

A Meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, March 22, 2022, by Mayor Robert Simison.

Members Present: Robert Simison, Joe Borton, Luke Cavener, Jessica Perreault and Brad Hoaglun.

Members Absent: Treg Bernt and Liz Strader.

Also present: Chris Johnson, Bill Nary, Alan Tiefenbach, Tracy Basterrechea, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

<input type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> Brad Hoaglun	<input type="checkbox"/> Treg Bernt
<input checked="" type="checkbox"/> Jessica Perreault	<input checked="" type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, call the meeting to order. For the record it is Tuesday, March 22nd, 2022, at 6:00 p.m. We will begin this regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Our next item is the community invocation, which tonight will be delivered by Cindy Reese. If you all would join us in the community invocation or take this as a moment of silence and reflection. Cindy, thank you for being here. Either one.

Reese: Our Heavenly Father, we are so grateful to be here this evening. We are grateful to live in this community. Grateful to live in this country. We ask a special blessing at this time on the parts of the world our brothers and sisters who are involved in conflict that they may be protected, that this will be ended soon. We ask thee, Father, to be here, that our spirit -- that thy spirit will guide and direct the discussions and that good decisions will be made on behalf of the community. We are thankful for the service of those who choose to lead and we ask the blessing upon them and their families and we say this in the name of thy son Jesus Christ, amen.

ADOPTION OF AGENDA

Simison: Thank you. Next item up is adoption of the agenda.

Hoaglund: Well, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: We do have a few changes to our agenda this evening. Item No. 2 is going to be continued in order for the city and the applicant to update the public hearing notices and update the project description to actually straighten the increased acreage that is involved. Also on Item 3 and 7, we are going to open those for the sole purpose of continuing the hearing to a new date before we get to Items 4, 5 and 6. So, we will move seven up to like a 3-A and we will handle both those items and, then, with that, Mr. Mayor, I move we adopt the agenda with these modifications.

Cavener: Second the motion.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, do we have anyone signed up under public forum?

Johnson: Mr. Mayor, we did, but they indicated they wanted to speak about the Item 4 Victory Commons and they have also signed up on that topic.

PROCLAMATIONS [Action Item]

1. Meridian High School Wrestling State Champions Day

Simison: Okay. Thank you very much. Well, then, we -- we get to have another proclamation this evening for Meridian High School. So, with that we will go ahead and go on down and if any of the Council Members want to join in their garb or otherwise, feel free to come down, but if I could have the coach and the team join me at the podium that would be great. Well, this is becoming a great tradition seeing Meridian High School come in for state championships, not only in wrestling, but we have had some of your other sports teams here over the last couple years and you see we are wearing last year's garb, so don't hold it against us. We would all like it and we wear it whenever we can. It just may be a little snuggier than it was a year ago for all of us that -- it's coming out of winter. That's -- that's what that is. So, we -- we do take -- love this opportunity to congratulate our youth who are achieving highly in all things, but especially like to do it

for those in their athletic achievements and so we are going to do a proclamation. Their names -- we have another proclamation that goes into the record, so their name will always be in there on that proclamation. We don't try to do it -- so, I don't butcher everybody's name. But after we do this we would love to have all the team come -- after the coaches speak have all the team members come up and say their name, their weight, their year from that standpoint, so we can get that on the record. So, with that: Whereas being a Meridian High School wrestler is more than scoring points, escapes, takedowns, pins, and achieving state titles, it is training to build leadership, character, confidence, teamwork and resilience, all traits needed to succeed on the mat, in the classroom, and in the real world and whereas after a year of adversity and injuries and not only state title for 34 years, back to back state championships showed just how far the Meridian wrestling program has come and whereas the hard work racked up 290.5 points, providing two individual champs, four second place finishers and eight more places to bring home the 2022 state wrestling championship trophy and whereas the Meridian Warriors conquered the competition for a second straight 5A state championship banner and whereas the leadership, training, and discipline of their coaches helped all team members to focus their talents, passion, and determination to become a winning team, with each player making valuable contributions to their victory. Therefore, I, Mayor Robert E. Simison, hereby proclaim March 22nd, 2022, as Meridian High School Wrestling State Championships Day in the City of Meridian and call upon the community to join me in congratulating the Meridian High Warriors on the remarkable athletic achievement and for representing Meridian so proudly in the state tournament. Congratulations. Coach, would you like to come up and say a few words?

Muri: Howdy, everyone. Hey, there is Isaiah Twait right on time. One of our fine homeschoolers. Yeah. Just really -- everyone that's here was there at the state tournament. It was a -- it was a wild year and a wild tournament. I'm just really proud of this team and the resilience they showed. A lot of adversity overcame at the tournament. We lost a couple kids to injuries and, yeah, they fought as a team top to bottom for those two days and definitely made some history. So, just super proud of -- just of their grit and their toughness and really grateful for this group of kids. So, thank you.

J.Muri: Hello. I'm John Muri, associate head coach, one forty-nine. But really proud of this group. This is a -- it was a wild ride and looking forward to running back for -- for a three-pete next year. But really awesome group.

Simison: If each of you want to come up. I also have a City of Meridian pin that we will provide to you and, then, we will do a group picture after that. Sound good?

Gooley: All right. Carson Gooley, wrestled at 195, and I'm a sophomore.

Kimes: Zac Kimes, wrestled at 126, and I'm a senior.

Arnold: Gabe Arnold, 98 pounds, and a freshman.

Papa: Matthew Papa. Well -- Matthew Papa, 120, and I'm a sophomore.

Mack: Parker Mack. Wrestled 152. I'm a senior.

Howie: Judah Howie. One thirty-eight. Also a senior.

Argana: Fabrizio Argana. Wrestled at 190 and I'm a sophomore.

Smith: Alex Smith, 220, and I'm a junior.

Ohlund: Lizette Ohlund, 126, I'm a junior.

Sears: Lucas Sears, 170, senior.

Gonzales: Jamiah Gonzalas, 106, I'm a freshman.

Dickerson: Teigan Dickerson, senior, 113.

Smillie: Tristan Smillie, 160, and I'm a junior.

Sunada: Brodyn Sunada, 152, and I'm a senior.

Mara: Jason Mara, 138, and I'm a sophomore.

Ramos: Hunter Ramos. I'm 145 and I'm a senior.

Twaite: Isaiah Twait, 170, and I'm a junior.

Hoaglund: Well, Mr. Mayor, as you are getting the podium ready for our meeting time, just want to comment as an alum of Meridian High School I'm -- I'm -- I'm looking forward to a dynasty starting right now. I think that would be awesome. We can bring these up every year and -- and for the guys -- they can -- I think they can still hear me out there. Remember this moment when you spoke before City Hall. Okay? Remember the weight you said, because 40 plus years later you are going to go I weighed that? Anyway, just a piece of advice.

