

revised changes as provided by staff and the applicant that were outlined in the staff report in that approval.

Bernt: Second.

Simison: I have a motion and a second. Is there discussion on the motion?

Hoaglun: Mr. Mayor, I do want to ask --

Simison: Councilman Hoaglun.

Hoaglun: -- did I miss anything in -- in that? Because I think we did want to include -- include those revised changes that were included in the staff report and I was looking -- referring to -- at the bottom of the report that we get here -- outstanding issues, item number one, redesign of Cobalt that complies. Redesign of the residential parking area. The garages along the western boundary. Property lines of Building F3 and the sidewalk along Ten Mile. So, I assume those were included in the report and I want to reflect that we are including those as well.

Bernt: Second agrees.

Simison: Second agrees. Is there further discussion on the motion? Other comments before we vote? With that, Clerk will call the roll.

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

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

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

Simison: Council, we are going to go ahead and take about a ten minute break, so that the -- any little guys that need to go outside can get -- get that break. Joe has got a little puppy at his house. I don't know what's going on. We will take a ten minute break and be back about 25 after.

(Recess: 8:11 p.m. to 8:26 p.m.)

- 4. Public Hearing for Aviator Springs (H-2021-0065) by The Land Group, Inc., Located at 3235 N. McDermott Rd.**
  - A. Request: Annexation of 40 acres of land with R-8 (27.63 acres), L-O (1.64 acres) and M-E (10.72 acres) zoning districts.
  - B. Request: A Preliminary Plat containing a total of 112 lots consisting of (93) buildable lots and (13) common open space lots on 27.63

acres of land in the R-8 zoning district, (2) buildable lots on 1.64 acres of land in the L-O zoning district, (1) buildable lot on 10.72 acres of land in the M-E zoning district, and (3) future right-of-way lots on 40 acres of land.

Simison: All right. We will go ahead and come back from recess and we will move on to our next item this evening, public hearing for Aviator Springs, H-2021-0065. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next and last application before you tonight is a request for annexation and zoning and a preliminary plat. This site consists of 40 acres of land. It's zoned RUT in Ada county and is located at 3235 North McDermott Road. The Comprehensive Plan future land use map designation is mixed use neighborhood. The applicant is requesting annexation of 40 acres of land with R-8 zoning, which consists of 31.59 acres; L-O zoning, which consists of 1.64 acres and ME zoning, which consists of 6.77 acres. The applicant proposes to develop the site with 93 single family residential detached homes at a gross density of three units per acre or 4.38 units per acre if only the developable areas included in the calculations, excluding the street buffer along future State Highway 16. An LDS seminary and donation of a lot to the Boys and Girls Club for a facility on the west side of future State Highway 16 and research and development uses on the east side of State Highway 16. Staff believes that proposed development plan is generally consistent with the vision of the Comprehensive Plan per the analysis in the staff report. Although the proposed density is below that desired in mixed use neighborhood designated areas of six to 12 units per acre and there are no supporting services for the residential development, staff believes the proposed development is appropriate for this area based on the lack of access available to this site from collector or arterial roadways. The proposed uses will provide a mix of uses as desired in the Comprehensive Plan, i.e., residential, civic and commercial and an LDS seminary and Boys and Girls Club will provide religious and childcare facilities within close proximity to the high school on the abutting property to the west, which will be a benefit for area residents and the community. If Council feels additional housing types, i.e., alley loaded single family residential attached, townhomes, should be provided, it should increase the density for the development. Staff did not include a recommendation for additional housing types to be provided due to the limited access available in this area and lack of employment uses provided in the residential area. Given the limitations with surrounding land uses, existing development pattern, poor access and bifurcation of the property with the extension of State Highway 16, it is not feasible to achieve full integration of uses as desired in mixed use neighborhood designated areas. However, the applicant's narrative does discuss how they believe the proposed development is consistent with the mixed use neighborhood designation. A preliminary plat consisting of a total of 112 lots, consisting of 93 buildable lots and 13 common open space lots, on 31.59 acres of land in the R-8 zoning district is proposed as shown. Two buildable lots on 1.64 acres of land in the L-O zoning district and one buildable lot on 6.77 acres of land in the ME zoning district. So, just to show you where we are at here, these two lots right here are the L-O zoned -- proposed to be L-O zoned lots and, then, over here on the east side is the ME zoning. There are three future right of way lots on a total of 48 acres of

land on the preliminary plat area. Two phases of development are proposed as shown. The first phase is the area on the west side of future State Highway 16 and the second phase is the ME zoned area on the east side. Access is proposed to the western portion of the development by the extension of two local streets from the north from Chukar Ridge Subdivision. Future State Highway 16 is planned to bisect this site on Lot 1, Block 5. Access is proposed to the eastern portion of the site via North McDermott Road. Direct access via future State Highway 16 is prohibited. One stub street is proposed to the south for future extension and interconnectivity. Qualified open space is proposed in excess of UDC standards. Based on the area of the plat, which is 48 -- excuse me -- 40 acres, a minimum of four acres is required. Ten percent. Seven point six four acres or approximately 23.8 percent of common open space is proposed, which includes a large common open space area adjacent to future State Highway 16, which will provide a buffer to residential uses. A minimum of two qualified site amenities are required. A swimming pool with changing rooms, pedestrian pathways, additional qualified open space of at least 20,000 square feet in area and children's natural play structures are proposed as amenities in excess of the minimum standards. As noise attenuation for future State Highway 16, a six foot tall berm and six foot tall wall on top of the berm is required within the street buffer consistent with adjacent developments that have been approved to the north of this site. Conceptual building elevations for the residential portion of the development were submitted as shown. The non-residential buildings are required to comply with the design standards in the architectural standards manual. The Commission did recommend approval of these applications. Matt Adams from the Land Group, the applicant's representative, testified in favor. No one testified in opposition. Todd Tucker, Boise Hunter Homes, commented on the application. He is requesting the stub street to the south is shifted approximately 45 feet to the east, so that it abuts the east side of future State Highway 16 right of way to provide a better alignment with the street connection planned to the south on the Boise Hunter Homes' property. And just a note. If this were to happen it appears there wouldn't be adequate area for the required street buffer along future State Highway 16. So, staff is not supportive of that request. Key issues. Boise Hunter Homes requested that -- again, as I mentioned, the stub street to the south be shifted farther to the east to align with the planned location of the street in the future development and the applicant stated that they would like to pursue development of the LDS seminary and residential portions of the development first and restrict development of the Boys and Girls Club lot until a second public street access is available consistent with the ACHD conditions of approval. The key Commission -- or discussion items by Commission was the single public street access to this development and secondary emergency access and parameters of the ME zoning district. The Commission did not make any changes to the staff recommendation and there really are no outstanding issues for Council tonight. There were several letters of testimony that were received, all in support of the LDS seminary building from Bart Hamilton, David Austin, Holly Miller, Jen Johnson, Jennifer Reece, Lance and Camie Olsen, Maile Thomas, Matthew and Nicole Gemette, Megan Roos, Trish Dildine, Troy Ball, Greg Borup, Paula Horsager and Melanie Evans. Matt Adams, the applicant, did submit comments today in agreement with the Commission recommendation. Staff will stand for any questions.

Simison: Thank you, Sonya. Council, any questions? Okay. Would the applicant like to come forward?

