer and water, they get in the streets, and, then, their funding source dried up. You know, there is streetlights, the whole bit, and we saw a little bit of that back then where things were there, but no one was building a thing. And you, on the other hand, might have that funding -- if that would happen there. You have your funding, you build your project, you are ready for final plat, that would allow you then -- because they didn't get their final plat, that's not done, but --

Brown: I have access.

Hoaglun: -- but you have access and everything is done to code and ACHD can give you that approval -- that easement access that would allow you -- and it would meet our requirement for Fire --

Brown: And that's a very worst case scenario, but we have seen it. Hopefully we never see it again, because that was --

Hoaglun: Bad times.

Brown: Yeah. My dad talked about the depression. That was as close as I want to get to it, but it -- it would allow us that access. You guys basically do the same thing every time that you ask me to give you a pedestrian pathway easement and you are saying, developer and HOA, we are going to allow the public to walk on this, because you are going to give us an easement and we -- we do that. This is doing the same thing is that the public's going to be able -- because it's written, it's a public access easement. I can provide staff with a copy of it, because -- I could probably even e-mail, because I have it on my phone. But we just did one, so -- but the document allows that access for the public, because what -- what the conditional of approval says -- I'm not allowed to submit my final plat until I have public access. It's not saying that that subdivision to the north has to be recorded. So, technically, what I'm asking isn't changing that condition of approval, I'm just acknowledging before you that you understand that I might approach that public access through an easement, because that plat is not recorded and --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, I guess if -- it doesn't sound like Planning has an issue. I guess I'm looking to legal. If you don't feel that that in some way infringes on the property rights of the adjacent property in some way by the city, then, I'm fine.

Nary: So -- so, Mr. Mayor, Members of the Council. So, the -- the public access easement -- I think Kent hit it on the head. I mean the -- the only difference is the easement is a grant of use of the land by the property owner, but it has to be voluntary. We are not requiring him to do it. We are requiring Kent to work that out and -- Mr. Brown and his client to work that out with that property owner and with ACHD and with the Fire Department. So, there is an improved road surface that is usable by fire trucks and cars. So, from a legal standpoint I don't see that the property owner of that adjacent property that's trying to subdivide has any redress against the city, because we -- we can't make that person do anything and so he's either going to do this as a means to facilitate the process of their development or he's not. If he doesn't grant it, then, Mr. Brown can't build his subdivision, because he has no access to get to it. So, yeah, I don't see a real risk to the city to allow what Mr. Brown's requesting.

Strader: Okay. Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. It sounds like there is not really a concern and you have a good reason that you need it, which is saving time. Thank you.

Perreault: Mr. Mayor?

Seal: Council Woman Perreault.

Perreault: So, sometimes everything can look good on paper and dot the I's and cross the T's and the timing still isn't great. I don't -- I don't have significant opposition to the development as it is, the way the -- the plat's designed, but I have a lot of concern about just flow of traffic and access and timing in regard to the development of the property to the north and Pine Avenue and what's going to happen with Pine Avenue. So, let's anticipate that construction trucks are coming into both of these developments on the one entrance and they are coming in off of Black Cat where we have a very short distance to access the road or access the entrance on the north. There is a bus stop across the street from the entrance on Pine where both of these will be accessing with elementary school children. There is no striping on Pine at all to -- to delineate where the cars are supposed to turn on either Black Cat -- there is no right turn lane on Black Cat. There is no left turn lane on Black Cat into -- onto Pine and there is no striping whatsoever on Pine to indicate where vehicles are supposed to go and as we talked about with Horse Meadows, that's -- we -- we -- we can encourage them strongly to put that access to the far east side of their development, which they did, still knowing that we weren't a hundred percent comfortable with the distance to Black Cat and now we are going to have construction trucks coming into both of these developments for two years without Pine having any kind of -- I mean -- I mean it's -- it just -- it looks like a -- a