ACTION ITEMS

- 2. Public Hearing and Findings of Fact, Conclusions of Law for Apex West Subdivision (H-2021-0087) by Brighton Development, Inc., Located on the North Side of E. Lake Hazel Rd., Approximately 1/4 Mile West of S. Locust Grove Rd.**
 - A. Request: Preliminary Plat consisting of 208 building lots (207 single-family and 1 multi-family) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts.

Simison: All right. Council, so with that first item up is Item 2, public hearing and Findings of Fact, Conclusion of Law for Apex West Subdivision, H-2021-0087. The public hearing is still open. Mr. Nary.

Nary: Yes. Thank you, Mr. Mayor, Members of the Council. So, in our conversation yesterday with Planning and with the applicant we realized as we resolved the issues of the land that we had discussed at the prior hearing about whether there is a parcel or the entire parcel, we reset it, we added 34 acres onto this parcel and we didn't send a new notice out. So, I spoke with them, they are in agreement, we will renotice it for the April 5th meeting. That's the only glitch in this and so we just asked for a continuance to that date and we can finalize the --

Simison: April 12th.

Nary: April 12th. Yes. You are right. April 12th. I apologize.

Simison: Council, do I have a motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: And I move that we continue the public hearing for H-2021-0087 to April 12th.

Cavener: Second.

Simison: I have a motion and a second to continue the public hearing until April 12th. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is continued.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

3. Public Hearing for Eagle Crossing (H-2021-0104) by Wadsworth Development Group, With the Project Location Encompassing the Five Existing Lots Located at the Southwest Corner of S. Eagle Rd. and E. Ustick Rd.

- A. Request: Modification to the Existing Development Agreement (Inst. #2019-121599) for the purpose of updating the existing concept plan.

Simison: So, next up is a public hearing for Eagle Crossing, H-2021-0104. This -- I -- I know that this -- do we open this one or do we not do anything since the posting was incorrect?

Nary: So, Mr. Mayor, yes, so this one the posting was incorrect, so we can't open the public hearing, so it is just a continuance.

Simison: Okay. Do we need a motion to continue it?

Nary: Yes.

Simison: Okay. No, he said we don't open it, because it wasn't -- that's what I was trying to figure out.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we continue H-2021-0104 for April 12th.

Cavener: Second.

Simison: I have a motion and a second to continue the public hearing until April 12th. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is continued until April 12th.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Simison: Next up is a public hearing for Victory Commons Condominiums, SHP-2022-0002, and we will open this public hearing with staff comments from Alan. Oh, I'm sorry. I apologize. So, I need to do Item 5 next or seven next?

Nary: Seven.

7. Public Hearing for Copper Canary (H-2022-0009) by ALC Architecture, Located at 2590 N. Eagle Rd.

- A. Request: Modification to the Existing Development Agreement (Inst. #104129529) to remove the subject property from the agreement and prepare a new development agreement with an updated conceptual development plan, removal of the requirement for conditional use approval of any future uses on the site, and requirement for access to be taken from the north via the future backage road with emergency only access from the south.

Simison: Okay. Okay. Sorry. Next up is public hearing for Copper Canary, H-2022-0009.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we continue H-2022-0009 to April 12th.

Perreault: Second.

Simison: I have a motion and a second to continue the public hearing until April 12th. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the hearing is continued.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

4. Public Hearing for Victory Commons Condominiums (SHP-2022-0002) by BVA Development, Located at 2976 S. Meridian Rd. (Lot 4, Block 1 of Victory Commons Subdivision No 2)

- A. Request: Short Plat for 10 commercial condominium units on 2.42 acres of land in the C-G zoning district.

Simison: Now going back to Item 4 is a public hearing for Victory Commons Condominiums, SHP-2022-0002. Open this public hearing with staff comments from Alan.

Tiefenbach: Greetings, Mr. Mayor, Members of the Council. Alan Tiefenbach, planner with City of Meridian. This is a proposal for a short plat. The property is zoned C-G, located at the northeast corner of South Meridian Road and East Victory Road. The subject property contains a -- just about a 30,000 square foot building, which was approved by CZC in 2020. At the time the CZC was approved the property was constructed on a lot that was in the Mussell Corner Subdivision. Sometime after that in June of 2020 the property was replatted as Victory Common Subdivision. First it was Lot 4, Block 1, then, they did some adjustments to the lot and, then, it became a Lot -- Lot 2 of Block 2. This proposal is merely to subdivide the existing building into ten tenant spaces. So, nothing other -- nothing else is happening. You would remember the second plat came in front of you a few months ago, Council, that you approved. Again, so this building is existing and they are just subdividing it into ten airspaces for ownership purposes. We have deemed it as being in compliance. That's really it for this presentation, Council.

Simison: Thank you. Council, any questions for staff? Okay. Is the applicant here? State your name and address for the record and be recognized for 15 minutes.

Petersen: Yes. Mayor, Council, Tonn Petersen, 2775 West Navigator, Suite 220, in Meridian. My name again is Tonn Petersen. I'm with Ball Ventures Ahlquist. I don't need the full 15 minutes, just need a couple of minutes. It's already been stated pretty clearly and we are very appreciative of staff and their -- and their help. As -- as was stated this is a final -- well, before Council previously, dating back two years, a final plat consisting of four commercial lots and approximately 16.74 acres in C-G zoning district. This is what we refer to as Victory Commons. The phase one plat of that development was recorded in 2020 and, then, I think several weeks ago -- in fact, it was four weeks ago the phase two plat came before Council. That's now being routed. And as stated there is a 30,000

square foot flex building as we call it, that will have multiple tenants who will own individual units. In that flex building on this phase one and for that reason we have put forth the commercial condo plat and we are just appreciative of -- of Council, we are appreciative of staff. I believe, Mr. Mayor, was -- was at the groundbreaking of this site several years ago and it's -- it's amazing to see how fast it's -- it's sprung up from there. So, just really wanted to express appreciation on behalf of the company for the -- the assistance that we have been provided, as well as appreciation to the surrounding neighbors. Of course, development and change is hard and we have enjoyed a -- a dialogue with the neighbors and are always looking forward to -- to find ways to -- to create that continuing dialogue with them. So, with that I stand for any questions.

Simison: Thank you. Council, any questions for the applicant?

Petersen: Thank you very much.

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

Johnson: Mr. Mayor, we had three people sign up, none indicated a wish to testify, but I believe some members of the public are here with questions.

Simison: Okay. If there is anybody that would like to provide testimony, if you would like to come forward now. Please come forward and if you can state your name and address for the record and you will be recognized for three minutes.