Adams: Thank you. Good evening. Matthew Adams, 462 East Shore Drive, Eagle, Idaho. I'm here to help get Highway 16 built, since it goes through my project, which helps everybody. And, Sonya, can you put my slideshow up? And thanks to the folks that stayed for this presentation. Thank you. All right. So, I'm excited to be here presenting an exceptional project. Aviator Springs is the right community in the right location at the right time. Tonight what I want to go over is how we align with the Comprehensive Plan and the context of Aviator -- Aviator Springs, which is really difficult to see without looking at the Fields sub area plan in the surrounding area. I want to talk about the community highlights, our community partners that have made this happen and, then, some specifics that Sonya alluded to at the P&Z Commission hearing and, then, ultimately, we are requesting approval of annexation, rezone, and preliminary plat. So, how do we align with the Comprehensive Plan? Well, we are a premier community. We are making an investment in 93 homes for Meridian families. We are an evolving community responding to the Fields sub area plan with major investment in what we consider resilient open space. We are a livable community, promoting family friendly recreation for healthy living, focused on natural systems for stormwater management, cooling of air, sightlines off of the project and we are also promoting public safety by implementing Crime Prevention Through Environmental Design. This will be a vibrant community. We are adjacent to the activity centers of the high school and a future elementary school, as well as many many future amenities as part of the sub area plan and we are making a nod to -- or celebrating the history of the site as agricultural through our open space and play design. We are a connected community with safe and efficient transportation, excellent connectivity to local streets and we are partnering with ITD to ensure Highway 16 infrastructure can successfully move forward. So, this is the Fields sub area plan that I have referred to a couple times and what we are specifically talking about is this southeast quadrant and, then, more specifically the very corner of that area. I do want to thank the city and Logan Simpson for assisting us in providing these background graphics. So, Aviator Springs integrates into the sub area plan and surrounding development patterns beautifully. We integrate by focusing on land use transportation, economics, and the parks and pathways. So, if you look at that area plan and that new Highway 16 as an edge, our density is appropriate for this area. All right. Let's talk about our specific project. Our project land use. As Sonya said we have R-8 in the yellow. We have got the L-O in the blue and, then, we have our mixed employment in the purple. So, we have three distinct zoning types and four distinct uses. Circulation we feel is excellent, because it provides for a lot of off-street circulation. So, we have got good -- good automobile circulation. We are stubbing to the north and south, which is the only available connectivity we have for automobiles and, then, we have great walking access. We are connecting to what will be pathways north of us on Five Mile Creek and we have walking ability to the elementary school in the future and to the high school today. Amenities. We are really proud to be going above and beyond the amenity package and providing a really great amount of open space. All right. Specific amenities. Pathways. Pathways comes up big when -- when your team does surveys and we think that people's ability to walk in loops and different figure eight patterns and things within their neighborhood a good distance, while

feeling safe on local streets and pathways, is very important and we propose multiple types of pathways, so that people of all abilities can access them. A pool is always a great amenity. People really enjoy that. You can walk to the pool. You can reserve the cabana on the side and have birthday parties and, then, we also have the small -- well, 20,000 square foot soccer play field in the southwest corner of the development. What I'm most proud of is our open space buffer along the east edge of the project. Now, we have to have -- we are required to have a 35 foot wide buffer. We have provided a 50 foot minimum width buffer, which is more generally greater than a hundred feet, which places the closest home to Highway 16 at 200 feet from the roadway. Within that buffer we are providing stormwater management. We are cooling the air, which is important. And we are doing sight and sound buffering from the highway. We are proposing waterwise climate appropriate landscape. We are actually looking at a hotter climate. We want the HOA to be able to afford to maintain this in the future. Provide habitat value, a unique aesthetic, and minimize maintenance. Pathways meander through the community with pedestrian bridges, undulating grade, and we create a sense of place. We also provide nature play. So, we have unstructured play for kids in a safe and contained environment. Natural creative play is proposed for the site, which creates a unique experience. It encourages exploration and engagement with the -- with the environment. Free range kids. Here is some images of some of that nature play feature that we think is appropriate. We will have, hopefully, some areas of mud for kids to play in. But no mosquitoes.

Bernt: What about trout ponds?

Adams: And there is no trout ponds at the current time. And, Sonya, I can't get it to advance. There we go. Just an artistic rendering of what that buffer could look like, so that you can get a sense of what the sound attenuation wall looks like, different pathways systems and, then, play equipment in the middle. All right. We do, of course, want to show our architectural character. The homes are planned as one and two story single family detached. The homes will be designed in what's -- I guess now -- I have traditional theme written here, but it's West Meridian traditional I suppose. They will be constructed using a variety of high quality materials, including cultured stone accents and siding. Buildings shall be designed with elevations that create interest through the use of broken panes, windows, fenestrations and produce a rhythm of materials and patterns. We do -- because we face Highway 16, we have a lot of homes -- we have to have all sides that look nice. So, these homes will be four sided aesthetic. Here is some view of the two story units. All right. It's important to me that -- to talk about partners. A project like this requires a lot of energy, a lot of time, a lot of investment and a commitment from many many people. So, I just want to acknowledge the City of Meridian, West Ada School District, Idaho Transportation Department, Ada County Highway District and Nampa-Meridian Irrigation District as agency partners. Of course, the LDS Church, which plans to develop the seminary, and the Boys and Girls Club, which we have a desired partnership on a donated parcel. Also, the development team, Jeff, Nick, Larry, Ryan Wade and Brady and, then, my team Tyler, Chad, Jim, Mike, Dan, Ben, Dustin and Dylan. So, now to the nuts and bolts. The staff reports and conditions -- we have no objection to the city staff report or the ACHD staff report. So, that's good. I do want to talk about

some specifics that came up during P&Z that are important. So, first is secondary access. So, we are -- we have main access on Achievement Street from the north. It comes into Chukar Ridge, which is under construction, but we will be submitting final plat shortly and that enters into the site. We do not have access to the south yet, but we are stubbed for that and we are -- we are hopeful for that to come soon. So, we have coordinated with the fire department, police department and West Ada School District to provide a secondary route through the high school site to this project. At the P&Z hearing that it wasn't depicted clearly how you get through the high school site, so this graphic is to show you more clearly that access route. This is on a recorded access agreement that's been signed by the school district and the landowner for this project. Also we are excited that Fire Station 8 is underway and should come online 2023, which provides great support to this community. Parking always a great issue. So, we wanted to give some counts. We are required by code to provide 372 parking stalls. We are providing all of those in the garages and on the driveway and, then, street parking provides an additional 174. So, we feel that we are providing adequate parking or more than enough. Knowing we are next to a high school, we have to plan for some on-street high school parking kids. I will say, though, Owyhee has close to 1,300 parking spaces, where Rocky Mountain had 900. So, there is already a built in extra parking at a Owyhee and we have gone above and beyond with a lot of street parking on this project. Okay. My final point here is schools, which is important. All of the schools that this community feeds into currently have capacity. So, they are anticipating 93 school aged children would come with this development and we have got capacity at all levels in the schools that these homes actually would attend and, more importantly, they can walk to the high school and in the future walk to the elementary school. So, a good seven -- a good nine years of your school career could be walkable. All right. What is Aviator Springs? Aviator Springs is really a partnership. Lots of people made this happen. It's 93 new homes for the City of Meridian. It's fully integrated with the Comprehensive Plan in the Fields sub area plan and we believe it is the right community at the right time in the right place. Thank you and I will take any questions.

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Matthew, we will start you out with the big one right off the bat. When these people want to go to Boise what road are they going to access the freeway on?

Adams: They will go to Ten Mile. No, I'm just kidding. But, Mr. Mayor and Councilman, this -- they can exit out to Owyhee Storm Avenue, which was built with the high school and, then, they can either go up to McMillan or Ustick. Ustick will put them on Highway 16 and get them to the freeway. McMillan will take you into Meridian. So, how do you get to Boise? You know, we don't know. But people will find that quickest route. They will try different routes until they find the quickest one. For me map says that it's quickest for my house to take the connector and I always take Ustick all the way, because I don't

want to drive on the freeway. So, I think -- I think we are connected well. Our density is appropriate that we can actually -- we don't exceed the roadway capacity that's there for us and we have good connectivity to the future Ustick interchange. So, we are all depending on Highway 16 now.