-- a subdivision street, that there is nothing on there that indicates where vehicles are -- at any given time when you are -- when Pine vehicles are heading west and they are -- they are accessing Black Cat, there is three vehicles typically lined up one -- one to go left, one to go straight and one to go right and there is no turn lanes whatsoever to indicate. So, you have cars that are constantly trying to get around each other to take a right, because they don't want to wait for the vehicle that's taking a left and you are going to have construction trucks coming in for not just 24 units, but you are going to have it coming in for Horse Meadows and, then, you are going to have a bus stop and, then, you are going to have no sidewalks on one side. That is just a disaster -- a safety disaster waiting to happen. So, I'm not saying that this is -- that -- I'm not opposed to the in-fill. I think they did a really great job with what -- that small amount of space that they have. They are within -- they are in line with the -- with the density and comp plan and the zoning, but until there is some improvements to Pine and we have some understanding of kind of how the traffic will flow once that bridge is done, I just have a lot of hesitancy. And I realize these guys aren't going to start actually constructing homes for another year probably. But there is just so much going on. Personally I don't think you are going to see a lot of people trying to -- to take Pine and, then, El Gato to get to McDermott. I don't anticipate that -- that El Gato is going to have a ton more traffic from -- coming through. One hundred percent Pine is going to have traffic coming through and there is -- there is no pedestrian safety set up in that area whatsoever. So, I -- I just have concerns about the timing of having two developments so close together, both developing, construction vehicles coming in, no signage, large vehicle, cement trucks coming in, stopping as they are making a right-hand turn -- vehicles are literally going to be backing up into Black Cat during rush hour on both sides of the street and there is no turn lanes, there is no striping, there is no sidewalks. You get the -- I think you get the big picture. So, is that our responsibility? I would have really have liked to have seen the applicant bring -- bring the -- the engineer in from Horse Meadows. I think her name is Peggy. Penny. I would really have liked to have seen something in writing from them or to have brought her to this meeting to get a clear understanding of what their timing looks like as well. I would like -- I would like more -- I'm not comfortable approving this at this time. That doesn't mean I can't get there, but I just need more information about what's going to happen with Pine, how it's going to be handled with the new traffic that will be coming through and then -- and, then, the timing of Horse Meadows.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Can we hear from the applicant on the timing of improvements on Pine? I mean it's not your responsibility, but clearly it's a key factor and I'm sitting here like getting this feedback like, yikes, sounds like a mess, so --

Brown: So, I'm going to start at a different place. So, when I get a preliminary plat approved, I got two years to submit a final. I can ask for a time extension of that. So, as recently stated, understanding that it's not going to happen immediately, it -- at -- at

the same time we have to wait for Horse Meadows, because that's where the water and sewer is. It's not like we can ignore that they are there and that that takes place. When I was working on the developments that are currently building the bridge, both Foxcroft and High Mile Pines, when we met with ACHD they said this is dramatically going to change the traffic on Pine, because currently a lot of the traffic that is on Black Cat are people that are having to drive around and that's where the 5,000 vehicle trip came up is that deliveries and everything else -- people are having to come to -- to Black Cat to access this and they said as soon as that is a through connection it is a highway district collector, collectors are three lanes, they got one lane in each direction and they got a turning lane in the center. Hopefully they will stripe it. I mean if -- if I have to ask for a time extension on -- on my preliminary plat, hopefully, in two years with a meeting or two from you -- the priorities are set by the Council that -- to help the highway district understand where -- where that money goes. What I tell neighbors when I have the fun neighborhood meetings that I'm required to do is if you have a traffic issue go talk to the highway district. You guys are paying taxes and if you see this being a problem, then, they -- they can have monies for that. Yes, there is going to be this section. There is -- those sections all over town of people that are in the county that don't have sidewalk. Timing wise, if it was a year ago and we were talking about this and we didn't have high -- high interest rates, I would say that the Quarter Horse people would be building it immediately, as soon as the weather would allow them. I -- I don't know what that is. I know that my clients, in speaking to them, they are -- they are thinking about that. But, again, I can't -- I can't go anywhere until they start doing something. It would be very highly optimistic that we are even doing them -- even close to each other, because even with my request most likely we are going to be in two different construction seasons. They are going to be building units at the same time that we are trying to do the dump trucks and so forth to do the roads. So, that -- that timing generally don't bring neighbors to the development. I mean we -- we have to kind of be patient and, again, that's part of the challenge of -- of what we are doing. My clients immediately contacted the Horse Meadows people prior to submitting the application, just to understand, you know, what -- what they were thinking about doing and trying to get some grasp whether they should submit now or submit a little bit later. They felt confident enough to at least submit. We get approved and, then, we have -- we still have to wait for them to construct.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Kent, you talked about the bridge and having that construction portion completed in -- sometime in April before water comes in. But the actual, then, opening -- having that Pine Street open from Ten Mile to Black Cat, what's your estimate when that's going to happen?