Brown: My name is Tammy Brown and I live directly behind at 2985 South Andros Way. I just became aware of this from this mailer. My questions are -- is I would like to know the height of the project and the impact of the traffic. Are already right now -- because the Kuna traffic is just -- you can't even get out on Meridian without really having to really punch it to get out. So, the traffic is a big impact there. I wanted to know how much more traffic those would generate. And also construction hours. What time the construction would start, how early in the mornings, the types of heavy equipment. Are there going to be lots of dirt, because we had that nursery there before and everything around our house is filthy at all times. I wanted to know the type of construction dust and if there are going to be lots of obstructions, you know, blocking off roads to get in and out of the -- because it's -- it's a big area right there. So, I just -- I was just wanting to know the impacts to us as neighbors. Thank you.

Simison: Thank you. Council, questions? Okay. Is there anybody else that would like to provide testimony on this item? Or if there is anybody online you can use your raise your hand feature. Seeing none, would the applicant like to come and close?

Petersen: Thank you, Mr. Mayor, Council. Appreciative of -- of I believe Ms. Brown's questions and I will make myself available to provide more -- more detailed information, both hereafter and also can -- can meet with Ms. Brown on site to just answer anymore further detailed questions. On a very high level, the good news is in terms of the construction hours, this project, that the flex building, is near completion. The construction

hours are -- they do not exceed what's required under -- under city code and -- and I can certainly provide that detail to -- to Ms. Brown and in terms of the traffic, the -- the impact has been addressed through the traffic impact study. The existing traffic that we have now has been mitigated somewhat by a U-turn that's been -- some enhancements along the existing arterial roads, including a U-turn there at Meridian, which doesn't seem like a -- a big deal, but it actually is an incredible enhancement in terms of keeping the traffic flowing through that site and so happy to provide that -- that information. Again, I will provide my -- my personal contact information and can meet Ms. Brown and any other neighbors who would like to out at the site this week. The height of the project I -- I have Hallie Hart, our associate engineer, with us here today. We are checking the specifics of that, but I believe it was approved at 30 -- not to exceed 38 feet and I believe it's at 32 feet is what -- up to the parapet. That may be off by a foot or two, but, again, I can make sure I have that exact information for Ms. Brown.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: No questions specifically. I just wanted to say that -- just to clarify that the purpose of our hearing is -- here this evening is just to decide if the applicant is permitted to split this into commercial condominiums where they can individually sell. It doesn't have to do with approval of the building, building size, or location. So, thank you to the applicant for being willing to answer those specific questions. I hope you can connect this evening.

Petersen: Thank you.

Simison: Thank you. Council, any additional questions?

Petersen: Okay. Thank you.

Simison: Thanks.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: No questions, I -- I move that we closed the public hearing on No. 4, SHP-2022-0002.

Perreault: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I move we approve Item 4, short plat for Victory Commons Condominiums, SHP-2022-0002 as presented in the staff report on the date of March 22nd, 2022. Thanks for the --

Perreault: Second. Second that motion.

Simison: I have a motion and a second to approve Item SHP-2022-0002. Is there any discussion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: A quick comment on me dovetailing on Council Member Perreault's comments. Ms. Brown, I appreciate you coming and testifying tonight and I know it's frustrating when you get a card about a project and you want to come and learn more. This annexation was before us about a year ago and I will tell you Council discussed height at great distance. I live one neighborhood over you off of Victory, so the impacts on -- on Victory and Meridian Road were discussed at great lengths up here and I think that the applicant has done a good job of responding to a lot of the concerns from Council at that time and I appreciate the applicant wanting to meet with you one on one to make sure your specific questions are addressed as well. Okay. Not a problem. That's -- that's why -- Mr. Mayor, sorry.

Simison: Councilman Cavener.

Cavener: I know that we don't try and talk when people aren't on the record, but that's the reason why we have these meetings, so the public can learn more and get their questions answered. So, with that, Mr. Mayor, I'm happy to call for the question.

Simison: Okay.

Perreault: Mr. Mayor?

Simison: The question has been called --

Perreault: Oh.

Simison: Would -- would --

Cavener: I'm happy to -- to relinquish if Council Member Perreault has got some comments or questions.

Simison: The question has been removed. Council Woman Perreault.

Perreault: Question -- which question has been removed. I'm sorry.

Simison: Oh. The question that he -- he basically called for the vote.

Simison: Oh. Got it. Yes. I did not have any further questions. I just wanted to follow up on something that -- that Councilman Cavener had stated. If you would like to get in touch with the city clerk here, Chris, he can give you the link to the project. That was originally approved and you can look at what was intended with maps and information and you might be able to also access that from our website, just so you can understand fully what's intended to happen there. Sorry about that. Thank you.

Simison: Okay. With that ask the Clerk to call the roll.

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

Simison: All ayes. Motion carries and the item is agreed to. Thank you. Have a good evening.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

5. Public Hearing for Moberly Rezone (H-2021-0089) by Carl Argon, Located on Parcel R0406010125, South of W. Broadway Ave. Between NW 2nd St. and NW 1st St.

- A. Request: Rezone 0.159 acres of land from I-L to O-T to allow a duplex.

Simison: Next item up is a public hearing for Moberly Rezone, H-2021-0089. We will open this public hearing with staff comments.

Tiefenbach: Thank you, Mr. Mayor, Members of the Council. So, this is a proposal to rezone from I-L to OT. The property is roughly .16 acres in size, zoned I-L, located south of West Broadway Avenue between Northwest 2nd and Northwest 1st, literally just a five minute walk down the street here. Okay. So, the subject property is an existing vacant lot. Again, like I said, consisting of .16 acres, which is zoned I-L along Northeast 1st Street. I will go to some pictures here. If you look at the picture on the right that's