Hoaglund: Mr. Mayor, follow up.

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Understand that completely. And Highway 16 we are looking at -- at five years. You will probably -- if there is approval you will be moving forward probably fairly quickly. Those timings don't quite match up. I -- it's nicely laid out. It's a good job. I like the single family homes. That's 93. You know, if we are talking multi-family that's way more. But, you know, that Ustick widening, McMillan widening, all those roads out there are not improved and they are many years down -- down the road. So, that -- that is a challenge and I wasn't on the Council when -- when Owyhee High School and that discussion you guys had -- which, you know, you knew it was going to come. Once you put Owyhee High School out there things were going to happen and it's happening, which is the way things work, so -- I wasn't on Council then. So, I don't know all the -- all the issues around that. So -- anyway. It's just -- this is kind of -- it is a spin off after the -- after the last discussion we had. You know, this is an annexation. So, should we be considering these things for annexations, because the impacts will occur over here and that shouldn't be happening -- or we can't -- we have it with schools in south Meridian. We have it with roads in north Meridian more. The school capacity is fine. But, yet, we have quality developments coming along, you know, and -- and that's the rub is what -- what are we -- how do we make this work? It's not that -- personally I don't want to not make it work, but it's just the timing of things. How do we make things come together at the right time, so we have less traffic problems, fewer issues with development and conflict with growth. But, again, as I said earlier in the other hearing, was the fact that we don't control what other communities do and it's going to impact Meridian, because we are in a great place. We are in the middle of everything. We have access to everything. But people come through Meridian to go to that -- those -- those areas as well. So, I don't want to penalize our good folks and developers for doing good projects, because the roads are substandard, because they are going to come no matter what and we can't -- we have no say over that. So, I guess kind of open it up for you to comment and give you additional thoughts on that. Make your case.

Adams: Thank you. Mr. Mayor and Councilmen. So, that is unique. I stood right here during the Owyhee High School annexation and was part of that and since, then, we have had -- because of the unique location of this, we have Nampa, which is -- highly impacts these roads. The construction of the Amazon facility was occurring during Owyhee and during Chukar Ridge, which we got approved and we don't know if Nampa sending cars down Ustick or if all these people are going to go west to go to work. What our traffic study has told us is that the roads can handle these trips and they have recommended approval. I think one -- the one things that this applicant can and will do is pay impact fees. We will build all the roadways and has located, hopefully in an area where

walkability is improved, but, really, I guess being unable to predict who buys each home, it's very difficult for us to predict all those behaviors -- those driving behaviors. Now, we are acknowledging that you get four cars at every one of these houses. That is the reality of where we live, but we think -- you know, with the highway -- I was out the other night, it was really foggy and I was driving around the high school and there is four traffic signals in the middle of nowhere in the fog. It was a very surreal experience. So, this area, believe it or not, I think is ahead of where Mountain View and Rocky Mountain were and maybe we are actually doing better than we think, we are just encountering new challenges as the numbers swell in the valley. But thank you for the question. I don't think I have a specific response or solution for you.

Simison: So -- so, Matt, my linear brain, no matter how many times this -- I can't get over you could drive by seven houses to get to a Boys and Girls Club -- what I would consider two semi-commercial elements with parking lots. Can you walk me through that, why my brain says, no, having these -- driving by homes that are fronted on a road, you drive by those to get into what to me are commercial style facilities and the Boys and Girls Club I don't -- are we talking like a 25 person daycare Boys and Girls Club? Are you talking like -- what -- what -- what is the envision -- I'm looking at the one over here across the street. Is that what we are putting inside -- I don't see this as adjacent to the school, I see this as inside the subdivision. That's me, because that's where the access is coming from, but that's my linear thinking.

Adams: Mr. Mayor, thank you for that question. So, to be compliant with the mixed use neighborhood land use designation, we are required to do a minimum of three different types of uses. So, the city's Comprehensive Plan guides us to this type of solution. Now, the arrangement of the solution within isn't spelled out by the land use plan. However, our desire to partner with Boys and Girls Club, their desire to partner with us, has led us to a facility that is associated with the high school. Now, they don't have any firm plans. Their board voted that they are interested in pursuing this donation, but they don't know what that would be and since I don't represent them I can't speak to the -- what exactly they would have. In conversation they have talked about everything from school aged after school programs to high tech programs for high school aged kids. So, what they end up landing on I don't know. There will be some traffic for parents coming to pick up kids from that facility. We also are hopeful that with the -- if the parks master plan for pathways is implemented we are going to have a lot of household rooftops where kids could ride a bike home from this facility or ride to this facility. So, we are hopeful that there could be a good blend there. It is definitely associated toward the high school and you do have to pass some homes, but it is away from most of the homes on the property.

Simison: Did you look at trying to move that -- what I'm going to call north where I'm looking at up into that corner where you have the access to the road and look at your different accesses and put it -- or you didn't have to do that, because at least, then, you have -- I don't know if that's a collector road that's going to be between this and the other one. I was looking at one of the pictures or does that not work for some other reasons?

Adams: I think -- well, the stub street from Chukar is already constructed, so we only



have 110 feet between the high school fence and that road as it comes south and, then, to meet ACHD standards you have to have a certain linear footage before you can have a curb or another intersection. So, this widening that you see around the seminary is as far north as that can occur. So, if this was going to be shifted north it would have to go to the east side of that roadway. We did look at several site plans. I think -- we did three pre-app meetings on this project and spent quite a bit of time working through different solutions and different densities with staff. This is what we felt positioned all the uses in the best location. The Boys and Girls Club had zero residential neighbors that are directly adjacent to it and that was -- that was one of our goals. That was the trade off.

Simison: Council, any additional questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I want to provide a little flavor, because I think I kind of started with your initial concerns, but my youngest spent his summer at the YMCA in Tuscany and we have lots of families who traveled to and through to elementary schools throughout Meridian. I mean I kind of saw this as a similar type of use.

Simison: I try -- I went to the same place, except for none of those homes front the roadway that comes in. They are all off from that standpoint. I went into the YMCA over in the other side -- the real YMCA that's over there in that residential sub. Again, none of the homes back up into the roadway where we are bringing commercial traffic that I could think of. Again, those are the two that I went to. I'm not going to say it doesn't happen in other parts of our community, but when you are putting commercial style things and we are driving past front -- what are considered -- I don't even know the name of the roadway network when you have the ones that come through the residential that are not meant to be fronted on, as compared to this, which they are. So, that's -- that's how I came to the -- my difference was exactly the same situation. Same concept, different roadway network design. That's really where it came down to. And I appreciate your -- I guess just my linear way of thinking. I'm not saying it's wrong, it just is hard for me to get my head around it personally.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Matt, you know, I sat with you on the Comprehensive Plan committee and -- and we -- we spoke a lot about, you know, open space and a lot of different things and -- and from your comments -- or was it the open space -- one of the committees. It was the open space code. That's right. And so remembering your comments during that -- those discussions it doesn't shock me or -- that you would sort of design this -- this subdivision the way that you have and the developer has. It's just different and I think it's pretty cool. I think it's -- I think it's thoughtful and, you know, the little -- you know, creating a bigger

buffer, so the kiddos can have some really cool place to play -- I know in my subdivision down the street we have a lot of open space -- passive open space where the kiddos go find, you know, snakes and a kiddo found a turtle the other day before it got cold and they were, you know, trying to keep it alive. They like, Treg, Treg, we got a turtle. So, it's this type of like open space that you have created I think is pretty cool. I think the kiddos are really going to enjoy it in my opinion.

Adams: Thank you.

Harper: Mr. Mayor?

Simison: Thank you. Appreciate that.