Brown: At least the 1st of May and -- and the reason being is that they -- it's a precast, so they had to prep the bed, they have to have that in place for the water to be flowing down and, then, the aprons and everything else that go with that bridge are part of the

precast that go in, but it is paving those last sections to -- for that bridge to go in. That's the part. And when are -- when are the plants going to open up and when are we going to be pouring asphalt. But the intent from -- from my clients is they need to get that thing built and the highway district wants it built.

Hoaglund: So, Mr. Mayor and Kent, I guess the reason why I wanted to have that in my mind was the fact that -- and that road is going to be connected and open for at least a year before anything major is starting to happen and ACHD -- that's one thing they do recognize -- if there are issues in Pine and not turn lanes and there is confusion, they don't want confusion on our roads, they will have to take some sort of action if that's -- if that's happening. So, hopefully before this is even -- you know, we are several years out before occupied parcels, that should be resolved I -- I would think.

Brown: I -- I would think so, too. The other parts that you -- you look at -- you -- you look at the Ten Mile interchange and the connection that Pine has there and what we have already constructed, there is turning lanes. There is all of the striping. They have asked us to do that portion. Why aren't they doing that on Black Cat? Well, part of the reason is is that Black Cat isn't at its full width, so they have got to wait for some of those improvements to go in and, again, if it's a priority that they do that, but they want to see what the numbers change when the bridge goes in also, because, then, they will have a more accurate amount of the people coming and going. But you look at traffic patterns, people are coming from the freeway generally -- I mean I don't drive out that way, except maybe to go down Black Cat a little bit further, because -- I mean from there you are going to Nampa and what's going on there. But Ten Mile is where most of the people are -- are commuting, except those that can't -- can't get to Pine currently.

Hoaglund: And Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Just to follow up, Kent, you may not be aware, but at our last prioritization meeting that when -- we looked at our roadways we moved Black Cat up to number 20, I believe -- 19 or 20. Saying it's -- it's -- we want it on that kind of immediate list of concerns, because of COMPASS, they got the big intersection at Franklin and -- and Black Cat and, then, you just narrow down to two lanes, no turn lanes to the schools. Of course, the railroad tracks will need to be widened and you got the Purdam Drain bridge. No turn lanes, as Council Woman Perreault has pointed out going into Pine. Yeah. So, there is -- there is work that needs to be done. The traffic's already there and so, hopefully, ACHD recognizes that and can -- if they get the funding move that up. Money is always an issue.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't recall when we did the prioritization, which section of Black Cat that we had prioritized. I think it was just from Franklin to the tracks. This is north of the tracks. Do you recall, Council President?

Hoaglund: Mr. Mayor and Council Woman Perreault, I think we ended up making it the whole -- from Cherry to -- to Franklin.

Simison: Typically they are one mile segments. Yes.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: In the traffic report for this application right now that's not slated to be widened to five lanes until 2031 to 2035. So, if ACHD doesn't prioritize that, that's how far out we are on getting any kind of -- you know, I'm not even expecting a right turn lane onto Pine. Just really my concern -- safety concern is more on Pine than it is on Black Cat. But there is no striping on Pine whatsoever and I'm not comfortable with giving entitlements -- to annexing and giving entitlements to this project until we do have more information about what ACHD is going to do with Pine. So, I think if we were hearing this application later in the year, after we have seen some traffic and we -- we know -- it's possible they already -- obviously, they are aware that this is going to be connected in a couple of months -- I would like to know from them what their plans are to turn that into a true collector, because right now it doesn't -- while it may have the width of an intended collector, it's not functioning as one in any capacity. So, I would prefer to see that that's the timing of that. Not even necessarily that it's done, but the timing of it prior to agreeing to annexing this.

Simison: So, Council Woman Strader, I'm a good counter. I can tell where two and two are and it's getting close to your pumpkin time. So, I don't know where you think you would like this to go tonight or not.