Northwest 1st Street. This is predominately single family, multi-family, and duplexes. Nearly all of this is at least 50 years of age. Some of these houses actually go back longer than that. West of the property is a mixture of industrial uses. A food bank, a religious facility and residential, both single family and attached. There is actually industrial directly behind the subject property. North of the property is single family attached and multi-family. One of the properties approximately a hundred feet to the north, you can see here, is actually already zoned OT. There are railroad tracks here. It's about 200 feet south of the property and there is an alley, which you can't see very well, but it borders the property and that is what you can see in that picture there. The applicant proposes to construct a duplex on the subject property once the rezone process is concluded. Although the plan does specifically mention multi-family residential over ground floor retail or office uses being part of Old Town, the property is surrounded on three sides by existing one story residential and multi-family, with only a small number of industrial and non-residential uses. Although a work/live situation is possible, because the subject property is on a residential street with no commercial frontage, staff finds the proposed residential use in this area would be appropriate. The subject property would be alley loaded. That's, again, what you see here. This -- the reason for this is it brings the building closer to the street and it removes garages and driveways from the front view of the house. This is consistent with the new urbanist principles where you want to have houses brought to the street, buildings brought to the street, porches, those kinds of things and you want to deemphasize garages. Access would occur via this alley. This is the alley here. I actually did what I call the Tundra test, which is my gigantic truck and was able to get it back there to where the -- if I can get my truck back there you can land a 747 back there. So, there is enough room to get in the -- the actual access to the property is right on the other side of this little shed here. You can see that's the alley back there where that fence is. At present, although you can't really see it, there is a dumpster blocking the alley. That's what you see here. The way that you have to get in at present, because of that -- that dumpster is you have to come down Broadway and, then, you go south on North 2nd and, then, you turn and go east on Railroad Street and you -- you come up into the alley here. This is a one way street here. Staff supports the -- staff supports this application and recommends approval. However, at the time we did think there needed to be some adjustments made to the duplex. The original version, which you saw in the staff report, it showed like a combined front entrance inset for both units and there wasn't really any overhang, it didn't really -- it wasn't really consistent with that new urbanist principle, the front porches, and that whole thing. Because it's near the downtown core and provides for Old Town, that was one of the things we thought would be an element of that. Its walkability. Its sociability. Its sense of community. This being the first project developing in this area, we wanted to make sure that we set the right pattern for things to continue like that. That was our recommendation -- recommended condition of approval at the Planning Commission. Since that time the applicant has submitted revised elevations. So, originally, there was just an inset here. Since that time they have put on a little porch over here. I think it's six wide by 30 long. They could probably double check. They -- they could probably correct me on that, but this is sufficient size. We just want to make sure there was enough room for somebody to actually be able to sit out in front of their duplex on a summer day or even a cold day. Meridian Planning and Zoning heard this item on February 3rd at the public hearing. The

Commission did move to approve this subject zone request. Their only comments were that they -- the Planning Commission wanted to make sure architectural design and materials were generally consistent with the neighborhood aesthetics, which totally makes sense. I looked at this -- if you look at a lot of the buildings in the neighborhood - - and you can see them here -- a lot of them are brick and clapboard siding with pitched roof and dormers and that was what I had originally talked to the applicant about to make sure that the architecture -- we don't -- we don't want to mimic the historic structures, it's one of the principles of historic preservation, but we did want it to respect the historic structures. There were a few -- there were a few citizens that showed up to the hearing. The concerns they expressed were about, first of all, being two stories. They had some concerns about the alley. The alley is being used for things other than parking or -- or the alley is being used for parking and the alley is being used -- like they have a -- a dumpster, like I said, blocking the alley. The alley is actually a public right of way. It shouldn't be used for parking. So, there was some concerns about the access occurring in the parking. Staff reminded the Planning Commission and the -- and the citizens that you can't park in the alley. That's a public right of way. The public gets to have access if it's a public right of way. There was some comments about the -- the area being industrial and some concerns about whether the rest of it was going to turn residential. The one thing I wanted to mention is there was a lot of discuss on the -- there was some discussion with the Planning Commission and the citizens on the two story nature of the house and it's important to mention to you that the Old Town zone district requires a building to be two stories and at least 35 feet high. You can't actually build a one story building in OT. It has to be two stories. That's, again, to -- to try bring that -- that -- that Old Town walkability and building going -- you know, allowing additional density and trying to promote commercial on the bottom and -- and residence on the top. So, with that it's a very simple rezoning. I think the applicant is here this evening and with that I would stand for any questions.

Simison: Thank you, Alan. Just on that last point, I -- I thought that it -- single family residential or residential -- is it because it's not a single family residential, it's a duplex that it's -- that there wasn't the 35 foot height requirement on all structures if they were just residential, but maybe it's because it's not single family residential.

Tiefenbach: The -- no. The Old Town recommends that -- that structures be at least 35 feet high. It could -- most of this neighborhood is all is zoned in I-L. The only structure right now that is -- there is only one piece that's zoned OT at this point, but OT requires 35 feet height and at least two stories.

Simison: Okay. Council, any questions?

Tiefenbach: It's the -- it's the only zoning district I know of really in the city where instead of saying this is your maximum height, it says this is your minimum height.

Simison: I knew it was a minimum, but I didn't think it applied to only residential structures.

Tiefenbach: It's -- it's all structures in OT, sir.

Simison: Okay. Is the applicant --

Borton: Mr. Mayor?

Simison: Mr. Borton.

Borton: Real quick. Alan, is this -- this has to go through design review before it gets a permit anyway; correct?

Tiefenbach: Yes, sir. This -- because this is a duplex this is required to go through design review.

Borton: Okay. Thanks.

Simison: All right. Is the applicant here this evening? Online? It looks like they might be in the waiting room.

Johnson: Being promoted to a panelist right now. I just have to accept that. There it is.

Simison: If you can state your name and address for the record. Sorry, I can't get in and see what's going on.

Johnson: Unmuted now, Mr. Mayor.

Simison: Okay.

Argon: Carl Argon. 4515 East Copper Point Drive, Meridian, Idaho. 83642.

Simison: Okay.

Argon: Yeah. I'm the applicant, Carl Argon. You know, we are excited to get this thing approved and through the process. We are -- like Alan said, we are going to work with design review once it's rezoned to make it something that the city is going to, you know, approve of and be proud of and we are happy to set the standard for whatever else comes down that way in -- in the neighborhood. So, we think we will put a good product out there and something that the neighbors and the community will enjoy and it will be better than a vacant piece of property that's sitting there right now, so --

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

Tiefenbach: I just wanted to confirm. I read in the UDC to make sure I was answering your -- your question correctly. It is all buildings are required to be 35 feet or two stories.

Simison: Okay. All right. Seeing no questions from Council for the applicant, Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Well, if there is anybody that would like to provide testimony on this item, if you would like to come forward at this time and you will be recognized for three minutes or if you are online use the raise your hand feature. All right. Seeing nobody who would like to provide testimony on this item, does the applicant wish to have any final comments?

Argon: I do not.

Simison: Okay. Then with that, Council, I will turn it over to you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Alan, just a -- a quick question for you. About this dumpster, I get -- I get that there is -- you can't be parking in a -- in an alley. Is -- can a dumpster be placed there? Do we know who it belongs to? Have we communicated to the owner? Any -- I know that maybe this may be more of a code enforcement question, but because you -- you brought it up I'm coming to you first.

Tiefenbach: Sorry. Councilors, Mr. Mayor, I do not -- if you look down the alley here you can see the green dumpster here. That -- the reason why I found that is because I was going to try to drive down this alley and I couldn't do it. I think that's the -- the food bank there. No, you can't put a dumpster in the alley. That -- nobody is complaining, because nobody is really going back there. Nobody is developed. But you can't park in the alley. You can't put a dumpster in the alley. It's a public right of way. It would be a code enforcement issue if we wanted it to be.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: We have a representative of the Meridian Food Bank here. Maybe they can shed some light on that, since they are in the area.