Harper: Question for Matt. In pre-apps that we were talking about some parking concerns with that access to the high school. I noticed on your parking -- can you go back to the parking -- yeah. Right there. So, the seminary in that general area where the -- where there is a walkway to Owyhee High School, we have a similar setup at another high school in our city where we have had to find alternative parking options. Are you still considering what we discussed early on in regards to working with ACHD to have that posted for no parking during school hours?

Adams: Mr. Mayor, Lieutenant, great question. So, yes, when we -- we met with Scott, we met with Lieutenant, regarding this known issue, because when parking becomes a problem people call Meridian PD and they become parking police in a subdivision and, yes, so there was a lot of discussion on can certain areas be signed and that is something that's on our list. We are a little early right now, because we haven't submitted to ACHD. But that is on our list to take care of. I appreciate the reminder on that.

Simison: Council, any additional questions? Thank you, Matt. Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, we have two people signed in. First is Todd Tucker.

Tucker: Good evening, Mr. Mayor and Council. My name is Todd Tucker and I represent Boise Hunter Homes. Our business address is 923 South Bridgeway Place in Eagle, Idaho. I just want to start out by saying we -- we actually support this project. We are in favor of it. We own the property directly to the south and we think this will be a good asset to that area and ties in very well with what we plan on submitting in the future. We did submit an application on this property a little bit over a year ago. It's since expired. We didn't pursue it any further than that and we -- we do anticipate resubmitting an application probably within the next couple of months on this -- on this property. We have one really just minor request. Sonya, if you bring up my slide. We anticipate when we do submit an application requesting a waiver or a variance with our development to have the internal road that will connect to the north to be moved closer to Highway 16 than what the code currently allows. If you could make it just a little bit smaller, so that the whole -- or can I do that? Or just slide it to the north all the way I guess. That would be fine. So, we do

anticipate requesting a waiver or variance to allow us to move our internal roadway a little bit closer to Highway 16. As you can see in this exhibit -- maybe if my mouse will work there. But the blue -- the blue line that kind of zigzags through the property, this is where we are anticipating a road running through the development and, really, this -- we would be requesting this because as Highway 16 bifurcates our property, it comes in at an angle and it really starts to pinch our development and make it difficult for us to have enough room to get a quality development in there and so as much as we could slide that road over we would like to do that. So, in -- you know, just briefly in conclusion, our request is really -- and this -- this may be the first time ever this has happened that a developer requests the Council grant another developer a waiver, but we would be asking that the Council actually allow this developer some flexibility to slide their stub street further to the east with anticipation or with the abilities that if we are successful in our request to get a waiver, that those roads could align a little bit better. So, that's really our request. They are -- they are providing in that area a 45 foot buffer from the western boundary of Highway 16 to the eastern boundary of their stub street to the south and so we would be requesting that they be allowed some flexibility to slide that road further to the east, with the thought that if we do -- if we are successful that those roads could align and that -- that concludes my -- my testimony.

Simison: Thank you. Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Todd, it is kind of an interesting request and so I guess my -- my first question would be have you had conversations with the applicant? Is that something that they want to pursue, but don't feel that they have the ability to? I mean it is kind of -- it's kind of a -- it's just different. So, I guess let me understand if -- the conversations you have had with the applicant and their willingness to want to do this.

Tucker: Sure. Mr. Mayor, Council Member Cavener, we -- we have discussed this a little bit. You know, I think they are complying with the code the way it is. Their property is a little bit different than ours. They have a little bit more room and flexibility. At the Planning and Zoning Commission meeting Matt did say that, hey, if -- if -- if you guys get approved to move your road closer to Highway 16, then, we will -- we can accommodate that. He did send me an e-mail a while back saying, hey, we reevaluated this to -- to -- you know, to meet the standards that we have for the berm and the -- the wall and the -- the pathway, we can't -- we can't do that by meeting the code, so -- but he did say, you know, that they were open to -- to making those arrangements or moving the road over if we get approved and so that's really our request is just -- and, again, it's -- this is a weird situation where we are a little bit -- we almost got a little bit the cart in front of the horse, but we are trying to do good planning and plan for the future and just thinking along the lines of it -- in our mind it makes a little bit more sense to have the road closer to Highway 16 to provide that buffer. It gives us a little bit more room for development and we really want these roads to align, so we are just saying if we are successful we would like the ability for these roads

to connect, which would, then, in turn, require you allowing this project a little bit of relief from those standards to move their road to the east.

Cavener: Okay.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Todd, my first question would -- would you still have a wall between Highway 16 and your road? I mean is there some sort of barrier or buffer? I think that is required -- berm and wall or just a wall.

Tucker: Sure. Mr. Mayor, Council Member Hoaglund, there is quite a bit of distance between the actual pavements of where Highway 16 will be and the right of way. There is about 50 to 70 feet in there and so we intend on visiting -- our intent is to visit with ITD. It's been done in some other places where they have actually allowed us -- developers to construct those improvements within that area. So, yes, to comply with the code will have to provide the berm and the wall and we think that's important. Again, this is a lot of requests that we would be making of other agencies, but, again, we are really just looking for some flexibility. If we are successful in those endeavors to have the ability for those roads to connect. We may be -- we may not be successful, but we just want the flexibility. We think it's good planning for the future to have that flexibility that if we are successful that it all aligns and works out well for everybody.

Hoaglund: Mr. Mayor, follow up.

Simison: Councilman Hoaglund.

Hoaglund: And I will ask you this question, but it's one that Matt might weigh in on as well, because it's their development where you come in -- coming into the site, coming through the other subdivision, go in front of the seven homes the Mayor was talking about and then -- and, then, you have the donated land for Boys and Girls Club, seminary, and, then, if you were to come down that street, take the little jog right and, then, straight you have got, what, four or five homes there. Why not come off of that street where -- showing green space and, then, reclaim that green space where their road is and come in from the upper section or the west section closer to the high school into the -- into your site? Would that solve problems? And -- but there might be other problems I'm not aware of, but just kind of looking at that map. Now you are not going through how many more homes to get to the homes that you you want to build, so --

Tucker: Sure. Mr. Mayor, Council Member Hoaglund, I'm pretty confident I understood what you said. One of the struggles that we will run into is there is a -- there is a canal that runs through there, so it would be requiring a bridge or another developer to build a bridge over that canal, which may be a little bit more onerous than -- than they are willing to take on, but -- but we did look at that and think about that. One of the concepts that

we are kicking around and thinking about for this area is a multi-family development and so it would be a -- basically a public street stubbing into the parking lot of a multi-family development and so just the way that we have it arranged we think works the best way. Again, you got a canal there that would require a bridge to come over, so --

Simison: Council, any additional questions? Thank you.

Johnson: Mr. Mayor, next is Ron Hopper.

Simison: Good evening. Thank you --

Hopper: Mr. Mayor, Councilmen, young lady. My address is 3510 North McDermott Road and I agree with Councilman Brad here. The traffic is horrendous. Okay? If this subdivision goes in, the traffic for the kids -- my grandson goes to Owyhee High School. I drop him off. It's a nightmare. Some kid is going to get hurt. I mean it really has to be looked at about all the egress points and everything on the subdivision. Okay? So, I mean I just want to voice my -- my neighbors on McDermott feel the same way. If -- I can bring 15 people in here with me and we can make a show, but I'm just saying that this subdivision -- I mean you know yourself, all these subdivisions -- I mean I first came to Idaho -- you guys may be born here, but I first came here in 1971. Fifty years ago in Custer County. I have only been down here a few years. But all these subdivisions -- you got to realize a lot of things. Ustick Road is torn up. Okay? Cherry is torn up. The cutting and patching. I was in construction for 45 years. I built everything but a dam. It's torn up. The patches are failing. They are six months old. That's the same thing going to be on McDermott. Cherry, Ustick, all those roads either -- you need to make these developers set up a contingency fund to come back and fix the screw ups. That's what you need to do. And, then, something else you got to realize. All these houses -- look it up. How much water -- last year we were told to conserve your water. I'm on a well and a septic. Okay? But how much water does each one of these homes take? Okay? A month? Three hundred gallons? You can Google it. That's my opinion and I have neighbors that agree with me and I appreciate your listening to me.