Strader: Yeah. I'm -- I'm -- I'm concerned. Council Woman Perreault I think brought up some kind of important new points about the state of Pine. I would love it if the applicant wanted a continuance to get more feedback from ACHD. Come back to us. I have a lot of -- I -- I have concerns. I share Council Woman Perreault's concerns.

Brown: I think -- I think we can ask for a continuance, but instead of me getting information, if a highway district person would come and -- I mean what I ask them might not be what you want to ask. I view the traffic's going to be a lot better, but being a planner I guess I'm a little more optimistic. Or maybe it's just doing this a long long time. I -- I don't see anything happen quickly. I mean I sat down with -- we blocked for Brad as a quarterback, me and this friend of mine. He was the center and I was a guard and we were talking about the growth and he just says, well, why can't they build all the roads the way that they are going to be and just go -- it's not our funding mechanism. That's just not how that works and tried to explain how those priorities

come into play. So, I know that it's confusing, but I think if you had an ACHD representative and if that makes you feel better about the application -- because, realistically, there is nothing I can do about it. It's going to be what it's going to be. I just know that my gut tells me that I'm not -- I'm not building this in 2023 and it might be late 2024 before it happens and a lot to Pine could -- and a lot to Black Cat could be taking place before that time takes place. People are going to change how they drive. I live next to the busiest road in the state, I'm one house away, and I know when there is times when I go out there and there is times when I don't. The people currently on Pine don't have an option. They have one place that they can go and the only way that they can go. So, they have to battle that Black Cat intersection. They are going to have an option that's going to be different. So, they are going to see a -- a change in traffic and they are going to change how they go. It used to be that we could go down Locust Grove and it was just a dead end road. But Meridian City Council and Jabil and so forth putting that overpass in, that's changed our lives. So, it's a lot busier closer to my home on the other end. But that -- those things happen and that's a part of what we are going to see in the future here. So, if you want to continue this meeting and have staff ask that are representative from ACHD come prepared to speak to Pine, I'm -- that's what I was asking my client is -- I think that's going to make a lot more of you feel more comfortable. It really isn't -- I mean I could speak more to my design and why I did -- you know, why didn't I line a whole bunch of houses on the west side? Well, we try not to impact that property with as many houses just backing up to them. But anyway.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I would like to -- yes, I would like to hear from ACHD. If they have a representative on the phone that would be wonderful, as long as, of course, that representative is aware of what we are asking and has that information available to us. Second thing I would like to know is -- either also having a representative from Horse Meadows or a letter from that representative giving us some information on timing. The last -- you know, the -- their -- their property was entitled in December of 2020 and there has been no movement on it. The last time that we spoke with them there was -- there were issues with agreements from the neighboring properties for access to Quarter Horse Lane. We -- I still don't know where that was left. I assume some of it's been resolved, because you are here with this application now. So, I just -- I would like some more detailed information. That's -- that's not going to -- that information will be helpful, but it -- it won't be -- like I won't -- you know, I won't deny your -- your application because of it, but it just would be helpful to have that and so those two things I would really like -- when you come back after the continuance and -- so yeah. Oh, one more question. Amenities. You had stated that pathways and picnic shelters were going to be amenities. Staff report says those are the two amenities. But, then, in your testimony this evening you said the pathways go nowhere. So, how should we consider that an amenity?

Brown: It -- it is your required ten foot regional pathway that I'm put -- installing and that's according to your code is viewed as an -- an amenity. I -- you know, if it was just a pathway in a subdivision most likely we would make it like six foot wide, but this is one that I grant and give you an easement to and -- and built according to your standards. So, it ends up being wider, bigger, more costly. The -- the hard sell of -- again, of in-fill is convincing that the -- the owners that they are paying for the maintenance of something that goes nowhere. Is it where we would put a pathway? Probably not. But it is a long term, understanding the planning that will take place in the future, they will get benefit then. It's -- it's like building a sidewalk to nowhere. A bridge to nowhere type of deal, so --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you for clarifying that that was not what you were presenting as an amenity for -- we often have applicants that come in and present that as an amenity and -- and request that we consider it to be such. But I understand. Personally I don't think that a picnic shelter is going to do a lot of good for these folks, that I wouldn't -- that wouldn't be the amenity that I would think that folks would actually use in this area. Are there any other amenities that you considered?