Simison: I'm happy to take public testimony, since we are not there and we can give the applicant time to respond afterwards, so -- state your name and address for the record, please.

Clark: Dan Clark. Meridian Food Bank. The address --

Simison: The food bank is just fine.

Clark: 133 West Broadway Avenue in Meridian. The purpose of the dumpster -- the dumpster belongs to the gentleman behind the food bank. He puts it out there on the day of pickup and the truck comes in, picks it up, empties it and, then, comes over to the food bank. So, that dumpster is only -- they are pushed out there like on Wednesday mornings before 9:00 o'clock or so and, then, it's gone.

Simison: Council, any questions? Thank you. Hearing that, would the applicant like any final comments?

Argon: Yes, I would like to make some comments. You guys can hear me; right?

Simison: Yes.

Argon: I -- I had to go out there to post the sign for the public hearing notice for City Council and Planning and Zoning. Each time I went out there during the week nights the dumpster was not there. I also went back to take down my sign after Planning and Zoning Commission on a weekend. The dumpster was not there. So, I'm not very concerned about the dumpster. It doesn't seem like it's a permanent thing. That car wasn't also blocking the alley as well. So, I'm thinking maybe Alan just -- it was just luck that you saw it out there the way it was, but each time I have gone out there it hasn't been that way, so --

Simison: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Question for Alan. Alan, on page two of the staff report it shows a boundary map and, then, of course, there is a new legal that was recorded recently. Is this overlapped parcels? Is this going to be divided into two parcels separately or is this going to stay on the one parcel as it is?

Tiefenbach: Thank you, Council Person Perreault, Members of the Council. It is confusing. It does look like two parcels. It is actually one. The -- I know that's what it looks like on the -- and I had the same question to Bill Parsons and we researched it. For whatever reasons it's showing it two, but it is actually -- the record of it shows it to be one parcel. It's going to be one duplex on one parcel.

Perreault: Okay. Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing for H-2021-0089.

Borton: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Hoaglund: Mr. Mayor, just a comment before I make a motion.

Simison: Councilman Hoaglund.

Hoaglund: It's exciting to see a vacant lot in Old Town being built upon and have some life to it and I think it's a good thing as -- as we learned about minimums for Old Town and two stories. So, that was enlightening. So, I -- I would move approval of after all -- after considering all staff, applicant, and public testimony, I move to approve H-2021-0089 as presented in the staff report for the hearing date of March 22nd, 2022.

Borton: Second.

Simison: I have a motion and a second to approve Item H-2021-0089. Is there any discussion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries. The item is agreed to.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

6. Public Hearing Continued from January 11, 2022 for Heron Village Expansion (H-2021-0027) by Tamara Thompson of The Land Group, Inc., Located at 51, 125 and 185 E. Blue Heron Ln.

- A. Request: Annexation of 1.36 acres of land with a R-40 zoning district.
- B. Request: Rezone of 4.18 acres of land from C-G and R-8 to R-40.
- C. Request: Conditional Use Permit to allow expansion of an existing 108-unit, 5-building m

Simison: So, our next item is a public hearing that was continued from January 11th, 2022, for H-2021-0027. We will continue this public hearing with any comments from staff.

Tiefenbach: Thank you, Mr. Mayor, Members of the Council. I'm not going to go through the whole thing again, because I think we have all heard this very many times. Just -- just so you know what you got it on last week's episode, I hope you get caught up. The property is -- this is for an annexation, rezoning, and conditional use. The property is located southeast intersection of North Meridian, East Blue Heron Drive. It's six properties. Five of them are already in the city. One of them is not and this is what you see here, R-1 in the county. The purpose of this -- there is now five apartment buildings with 108 units. They want to build two new apartment buildings on this R-1 zoned lot and 32 new units. A conditional use was approved for the original complex in 2013. We had a pre-app. The applicant, again, wanted to build 36 more units in two buildings. This was initially heard by the Council on October 12th. Since this time it's been continued a few times. It most recently came on December the 7th and, again, was, then, continued to this date. The issue has been parking, particularly the issue with parking overflow onto East Blue Heron Lane and the impacts on the residents of the Heron -- Heron Brook townhouses to the north. Also the Council requested the applicant to justify the number of spaces they are proposing and looking at some of the parking information that might be provided from the property management company. So, this was the original proposal that you saw that came in front of you originally. All that's grayed out is the existing and this was one building, this was the other building, and, obviously, the rest is parking. There was an open space here of 70 by 100. Since the last Council the applicant has resubmitted new drawings. First of all, the -- so, what you are seeing here that's different is that this Building G has now been moved up to the East Blue Heron Lane and this Park has been moved to the -- down towards the middle. Part of the reason why they did that is because people have a tendency to want to walk to the building where -- to park where the building is closest and if you move the building up toward the street and widen the parking lot, which is what you see over there, it will help to incentivize people to park in the lot in front of their buildings. Since -- since the time of the Council hearing there has been a couple of other things that the applicant has done. The applicant indicates -- let me see here. Okay. So, with phase one there was 108 apartments and five buildings that required 204 parking spaces and they -- with phase one provided 207 parking spaces. With -- let me close this little window. It's in my way here. Okay. So, phase two is -- again, it's 36 apartments in two buildings. Their required parking is 69. They have got a certain number of covered parking and their -- their provided parking is 89. So, what they have done -- they have -- they have done a few things differently between the last time this -- the first thing is that that 35 of those stalls they have made them larger. The -- the city of -- City of Meridian requires nine feet long by 19 feet long for a parking space. In this particular case they are doing 11 by 20. They are saying that this is to satisfy some of the larger trucks, like, for instance, my Tundra. I think that the thing that is more important is -- one of the significant issues that they have had is they have all these covered garages in the original phase and though -- not cover. Sorry. Fully enclosed garages with a garage door. And what the problem has been -- not with just -- not with these apartments, but a lot of different apartments is that people tend to use those garages for storage and, then, they park their car somewhere else. So, all those parking spaces are basically useless in the garage. If you remember our recommendation with phase two, because of the parking issue, is that we -- we proposed to you and to the Planning Commission that only carports would be allowed in this development, because