Simison: Thank you. Council.

Hopper: Okay.

Hoaglun: I do have a question.

Hopper: Yeah. That traffic -- you made a good point. The traffic in this whole area is ridiculous. You know that.

Hoaglun: I didn't get your first -- your name. What was your name?

Hopper: Ron Hopper. I get the Hopper. When you see it on TV, get the Hopper.

Hoaglun: Hopper. Okay. Thank you, sir. I just wanted to -- question. You are on -- you

are on McDermott?

Hopper: Right. 3510.

Hoaglund: Okay. I'm just trying to figure out -- we now have that -- that Storm Drive I think it's called or a Storm Road --

Hopper: Right.

Hoaglund: -- and they got the lights there and there is a lot of traffic going up and down that for the school and whatnot. Are you seeing more traffic on McDermott just from the school or just from the general development?

Hopper: Yeah. There is a lot of -- there is a lot of traffic on McDermott, because you got your other subdivisions to the north. Like you say, the high school wasn't even there when we -- my wife bought the house, you know, but it's progress. It's fine. It's just got to be planned and like the Mayor said, you don't have a commercial building right in front of your big subdivision, you know. So, I agree with him one hundred percent on that, so --

Hoaglund: Thank you, Ron.

Hopper: Thank you, gentlemen. Have a good one.

Simison: Thank you. All right. That's everyone who has signed up in advance to testify. Ralph, any comments you would like to make this evening? Okay. Nothing on the record it appears.

Bernt: Oh, that was funny.

Simison: And online we just have ACHD and our parks director. If either one of you are looking to testify on this item you can go ahead and use the raise your hand feature. Otherwise, Matt, we will invite you up to -- for any closing comments.

Adams: Thank you. Sonya, would you mind putting my presentation back up? So, while we are waiting for that to come up -- to come up, Mr. Hopper makes a good point and we did -- he also attended our neighborhood meeting, which we -- was I believe 109 degrees that day and we did it outside and -- to be convenient, of course. But, oh, it was hot and he was one of the brave souls that actually attended and we appreciate that. At that time we felt that we were successful, because we don't have any residential, we don't have any high density on the east side of Highway 16. So, the uses that are occurring as part of this project on McDermott are going to be the least amount of traffic possible and I will also say that ITD in their planning has a plan to reroute McDermott. I don't live there, I don't know if that's viewed as a positive or a negative for the people that live there, but it is going to peel off, go around to the east and connect to Ustick in a new location. So, that's my comments on that. Regarding -- and this is an image of what's -- what we have

planned to occur on McDermott. This is the Acclima plan. They are a current Meridian business, research and development and manufacture of moisture sensors. They want to reinvest all the money from the sale of this land into a new facility here, where they would move their operation. So, there is very very little traffic and going out to McDermott from our project. This is an image to show you how our south sub street -- stub street works to the Hunter Homes parcel. Todd characterized everything accurately. We are not against his request. What we looked at is providing the required berm and wall, landscape buffer to street and based on the slopes of the berm and the height of the wall and ITD's roadway centerline, this is what we think works. We also think this is the most attractive entrance. Every developer thinks of where their edge is that's how you enter the community and the wall being next to the road, that's not something we contemplated and we have not coordinated with ITD to do any of our work on their parcel. So, our preference at this time would be to go with this design as shown, but I guess as we work through construction documents, if we can do some minor shifting we will do our best to accommodate that, but tonight I don't want to commit to sliding it over right to the property boundary. My last comment would just be to -- to thank staff, because they worked with us for about a year on this and if you count Chukar and Owyhee five years. So, you know, we like these kind of projects that keep -- keep going and keep us engaged with the -- the planning staff. So, thank you very much.

Simison: Thank you. Council, additional questions or comments for Matt?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Matt, I'm -- I'm curious about Mr. Tucker's request with the road and all that. Is that something that you guys are seeking? Is that something that you are interested in? Is -- I mean your layout doesn't contemplate that. I mean you are not coming with any type of a request, so my assumption is the layout that you have put together is what you plan to run with, but I don't like, you know, placing applicants against each other, but it -- because it's such a unique request I wanted to at least give you a chance to respond.

Adams: Right. Mr. Mayor, Councilman, we feel that our proposed design is the way we want to go. So, it provides the biggest buffer, the best berm and wall to provide the same type of sound and sight attenuation to the homes that are just on the other side of this road. However, we -- so, we want to proceed with this. We want to be a good neighbor, because there is going to be a time where we need Hunter Homes to maybe accommodate something from us. So, if -- we want to find a middle ground. We don't want to go all the way over. But we think there might be a little bit of wiggle -- wiggle room. At this time as tonight we are not asking for a variance. We are coming in with a code compliant proposal.

Cavener: Okay.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Sonya or Chris, whoever is controlling, can we go -- or maybe you, Matt. Can we go to one that showed the greenspace and -- and kind of above --

Adams: Well, I love this picture, but -- hopefully that's what we get.

Hoaglund: That's what the berm is going to look like when you are done I'm sure.

Adams: How about this?

Hoaglund: Yeah. That one works. That one works. You know, we have got that drain or irrigation canal down here in the lower left and you have cut off the corner of that lot right -- yeah. Keep going down, down, and -- right there. Yeah. And so we have got that angle. Because I asked about the street up there, why not come down and come straight, and, well, we have got a bridge. Well, that -- that irrigation easement is going to be going to the -- to the southeast, continue on. So, I'm thinking, okay, there is going to be issues there, but that's for another application. But, then, going back to yours, you have got that angle there to allow for that easement. Looking at that street, to give more room, can you angle the lot there -- same -- same block, but to the east and angle that so you have got room for your street to come in and not be so tight against the berm and give them some wiggle room? Just a thought. When I saw that I thought, well, you could do the same on the other side to bring that a little bit in and we move away from that. But again -- and who knows what the future holds for the next application to the south. But, you know, if you are looking at trying to work that out, that's just a thought.

Adams: Yeah. Mr. Mayor, Councilman, so I am not a civil engineer and my engineer would be cringing right now, because if we start to slide that road or curve or move that road, the ripple effect of that is pretty dramatic and the required radius on a curve and the amount of straight distance you need before you have a T-intersection, the -- as we start to look at that and maneuver that, yes, it could be done. We could look at a road on that -- further on that west side. I'm not sure that really would work well for what Hunter Homes is anticipating. There could be a little bit of maneuvering that we could do and still retain our aesthetics of our berm and the sound quality of it I think.

Hoaglund: Mr. Mayor, follow up on --

Simison: Councilman Hoaglund.

Hoaglund: -- a little different subject. The access point for your subdivision, I would anticipate they would be coming off of Storm Way -- Drive -- Road. Is that how you see -- where do you see the majority of your residents in this development coming into that -- that property?

Adams: So, Mr. Mayor, Councilman. So, yes. So, our property is not allowed to take access from McDermott, because -- we can't even build a temporary, because it will go



away. So, that would be a false promise to people living there. So, everyone who comes into this subdivision at the current time would exit Ustick or McMillan onto Owyhee Storm. Those are both signalized at this point and, then, partially improved on the roadways -- not fully improved. They would travel to Achievement and, then, head east into this project. There where they -- kind of the bright blue or the cyan arrow that points north-south on the west side of Trucker, that is a future road alignment that will connect into Gander Creek. The Trucker Ridge developer is constructing that crossing right now for emergency access vehicles from the fire station and that will become a roadway when the elementary school develops and so there would -- there would be another access through this area, but you still initiate -- you still get onto Owyhee Storm from either McMillan or Ustick, so -- and Owyhee Storm is built. It's a half section, because we didn't finish the other side, but it has a middle turn lane. It's -- it appears to be completely constructed. Even the west -- the west side is a shoulder and borrow ditch.