Brown: Pickleball is really popular right now. That kind of stuff. But, again, what -- what do we see most people doing? A picnic shelter does become one of those places -- if your lot -- you don't have a big huge lot, at least it's a place that you can have a birthday party at with the picnic shelter and the tables and so forth that are there that makes that a very reasonable and beneficial -- I would say probably the most beneficial that you could do here in this location.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Kent, looking at dates and trying to figure out if it's kind of a -- you know, a little dart throw, you know, April 11th, 18th, 25th, you know. And it's a matter of getting someone from ACHD here. So, I don't know if we want to confer with what -- and, Mr. Clerk, was the 4th also an option? Yes. April 4th would be the soonest.

Brown: My client did say that he could speak to the Horse Meadows and their -- their kind of time frame. He has spoke to them, if you want to hear that tonight. I -- I think the first part of April I'm -- a little later in April. I guess I should be here. The clients will probably want me here and my wife wants me to go on vacation, so --

Hoaglund: And Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And, yeah, the 4th -- I checked with the Clerk -- April 4th is the earliest we could go.

Brown: How about later in the month?

Hoaglund: Or -- or later. 18th. 25th. Yes.

Brown: Let's do the 18th.

Hoaglund: Okay.

Simison: I think that they wanted to hear from your -- the applicant on the Horse --

Brown: You want to hear that?

Simison: Yeah. At least that way it will be on the record and maybe resolve that. Maybe not.

Kneadler: Good evening.

Simison: State your name and address for the record.

Kneadler: Ben Kneadler. 5571 North Glenwood in Boise. So, I am a representative of the development group that's working on this project and I have tasked to -- I have been involved with talking with the Horse Meadows folks over the last year. The last update I received from them is they do have a horizontal partner that's going to start doing a development here yet this year. We coordinated with them, obviously, on the layout of the subdivision. In fact, worked with ACHD on granting -- if you look at the -- well, if you look where the -- where the park is and the lots that are north of the park, that -- our property used to go straight across and we had to give them some right of way, so that they could make Quarter Horse Lane an actual ACHD roadway. So, all ACHD is well aware of what's going on in here and in our conversations. It's all laid out according to that. So, maybe that answers some of the questions on ACHD's involvement and knowing what's going on in the subdivision. As far as the connectivity of the pathways, I think what Kent was talking about is the -- the big path going along the south end, but the -- the developer is -- I was sitting in the meetings listening to them, the fact that those paths connect to the north and through the park and they are trying to get them -- people -- folks up to right of way and sidewalk to keep them connected to other neighborhoods was the plan. So, I don't know if that helps answer your question or not, but --

Perreault: Mr. Mayor?

Simison: Councilman Perreault.

Perreault: Actually, I -- I was curious about the timing of -- so, they have a partner. You mean they have a building partner or they have -- they are just getting financing? What do you mean by they have a partner?

Kneadler: No, a party that -- that they believe to the best of their knowledge -- and, again, I'm getting this -- I'm secondhand at this point. But their -- their plans are to start this year. I don't know if that's tomorrow or in six months, but --

Perreault: Okay.

Kneadler: And if you would like I can try and get an update on that. That would be probably the best and we can try and bring that back at the next meeting.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Yes, please do. I would like to know when they start moving dirt, when they anticipate the road, sidewalks, curb, gutter, streetlights, infrastructure done and, then, when they anticipate their first house to be built and -- and, then, that information in relationship to your timing is what I would like to know.

Kneadler: Okay. I can ask those questions.

Perreault: Thank you.

Kneadler: You bet.

Simison: Thank you. Any other questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I would move that we continue the public hearing for Alexanders Subdivision -- Alexanders Landing Subdivision, H-2022-0084, until April 18th.

Strader: Second.