it would keep people from storing things in their garages and parking elsewhere. The applicant with this proposal is -- is now suggesting to take the garage doors off of the existing garages in phase one, all of them, and, basically, only allow carports in the entire development. Again, with the idea that all of that storage that used to be in the garage would now have to go into their apartments or they have to get rid of it and parking will be used for cars. It's -- it's a lot easier to enforce whether or not you are parking in your garage if you can look into the garage and make sure that they are not full of stuff. The other thing is they have talked to Fire Department and ACHD and they are proposing to put no parking on the north side of East Blue Heron. The neighbors across the street have had concerns with cars parked all along that side of the road, parked along near the corner, so you can't see when they are trying to pull out on Meridian. So, they are proposing to stripe East Blue Heron Road. So, again, the differences are larger -- 35 of the parking spaces will fit a Toyota Tundra. They are proposing to make all of the garages carports and they are proposing to stripe the north side of East Blue Heron Drive. And with that I think that is everything on my presentation. I -- I talked a little -- I mean I kind of went back and rehashed on what our recommendations are. They -- they meet all the requirements, so this is why we recommend approval. In fact, they exceed the requirements. The applicant is going to have to widen the pathway between East Blue Heron Lane and North Eureka. There is a -- a lateral pathway there now and they are going to widen it, so that they have a secondary emergency access only for the Fire Department. There would be posts or something like that so people can't drive there. We had concerns with all the condenser units for the AC being along the front of the building. We thought it would be a little more aesthetically pleasing -- pleasing if they at least had to soften them up with landscaping and -- and, then, again, as I said, covered parking shall only be provided by carports and if the Council was supportive of what the applicant is -- is suggesting, then, you would probably want to add a condition of approval that the existing carports in phase one be convert -- or sorry. The existing enclosed garages in phase one be converted to carports, which, again, would keep you from storing all your stuff in the garage. I hope. With that I have no other comments.

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

Perreault: Mr. Mayor?

Hoaglund: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Alan, did -- did they -- the -- the parking spaces that are -- that have been widened and lengthened, did they actually like restripe and add -- are they going to restripe and add some in different areas of the entire complex of phase one or is it just all added into this east side in phase two? So, that -- that doesn't really solve our problem, because we are still going to have people that live way on the west side of the development and they are not going to park their larger truck way on the east side just because the spot is bigger.

Tiefenbach: What I'm seeing, Council Person Perreault, Members of the Council -- and I very well could be wrong. It will probably look to the applicant, because I wasn't prepared for that question. What I'm seeing -- are showing the larger parking spaces down here on the east. Certainly you are privy to tell him to restripe however you would like.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Alan, for the no parking on the East Blue Heron north side of that, is that something they have to go through ACHD to accomplish and get approval or can we condition that as well?

Tiefenbach: I'm sorry, one more time.

Hoaglund: The north side they are proposing to make that no parking. It was a previous discussion we had about -- to help reduce impact to the residents on the north --

Tiefenbach: Correct.

Hoaglund: -- side, that they would make that a no parking area on that north side.

Tiefenbach: Correct.

Hoaglund: Is that, though, up to ACHD to make that determination?

Tiefenbach: Ultimately the ACHD, but my understanding is ACHD was supportive of that. I believe Joe Bongiorno might have had some discussion with them. I will -- for sure. But, yes, it's ultimately their right of way, so they get to decide. My understanding was they did not like the idea of both sides of it being striped. So, yes, ACHD ultimately would be the one that would decide. So, you could -- you could condition this and they could say no.

Hoaglund: Okay. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Just before maybe we jump into the public hearing portion -- or the presentation of the applicant, I just wanted to notate for the record -- while I was here for the initial presentation, I did miss the continuance in December, but I watched it online and followed through on the minutes and feel prepared to be involved in the conversation tonight.

Simison: Thank you. Council, any other questions for staff? Okay. Is the applicant here this evening?

Johnson: Mr. Mayor, I -- this is Chris. I have -- Mr. Powell is the applicant. I have unmuted him, but I see Mysti Stelluto as well, so I'm going to allow her -- I'm not sure who is representing the applicant.

Stelluto: Hello. This is Mysti Stelluto. Can you guys hear me?

Simison: Yes, we can.

Stelluto: All right. I am representing the applicant Heron Village Apartments. I'm with Dave Evans Construction. Tamara Thompson with The Land Group is unavailable tonight. We have Rob Powell, our architect with Dave Evans, available, as well as Summer Haven, who is the management -- with the management company for Heron Village. Want to thank you all for seeing our application again and we look forward to bringing this forward one more step for approval. As Alan was saying with our Option I, which is that newest site plan that you all see right there, that does provide wider stalls, as well as relocating the open space and touching with the wider stall option we are providing 16 stalls that are nine foot by 20, which is greater than code requires and, then, those 35 stalls that are 11 by 20. And to address the question that one of the Council Members asked earlier about restriping phase one, that is going to not be very possible due to the fact that the carport post spacing has determined the spacing of the carport stalls and so unless, you know, the -- the carports are -- are redesigned and redone we are not able to restripe those. We believe that making those garages deluxe carports by removing the garage doors that will help greatly with allowing more residents to be parking closer to building C and D, since they could just pull in and pull out, they don't have a garage door, plus they won't be able to use those for storage as well. The thing to take note of is the property management has done a lot of things to figure out why the parking situation is the way that it is. They have done numerous audits throughout the -- the last couple months. Dave Evans Construction has done audits on site the last couple weeks, as well as doing tenant questionnaires to really see why the tenants are parking where they are parking and it was determined that -- that there is plenty of parking internally for everybody to have a spot and to park, but the tenant questionnaires provided was those stalls are just either inconvenient or they are not large enough for the vehicles that they do have. And so property management practices, then, needed to be changed to also make parking within the community more convenient and so what the -- the property management company has decided to do was make all in community parking free of charge. So, the garages are going to be free. All the covered and uncovered parking stalls are free. They have also given one garage space to every three bedroom unit free of charge and so that's a huge difference from before and, then, they are still continuing to educate residents of using the garages for parking. Now, we are proposing to remove those overhead garage doors, which will, like I said, create those deluxe carports, which make additional parking a lot easier to park within the community, but in the meantime before that's been approved they are having those garages free of charge and educating the residences. With our Option I, like I stated, we are providing larger stalls. Now, they are not centrally located like in phase one, so people with larger vehicles will have to walk a little ways, but still we are providing ample larger parking stalls for those larger vehicles to park and we are not proposing anymore garages and the only cover parking stalls that