Hoaglund: Thank you.

Simison: So -- oh. Councilman Borton.

Borton: Mr. Mayor. Matt, could you put up the school capacity slide that you showed. That one right there. So, one of the things that's been highlighted more recently in some of these applications -- and it gets focused in the annexation discussion that we saw earlier now, is school capacity. So, the -- the column just to the right of the highlight is the elephant in the room on any of these applications. So, the difficult question for any applicant and -- and you with this one is, well, where do these kids go to school in light of all of the other approved platted parcels if a school bond does not pass?

Adams: Mr. Mayor, Councilman Borton, good question. So, yeah, the area I highlighted shows current enrollment and capacity and, then, the next column is approved preliminary plat parcels per attendance area. So, for example, Pleasantview Elementary, there is 3,089 parcels approved within that attendance area. This graphic does not tell us how many school aged children would be predicted to come from those parcels. We know just by looking at a map that more kids are going to start to -- they are going to take that 546 to 650 --

Borton: Sure.

Adams: -- then that will -- that will happen. Our project where it is in line with those 3,089 I do not know and it's -- I'm having like flashbacks to the Ten Mile question -- which project? Is it the person that lives next door to the school that is considered the overcrowded issue or is it the person from the North Oaks project that overcrowds? It's a really difficult question to answer. This is the data we have today.

Borton: Sure.

Adams: We know we can walk these kids into Owyhee, which feels good, and there is capacity there and we know that there is a future elementary school site. I think our

biggest burden on this particular area will become middle school as time goes by. But that's just my assumption as a resident of the city.

Borton: And Mr. Mayor?

Simison: Councilman Borton.

Borton: Just -- just some follow-up comments, Matt. And it's not -- not necessarily a fair question to ask you, quite frankly. I didn't -- you know, I don't think you have an answer, because you can't answer it. It highlights one of the concerns that -- it's just come up more recently and -- and some of the service level issues that we try to address on an annexation -- you know, roads and schools are big ones and with regards to roads, for better or for worse, there is at least impact fees that assist and there is some -- some recurring revenue that assists ACHD and albeit it might be slow, but -- to provide that infrastructure. But schools and school capacities is a unique wrinkle and it was highlighted, you know, weeks back in an earlier application. So, the challenge that I have with this and I guess any annexation going forward and -- the challenge I think for the Council is what do we do with that elephant in the room that, unlike other capacity issues, whether it's sewer capacity or road capacity, the school capacity is extremely unique, because it requires, you know, passage of a bond which our community has changed and at some point -- you know, each project by themselves is small incremental expansion of that, but when we look at the approved preliminary plats on the center column, at what point do we -- are we concerned enough as Council Members to say where do they go to school and who gets in first if a bond doesn't pass? So, one of the questions I will leave you with -- it's a difficult one, quite frankly, I think we have to wrestle with -- I'm coming to terms with the difficult decision, which I think needs to be made, but I'm curious your thoughts on a condition of the development agreement that says the first building permit can be issued upon passage of the next school bond. I'm just curious your initial thoughts on a concept like that, which ties the ability to construct any of this to the passage of a school bond that provides the capacity that we all admit is required.

Adams: Mr. Mayor, Councilman Borton, thanks. Wow, I -- we were getting late in the day I didn't know we would have this question come up. I read the newspaper article from a couple weeks ago regarding that crisis situation with the schools south of the freeway in the Hillsdale area and the comments from Council about it being kind of a game changing moment and a new focus on school capacity. Actually, that's why I put this slide in here. I wanted to address it head on and show that the snapshot view and the information we have available today shows that we have capacity. To answer your question, connecting development to passage of school bonds I think would be short sighted. But school bonds our elections run in the full school district boundary and have very little to do with local conditions and West Ada is barely passing school bonds today, even under crisis situations, and I think combining those two different agencies could create many many unintended consequences and I would not be supportive. I would be supportive of impact fees that go to schools, but I think tying it to bond passage takes the control away from the city. The city could get a project they really want, but can't approve because you can't get a school bond passed because North Eagle votes no on every bond. That could

become problematic.

Borton: If I could just follow that comment up.

Simison: Councilman Borton.

Borton: You may be spot on, Matt. I don't disagree and, quite frankly, that's what gives me even more concern. I think you are right about the community's appetite for passing school bonds and the fact that there is a legitimate risk that they might not pass I think that it highlights the concern and -- and highlights the fact that you are just adding -- any applicant is adding approved plats and parcels, fighting for a finite number of seats in our schools and I just wrestle with -- it's death by a thousand cuts by approving each single application without addressing that. Now, the -- the building permit for school bonding is a way to -- it's a -- it's a concept -- it's out of the box, but to try and approve good projects. I think your project is really attractive and well designed, but like if we didn't have sewer capacity, a well designed project just -- it gets stuck. We can't service it.

Simison: Councilman Borton, you look like you froze. And it was on the word stuck.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Until we get Councilman Borton back on, I do have a question, Matthew, and you show 93 school aged children predicted from this development by West Ada School District. You have got 93 homes that you are going to have. I thought they were using a .7 ratio now, but is -- Sonya, I don't know if that's something staff tracks or -- it was -- I thought West Ada was doing .7 per -- per unit, as opposed to a one to one match, but I could be wrong for that. And also while Sonya is looking around for that, I know Cole Valley is out there somewhere, a Christian high school that's located downtown that is going to build. In Gem Prep is out there somewhere, aren't they? I'm not sure where exactly, but --

Simison: Yes.

Adams: Mr. Mayor, Councilman, so good question. So, I do not know how those numbers were calculated. I think Marcy Horner provides those from the school district. I would hate to guess. It could be proximity to the school you get a higher ratio. I don't know. Cole Valley, which I would advocate for approval of that project, which is coming to you soon, is probably one mile due north of this project and school choice is one small tool in alleviating some of West Ada's capacity issues and, then, Gem Prep -- I believe it's on Black Cat. It's within a mile or so and it's to the north of this project and, then, we also have Compass charter that's near there. Their newer facility as well.

Simison: So, Mr. Borton, we lost you right at the point where you said stuck.

Borton: Okay. My -- my battery died. It's a long day. I'm using up every device I got. Sorry about that.

Simison: Did you have anything further -- any questions or pontifications on your brilliance?

Borton: Yeah. Yeah. I will conclude the thought and the challenge. It was trying to see if -- if there is a tool such as that for the city to allow good projects to come forward as intended, but constrain the timing that they come on board to the ability to provide one of the critical essential services and that's school capacity and -- and the fact that bonds are difficult to pass it just highlights this concern. If the Council needs to pick a date that they are going to apply -- I just don't know how we don't address it. At some point we have to start and I don't know if, frankly, I can wait anymore and I thought that might be a way to address that concern and still allow good applications to go forward. So, that's the best -- the big hurdle I see with this and -- and, quite frankly, anything other -- anything else going forward of any particular scale in an annexation. That's -- I don't know how to ignore it anymore.

Simison: Matt, we won't ask you to -- I think that was an end comment without a question at this point in time. Mr. Borton, I don't want to put words in your mouth, but that's what I heard. Unless you want to reply.

Adams: Mr. Mayor --

Borton: -- the condition. That was it.

Simison: Okay.