Perreault: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ORDINANCES [Action Item]

- 2. Ordinance No. 23-2010: An Ordinance (Turin Plaza H-2022-0063) for Rezone of a parcel of land being all of Lot 2, Block 6, Bridgetower Crossing Subdivision No. 2, in the Ada County Recorder's Office in Book 86 at Pages 9641-9643, situated in the Southwest Quarter of the Northwest Quarter of Section 35, Township 4 North, Range 1 West, Boise Meridian, Meridian, Ada County, Idaho, more particularly described in Exhibit "A," rezoning 1.8 acres of land from R-4 (Medium Low-Density Residential) zoning district to L-O (Limited Office) zoning district in the Meridian City Code; directing city staff to alter all use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing an effective date**

Simison: With that we will move on to Item 2, which is Ordinance No. 23-2010, and ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mayor. It's an ordinance related to Turin Plaza, H-2022-0063, for a rezone of a parcel of land being all of Lot 2, Block 6, Bridgetower Crossing Subdivision No. 2, in the Ada County Recorder's Office in Book 86 at Pages 9641-9643, situated in the Southwest Quarter of the Northwest Quarter of Section 35, Township 4 North, Range 1 West, Boise Meridian, Meridian, Ada County, Idaho, more particularly described in Exhibit "A," rezoning 1.8 acres of land from R-4 (Medium Low-Density Residential) zoning district to L-O (Limited Office) zoning district in the Meridian City Code; directing city staff to alter all use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing an effective date.

Simison: Thank you. Council, you have heard this -- this read in -- by its title. Is there anybody that would like it read in its entirety? If not, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 23-2010.

Hoaglun: Second.

Simison: I have a motion to approve Item 2, Ordinance No. 23-2010. Is there any discussion? If not, Clerk will call the roll.

Roll Call: Hoaglund, yea; Borton, absent; Cavener, yea; Perreault, yea; Strader, yea; Overton, yea.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- 3. Ordinance No. 23-2011: An ordinance (Matador Estates Subdivision H-2022-0043) annexing a portion of Lot 5 of Crestwood Subdivision No. 1 and located in the Northeast One Quarter of the Northeast One Quarter of Section 31, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit "A"; rezoning 5.09 acres of such real property from RUT (Rural Urban Transition) to R-4 (Medium Low-Density Residential) Zoning District; directing city staff to alter all use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date**

Simison: Next up is Item 3, which is Ordinance No. 23-2011. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to Matador Estates Subdivision, H-2022-0043, annexing a portion of Lot 5 of Crestwood Subdivision No. 1 and located in the Northeast One Quarter of the Northeast One Quarter of Section 31, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described in Exhibit "A"; rezoning 5.09 acres of such real property from RUT (Rural Urban Transition) to R-4 (Medium Low-Density Residential) Zoning District; directing city staff to alter all use and area maps as well as the official zoning maps and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Treasurer, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; repealing conflicting ordinances; and providing an effective date

Simison: Thank you. Council, you have heard this ordinance read by title. Is there anybody that would like it read in its entirety? If not, do I have a motion?

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Mr. Mayor, I make the motion that we approve Ordinance No. 23-2011.

Perreault: Second.

Simison: I have a motion and a second approve Ordinance No. 23-2011. Is there any discussion? If not, Clerk will call the roll.

Roll Call: Hoaglund, yea; Borton, absent; Cavener, yea; Perreault, yea; Strader, yea; Overton, yea.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics?

EXECUTIVE SESSION Per Idaho Code 74-206(d) To consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code

Simison: Then Councilman Hoaglund.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we go into Executive Session per Idaho Code 74-206(d).

Cavener: Second.

Simison: I have a motion and a second to go in Executive Session. Is there any discussion? If not, Clerk will call the roll.

Roll Call: Hoaglund, yea; Borton, absent; Cavener, yea; Perreault, yea; Strader, yea; Overton, yea.

Simison: All ayes. Motion carries and we will go into Executive Session.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

EXECUTIVE SESSION: (7:54 p.m. to 8:55 p.m.)

Hoaglund: Mr. Mayor, I move we come out of Executive Session.

Overton: Second.

Simison: Motion to come out of Executive Session. All in favor say aye. Any opposed?
Motion carried.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglund: Mr. Mayor, I move we adjourn.

Simison: Motion to adjourn. All in favor? All ayes. We are adjourned.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 8:55 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT E. SIMISON	_____ / / DATE APPROVED
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ATTEST:

CHRIS JOHNSON - CITY CLERK