we are going to provide is what code requires. Everything else is going to be uncovered, which will also help curb that issue with the larger, taller vehicles not being able to park under those carports. Regarding the no parking along East Blue Heron, that definitely is something that we are willing to work with ACHD and the city about. We have learned with our discussions with ACHD that that is something that needs to be brought up by the city and the city needs to -- to request that from ACHD. We have to be on board with it as well and that will only allow ACHD to go and do like a study to see if no parking is actually warranted on East Blue Heron. That doesn't -- that doesn't say that they are going to approve it or they are going to -- they are going to stripe it or -- or sign it no parking. That just allows them to do the study since ACHD feel that East Blue Heron was constructed and designed for parking on both sides of the street they are really hesitant to -- to not allow that to happen, because that's why that road was designed the way that it was. But we are more than -- we are more than happy to cooperate with -- with you and ACHD to get that study going to see if -- if -- if the no parking is even possible from ACHD's perspective. We do agree that at least no parking should be on that north and south side just west of -- I'm sorry -- just east of Meridian Road west of North Richter Lane. That will definitely help with the Fire Department's concerns with that visual triangle being blocked with all those cars. So, we are definitely on board with that as well. We -- we feel that the Option I that we are showing now does provide those larger stalls, it provides the open space that's more central to both phases being able to use that park-like setting. It's going to have benches. We are proposing to have barbecue areas. We are also proposing to have 36 covered bike -- bike -- covered bike stall areas through the whole entire complex to use and we feel that this is just a really great project to help with the housing problem that Meridian is having. It's going to fulfill the vision of the Comprehensive Plan and the future land use plan and we respect your approval and I will stand for questions.

Simison: Thank you. Council, questions for the applicant?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Mysti. Could we bring up the map with all of the buildings for the whole development?

Tiefenbach: Does that work for you?

Perreault: No. I think there was one where you can see them. They are grayed out, but -- yeah, there we go. So, one of the reasons why this has been continued and we have -- we have asked the applicant to go down this -- this process was to try to get vehicles off of Blue Heron Lane and so I just wanted Mysti, if she could share with us, if -- if there are vehicles that belong to tenants in Building E and Building D that have -- that -- that need to use the -- the larger parking stalls, I -- I'm not sure that this actually solves them not parking on Blue Heron. So, would you share with us thoughts on -- on that? Because I -- I think that they are just going to park in the spots that are closest to their building and

I really appreciate the -- the larger stalls. I -- I think it's a fantastic idea, I just think placing them -- and I understand what you are saying about what -- how the striping is done in relationship to the carports and how things are spaced, I'm just not sure that it accomplishes the whole -- you know, one of the main reasons that we have gone through this process the way we have, which is to get them off of the street. I think that they will likely still park on the street if they live in those most northeast buildings.

Stelluto: Yes, Mr. Mayor and Council Woman, I understand your question about the -- the parking for Building E and D. With removing those overhead garage doors in the garages along Meridian Road that will -- that will provide a little bit more headroom than the carports would, so we are hoping that some of those vehicles can park in those garages. As far as the vehicles parking along East Blue Heron Lane, again, that's something that's legal for them to do and we cannot legally stop them from parking on it. We are going to provide every opportunity for them to park within the community and we will provide them those larger stalls and encourage them to park over -- you know, it's not that far of a walk if you -- if you have been in this complex before. It's not that big of a walk. It's a couple -- maybe two minute walk or whatever and we will encourage them to use those stalls versus parking on the road, but we simply can't force them to not park on the road. It's simply legal for them to do so. But we are hoping with those garage doors being removed that that will encourage those larger vehicles to be able to -- to park in there.

Simison: Council, any additional questions of the applicant? Thank you very much. Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, yes, we do. James Michael Schwerd.

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

Schwerd: James Michael Schwerd. 245 Blue Heron Lane. Well, what -- what happens is they will park on the south side and, then, they come down to the Meridian Meatpackers and they -- they -- they make their U-turn in my retail area to go back down the south side and -- and that -- I don't know what the fix is, but they are just going to tear up our loading dock and, then, our retail area flipping the U-turns right there, because they -- especially if they close the south -- the north side, because they will just come down -- they will -- they will park on the south side and, then, they will come down to where the -- our plant is and turn to head out to Meridian Road.

Simison: Council, any --

Schwerd: I don't know what the fix is on that either, so -- if there is one.

Simison: Council, any questions? Maybe in -- maybe in --

Schwerd: Maybe later?

Simison: Maybe later is what I'm -- is what I'm saying, so --

Schwerd: Okay.

Simison: Thank you.

Schwerd: You are welcome.

Johnson: And, Mr. Mayor, two others signed up online, but they are members of the applicant team, so I'm not sure how you would like to treat that.

Simison: Well, in -- in the past when they have done that we have -- if they are testifying on their own behalf we are happy to take them. Is there anybody -- but I will start with anybody else in the audience that would like to provide testimony on this item. Okay. Seeing none, now let's check in with those that signed up in advance and see if they -- if there is going to be online that would like provide testimony, please, use the raise your hand feature. Okay. Seeing no one wishing to provide additional testimony, would the applicant like to make any final comments?

Stelluto: No, I do not. Thank you.

Simison: Okay. So, Council, I assume -- I will leave this open for conversation.

Hoaglun: Good idea, Mr. Mayor, and I have a question for Chief -- Deputy Chief Bongiorno. Chief, we were talking about vision triangles and -- and whatnot and I'm trying to remember from last time we had the discussion -- can you go through -- were we concerned about Richter, which is part of that East Waterbury Lane connected there, right closest to Meridian Road, was it both the north and south side that we had concerns about fire trucks and having that vision or was it also farther down? Can you refresh my memory on that?

Bongiorno: Yeah. Mr. Mayor, Councilman Hoaglun, I think the -- excuse me. I think the issue was cars parking too close to the corner and, then, I believe on one of the directions there is actually a fire hydrant sitting there as well. So, that was the issue. So, I did contact John Watson with ACHD and I asked him if they would be willing to sign from Richter to the corner as no parking, because of the fire hydrant being there and because of traffic and not being able to see up and down Meridian Road. Honestly I never got an answer back from him. We also discussed Blue Heron and I think we talked about this at the last meeting as well -- I believe is a 33 foot roadway section, which is a standard roadway section for ACHD and I believe it was the Mayor that even asked me are you comfortable driving a fire engine down that and the answer is yes, because that's our standard roadway width that use here in Meridian that's 33 feet and we allow parking on both sides. So, we are -- I'm okay with leaving Blue Heron as no parking. That would be completely Council's call and ACHD's call to not allow parking on the north side, but I am okay with it.

Hoaglund: Mr. Mayor, follow up?

Simison: Councilman Hoaglund.

Hoaglund: Yeah, chief, for that no parking and the view area, was that both -- from Richter to Meridian Road was that both north and south side?

Bongiorno: Correct. Both sides. I asked for both sides to be signed.

Hoaglund: Okay. Thank you. Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Another question -- I don't know if some of the residents there off of Waterbury Lane are here, but I'm just curious about -- you know, we talk about no parking on the other side -- on the north side up against that -- that -- that community, but is -- does that mess them up when people come to visit for -- for example? So -- or it looks like from -- I'm looking at Google Earth -- has, you know, plenty of parking and it's a wide street and -- and different things like that. They have covered parking. So, I was just curious, you know, sometimes we take action and, then, find out, oh, that didn't help things, we made it worse. So, we want to avoid that. So, I didn't know if one of you would like to comment about that. I will let the Mayor invite you to come up and give your name and address for the record.