Adams: Mr. Mayor, I would just say that everything Councilman Borton is saying I understand. I -- and I know these pressures. We do -- I do school development in Oregon, Washington, and Nevada and in Washington and Nevada -- Washington the state matches dollar for dollar. That's their solution. The state believes in and funds the construction of schools. In Nevada they have funding sources that we don't have through casinos and mineral extraction and they provide money for capital construction of schools. In Idaho we don't have that. In Idaho you can't build a school until there is so many kids in it that you are at a crisis situation and the voters vote yes. So, then, the high school builds millions of dollars of infrastructure to try to get open and, then, more development comes. I don't know that -- if the state legislature hasn't solved it, West Ada, Boise, Vallivue hasn't solved it. Madison County hasn't solved it. I don't know how we solve it tonight. I feel that if that were a condition tonight that would -- that would be overlooking the current data we have, the current rules we are trying to operate under.

Simison: Well, if only we had a 1.5 billion surplus that we were just trying to figure out what to do with it. Yeah. I'm talking about the state's 1.5 billion from this. But it is almost the definition of insanity to your point. You have overcrowding, you go build schools in places where you don't have people, so you put homes around those places where the

schools are and the schools fill up with people. So, you got to go build more schools other places. It seems like a self-perpetuating problem. I have a question that's just more of a philosophical question that's going to be easy compared to this, the last one you did, but you mentioned -- you mentioned earlier that, you know, you -- under the expectations of the land use you had to put different types into the project, i.e., seminary, Boys and Girls Club. But you do have stuff on the -- over on the McDermott side. But for the requirement would you be putting the Boys and Girls Club facility in this location inside this project? I'm not going to put the seminary on your back, because that was -- you know, we understand -- they want to go by the school. I'm just curious, would this have been your or -- the people's first choice, more residential or this -- or that type of facility? Just so we can -- I think it's important for us from a land use perspective to be thinking about all these types of things when we are seeing these type of results of our -- of our, you know, policies.

Adams: Mr. Mayor, thank you for that. So, I think if this was just medium density residential land use we would have met that and we -- we would have likely pursued the seminary application as part of it or a parcel for that application and -- but it's less likely that we would have pursued some sort of a community partnering effort and a Boys and Girls Club type project. However, with the mixed use neighborhood land use and, then, the -- the position of Highway 16, which does not allow you any direct access from that western portion to Highway 16 and the seller's desire to retain that six acres for their project, their investment in the community, that is what led us to needing to provide multiple uses on the -- on the west side. So, when we looked at it with the developer, we were stuck with who would buy a parcel in the middle of a neighborhood behind a high school and we were left with probably no one and it would probably sit empty forever. That is not a good commercial space and we couldn't think of anything. So, this developer, who is also very community minded, said, well, let's come up with a better solution. Let's -- there are organizations in our community that need space, that can't afford space, that are seeking to provide services. Boys and Girls Club came up in those discussions, because they don't have anything in the west end of the city and that's a -- that's a -- for them it's a very underserved part of the community and with the number of households going up, rooftops, they got very excited about the opportunity. So, I guess to answer your question, that -- when we look at the land use map, we want to comply with the code, so we were aiming to provide multiple types of uses. Because of the high school and the highway position, true commercial didn't feel like it fit well and so our creative approach was to try to reach out to some sort of community partner that doesn't have a chance -- you know, they will save enough money just alone on the purchase of a one acre parcel to really kickstart a major project. So, it was just circumstances -- a culmination of circumstances that I think led us to that.

Simison: Matt, I appreciate it. It just -- it just seemed to be out of -- out of place, you know, throughout this project and sometimes when you have code and some policies that dictate that, you make it make a -- make it a great thing out of it, but on the front end it looks kind of like -- why did I do that for me and this -- I have heard this from a few different parties recently about the requirements that were being placed upon individual parcels that contain all those elements, as compared to looking at the area specific around it. But

-- and that's a different conversation. We don't have to -- I want to get us through this evening, we have people here, but I appreciate you -- the indulgence.

Adams: And, Mr. Mayor, if you look at the sub area plan -- Fields sub area plan, that is where you are talking about. We are on the edge and if you look at that four square miles you can see where these uses should go. These mixed use -- types of uses. Yeah. Thank you.

Simison: Thank you. Council, additional questions? Then do I have a motion to close the public hearing? Just want to make sure we get this done before we do the --

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Well, I will at least get the first half moving. I will move we close the public hearing on H-2021-0065.

Hoaglund: Second the motion.

Simison: I have a motion and 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.**

Borton: Mr. Mayor, I -- I won't belabor the comments. I think Matt did a good job trying to answer a very difficult question. That is -- that is posed to us as much as it is him. So, I couldn't find an answer either in prep for this and in prep for knowing at what stage you make the very difficult decision. If an applicant was willing to DA provision that allowed a project to proceed with that, that was the only other avenue I could see something going forward and -- and I don't know if there is a clear line of when you start and make that difficult decision, but I think you have to begin somewhere and I think we are there. So, I'm not supportive of this application at this time for those reasons.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: These are -- these are becoming harder and harder. I have always been a proponent for growth growing up in Meridian. I was here in 1970 my family moved here and so I have seen so many changes and -- and growth has been great. We couldn't wait until we got McDonald's, even though we had the Hungry Onion and a few others, but -- that was a long time ago. And I like growth and there are challenges with growth and when I served previously on Council we were going through a terrible recession and I would much rather have the challenges of growth than a recession, which is so difficult

on people. But we are to the point when we talk about transportation, you know, gridlocks that are becoming more and more severe, we have talked about school overcrowding and we have asked for information now to look at what are the applications that have been approved that have impacts and, Matt, you are absolutely right, having grown up here and have seen it time and time again, until there is enormous amount of pressure and kids are spilling into the hallways, people are not going to vote to raise taxes to build a new school. It's -- it's got to be that -- that hard and so that makes it even more difficult. So, then, do we say, okay, we will just slow growth down, really pump the brakes and what will happen? Well, there won't be impact fees for roads. Of course, schools don't get impact fees. But voters aren't going to be asked to raise taxes and, then, here we sit and there are jobs to be had to growth and I'm a believer if you aren't growing at least to some degree you -- you could be getting stale and possibly even going backwards, just -- depends on the philosophy of how you look at growth and as we talked about in the -- in the previous application, the place really to deal with this is at the annexation level. I mean this is where we have to make the tough decision is going to be something we are moving forward with and this is annexation, zoning, and preliminary plat, now we are putting in place -- into motion certain things that -- that will move forward and this is -- this is not a bad application. It's well thought out. I keep thinking is a single family home, the 93 homes only, on -- on 40 acres saving grace, because it's single family. But it's just hard to go there, because I want to be consistent on how I -- how I do things and how I vote and -- and when we talk about traffic impacts and those types of things and my comments from the previous hearing about here we are at a major intersection of Ten Mile and the interstate and we are not going to possibly have growth occur there, because of everything we are doing out here and flowing up, when -- well, that has the least amount of impact. You know, a city wants to grow from the center and go out and same with transportation areas. You know, from there you want to -- want to grow out. So, it's -- for me it's hard, because it's about being consistent and in being that we are at the annexation phase of this, I don't think I can go there tonight. It just is -- despite a well thought out planned development that is -- has -- has some other amenities to it that folks want and that -- that makes it a very difficult vote.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I know a few weeks ago we were dealing with that application in south Meridian and I think somebody even called that it was kind of a game changer moment for us. I think it was Council President Bernt. One of the things I applaud and I appreciate Council Member Borton throwing out an idea -- a creative idea. I'm not quite sure I would be sold on it, but I appreciate -- I think it's that first step in that thoughtful, but collaborative and decisive action that we as a body need to decide that we are going to take. I like this application and there is I think some differences between a project that's multi-family in a area of town where the schools are already taxed versus one that is under capacity that we know will soon one day be full and I -- Council Member Hoaglund, I appreciate your desire and your willingness to be consistent throughout. I think that's something that we are all achieving. So, while I'm not opposed to this project, I'm not supportive of it tonight

and maybe this is a -- an instance where a continuance may make sense with some understanding that I think that we as a body need to maybe look at a workshop where we invite our community in, our citizens or community stakeholders, the development community and ask them for some ideas. Council President Bernt, earlier tonight you made a very appropriate comment. We shouldn't be designing from the dais and I think it's hard for us, when an applicant comes that we start to talk about these issues as it relates to a specific application. We need to be looking at it as a whole. So, that would be my suggestion is that we continue this out for a few weeks and have an opportunity to hear from people with other suggestions, other resources that we could look to explore and I think we should be inviting our legislative delegation to come to this meeting as well and share their suggestions, because the fact of the matter is that anything that's going to support our community long term is going to require some decisive and collaborative action at the state level.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I don't know if there is a whole lot that I can add to this discussion. I think that there has been some thoughtful comments made already. Matt, I stand by my comments from earlier. I think this is a great application. I -- I spoke about it during our time together on that committee debating open space and you had some creative ideas and some different ideas in that -- in that -- in that committee during those meetings and I -- and I still believe -- I believe that you applied exactly what you said in those committee meetings to this -- to this application. At the end of the day I think -- I think we are at a crossroads and if we weren't -- and if it wasn't clear two or three weeks ago, I think it -- I think it's pretty clear now that -- that, you know, we just need some high level discussions and we need them pretty quick and I know that government doesn't usually operate in the quickest form, but I think that we need to find what that looks like and we probably need to get on it as soon as possible. I have a lot of friends in the development community, I have a lot of -- I mean I own a flooring business and so I'm directly connected to the growth that happens in this -- in this area. I think we are all pro growth. I don't think there is a person that's sitting on this dais that -- that hasn't -- I mean we have had decades of past council members and councils who have been pro growth and pro business and so I don't think that that changes anything. I just think at the end of the day we just need to have some serious discussions as it relates to, you know, schools and transportation. So, consistent -- consistency is key and we just need to -- we need to get there. We owe it to our development community. We owe -- we owe it to those who are spending money and taking risks in our community and so we just need to get there sooner than -- sooner than later to -- to be able to afford some direction to our friends in the development community.

Simison: So, I am going to be a little bit different than the rest of you this evening. I actually -- you heard my comments. I wasn't excited about the design of this project. But I don't think this is the one that we make a decision on saying no on development at this time. It's in a priority growth area for us. We are putting a fire station right next to it. We are putting a police station right next to it. We are building -- the state is going to build an



interstate that's going to be put in place in this location before these homes are likely on -- on board from that standpoint. There is not just a brand new high school, there is going to be a brand new private high school, a brand new private elementary school. There are charter schools out in this area. There are a lot of investment that's occurring in this specific location at this specific time, which is what we have asked our development community to be focused on. Now, does that mean that we don't need to have a conversation about the larger issues about, you know, do you -- if there is -- quite frankly, I think the question for Council is, yeah, are you looking for a moratorium at this point in time on development to answer this question. Because I think that that's really where you are getting to. If you are wanting to say let's take a pause and have a conversation, there is an actual way that you can do that, if that's the way Council wants to proceed on these projects. Just throwing it out there. That may be the cleanest way to do it, rather than to continue to hear applications and have them move forward through the process, if you are feeling like you are not comfortable to make decisions and you want to put a pause and bring in the community and have that conversation. So, just food for thought for whatever decision you all make. But to me this is not the development where that decision needs to be made at this time based upon the investment that's occurring amongst everybody in this location in our community. Not to say we don't need to have a bigger conversation.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I appreciate your comments. I think that, you know, suggesting, you know, that this may or may not be a moratorium may be a hair premature. I -- of the respect I think that that's the reason why we have these conversations and we have a discussion and, you know, I -- I certainly wouldn't want to suggest that without, you know, many discussions and -- and, you know, getting our development partners in the room and our citizens who -- and the citizens who are -- you know, they have concern and who have interest in this -- in this dialogue as well. So, I think it's important for us to be clear in the sense that, you know, this isn't -- we are not -- we are not suggesting any type of moratorium or pause or anything of that regard, we are just -- you know, it's time to have high level discussions and I will -- and I will talk to Joe, you know, he started this discussion off earlier, but maybe he has some comments to -- to add to the discussion as well, so --

Simison: And if I could just real quick, I'm going to ask our legal department the question, because to me this is what a moratorium -- what moratoriums are designed for is to allow cities an opportune time to come up with a plan when there is certain parts of your 13 points which are not able to be fulfilled in your opinion. That's -- you know, I could be wrong, but that's why I have -- what I have been told, but if you can at least respond to that and, then, I would be happy to go to Mr. Borton afterwards.

Nary: Certainly, Mr. Mayor, Members of the Council. I guess the one concern I have -- and I was just getting the moratorium statute when you raised that. One, it's short.

Simison: Correct. It's a limited duration time period.

Nary: It's very short. It's to pass an ordinance for your city, but we are talking about solving a problem that we have no control over at all and so I don't know any ordinance that we could pass that could meet the concerns that you are talking about and that would be my one concern in trying to defend that is that I don't -- I don't think they fit together.

Simison: Okay. Fair enough.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I think that -- and the one you suggested, the continuance -- it's not for the sake of a moratorium, it is for the sake that -- to flush out some other suggestions or ideas, aside from just an annexation -- or building permit won't be issued until a school bond passes, that -- that could be one of many suggestions that may come not at 10:00 o'clock at night after -- after a long City Council meeting. I -- I think this is an opportunity for us to invite the public -- if citizens have suggestions, if stakeholders have suggestions, to offer those to us as we can consider these with this application that's before us and other applications that are in the future. It may result in a moratorium, but I -- I agree with Council President, that's a little premature for us to be saying that's what we are going to be doing.

Simison: And I understand the -- the -- I'm just getting to the point if it sounds like it, because we want to hold off on things until we address issues, but, Councilman Borton, go ahead.

Borton: Mr. Mayor, just to kind of close the loop, I don't have any concern on the -- a continuance, I only have concern -- and I love being consistent, but until some community partner can provide the data that shows this problem isn't the problem with the magnitude it appears to be, there just -- to your comment about -- it's sort of insane to do the same thing and expect different results. I don't know when we start and if it's kind of shocking and dramatic, then, so be it. I'm fine with continuing this, but this is the elephant in the room and you have to start at some point and if it upsets folks, so be it. We have to have the conversation. It's not popular, but I think that's part of our commitment and our obligation to the community and not everybody will like it, but I'm ready to have it. I'm ready to have it today. A continuance for the fairness of the applicant, I -- no problem with at all. If this goes, quite frankly, into January. But that's the data that we need and I don't know how to -- how else to solve this problem.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move that we continue file number 2021 dash --

Simison: We need to reopen the public hearing if we are going to continue it, do we?

Borton: We don't have to.

Cavener: Okay. Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move we open the public hearing on number four, Aviator Springs, file number H-2021-0065.

Hoaglund: Second the motion.

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

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move we continue Item 4, Aviator Springs dash -- H-2021-0065, to January 25th.

Hoaglund: Second the motion.

Simison: I have a motion and a second to continue these items to January 25th. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the items are continued.

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

## **FUTURE MEETING TOPICS**

Simison: Next item up is future meeting topics.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: This is sort of what I was hinting at in comments earlier. It wasn't an annexation, but this is certainly the elephant in the room that I think we have a commitment to try and address and accept the realities of what the data is telling us. So, whether it's a workshop or 6:00 p.m., to answer the question throughout our city when we have a magnitude of approved plats that far exceeds any capacity of a school, coupled with the new political