Simison: You have invited them. That's okay.

Rogers: Hi. I'm Sandra Rogers and I live at 102 East Waterbury Lane, which is off -- right off Blue Heron, Richter, and East Waterbury. Yes. And we have overflow parking, but a lot of times we have people from the apartment complex that have parked in our overflow parking and there is no way for us to tell who is parking in it. I mean unless you see somebody -- if you actually see somebody park in it and go to the apartment, we can't confront anybody. So, as far as parking on East Blue Heron, a lot -- I can't say a lot, but I do believe there are quite a few that are parking there that are sharing apartments with people that are on the lease. Now, these are people that aren't on the lease and they are sharing apartments, because a lot of these people are young and they can't afford the rent. I mean even when both of them are working and if they have a child, they just absolutely can't afford the amount of rent anymore and so they have got friends and whatever -- whoever living with them and that's got to be some of those cars that are on East Blue Heron. So, I know at a previous meeting we talked about from Meridian Road on both sides of East Blue Heron down to the driveways and one would be Richter and one would be the street coming and going that -- into the entrance of the first apartment complex, blocking those off with either red on the curbing or signs and I thought it was okayed. I mean I thought everybody was on board with that at the time, so I don't know where that stands now and am I understanding this no parking on the north side of East Blue Heron is just to allow a study? Was this going to be a done deal?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. We -- we don't have the jurisdiction over the streets, so we would make recommendations --

Rogers: Right.

Hoaglund: -- but it would Ada County Highway District that would do the study. What we are looking at -- and I think everyone is in agreement in it -- is -- and listening to Deputy Chief Bongiorno, is no parking from Richter to Meridian Road on both the north and south side because of the view that -- that you need when you are exiting.

Rogers: Right. It blocks our view terribly coming in and out. I'm surprised there hasn't been an accident there.

Hoaglund: So, I -- I don't think that's the -- in question. I could be wrong. But my question, then, from Richter up to where you can enter Waterbury, a little bit further to the east, to come in that way on the north side or up against the -- your residences there, does that need to be no parking on just that north side to help alleviate traffic? I'm also thinking is that a way to allow U-turns, people who parked on the south side, then, that can, then, have enough room to make a U-turn, so they are not going farther to the east, going through this gentleman's property to -- and around.

Rogers: Well, yeah, I understand what he is saying. I have seen a lot of that. Yeah. No. If -- if this doesn't work out, no parking on the -- on the one side like they are talking about, we definitely need that done on East Blue Heron on both sides from Meridian Road up to the driveways of the apartment complex and Richter on the other end, so that we can see -- I mean -- and just because we have rules and regulations these people still don't abide by them. I mean I could be calling code enforcement every day. I don't. But I do when it's a real issue. But big trucks parked right up to our driveways -- and we have to get way out into the street to see if we can even get out to make a turn to get out onto Meridian Road. It's -- you know, we have got older people that live in there, so it's a bad issue.

Hoaglund: I appreciate you and the information you provided. Thank you for doing that.

Rogers: Okay. Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Would you mind a couple other questions? I'm just --

Rogers: No, at all one.

Cavener: -- curious. One, I -- I appreciate you and your neighbors I think came and made some very compelling arguments back I think in September that the Council is very sympathetic, so here we are now looking at April -- I guess on the -- on the heels of April. We have seen a lot of different revisions and I was -- I was a little bummed that neither the three of you came up to testify one way or another about what's being proposed and I'm just kind of curious where are you and your neighbors at on -- on what's being proposed? Do you think it -- it meets or -- or addresses the concerns that you -- you brought up in September? Do you think it makes it worse? Is it slightly better, but not what you fully would hope to see? I mean just I -- I would like to get a little bit of feedback from you about what's being proposed, if you are willing to share.

Rogers: Well, after tonight -- there is only three of us here. We have 34 units out there, plus a clubhouse, and I think they have been very good about accommodating what we have talked about. So, of course, parking -- parking and traffic was the main issue and we have fire trucks and ambulances out there all too frequently and so that's a big deal that they can -- I mean I find it hard to believe what he's saying with cars parked on both sides of East Blue Heron and a fire truck -- he would know, but going down there and coming back -- I don't know. It's got to be a tight squeeze.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I think that's probably why they don't let you and I drive those trucks, is because I think you would need to have to do that.

Rogers: No.

Cavener: So, I appreciate your feedback. Thank you for testifying tonight.

Rogers: Uh-huh. Thank you for your help. All of you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, I just wanted to say, if I remember correctly, the members of the public had come before us in the first hearing and asked to stripe the north -- the entire north side from Meridian Road to Waterbury, because they thought that would alleviate concerns about people driving through Waterbury Lane and turning around, which I -- I believe was -- is a private lane and so that was a request that was originally made from the public, which is why we started down conversation about it and, then, meeting two is when Chief Bongiorno had mentioned that it wasn't necessary for the -- the width of a fire truck. So, we kind of left it there and so I just -- it's hard to say, because I don't -- we are very thankful that -- that you are here, but just -- you know, it's -- it's tough to make a decision about whether we ask the applicant to stripe that whole section on the north side, just -- not

having any kind of -- you know, I'm hesitant to condition that I guess considering that we have no -- no say in it and it's just a preference maybe. So, I guess what I'm trying to determine if this is a preference or there really is a safety issue.

Simison: Give my two cents, unless I'm forgetting -- I -- I guess I never really looked at this dead end turnaround factor. I mean that -- that -- the only -- as far as I can see the only way you can ever prevent people from driving and trying to turn around is to have no parking on both north and south and forcing people into the two places to do their parking. Otherwise, there is no way to solve anybody that only -- only one way they are getting on either one of -- one of the sides of the road is -- is making a turn somehow that is not viewpoint, so you know, in -- in some regards I think that's a question that Council should consider is what is the -- you know, there is no turning -- yeah, I have to look at the chief -- the Fire Chief again, it's like how do you guys turn around? If -- if you need to go to that next house that's currently there, you can't turn left on Waterbury, I mean it's not your preference to go into someone else's property to turn your vehicle around, but that's what you are going to do I assume and is that fair to the property owner?

Bongiorno: Yeah. Mr. Mayor, we would probably, like you said, we would put at least pull into the driveway and, then, you know, back out and, then, come down. You know, it's exactly what they are saying.

Simison: So -- so, there -- there is that element for consideration on -- on both sides. The other part about this is, you know, I -- I have a -- a nice shiny new vehicle that I just received, it doesn't deserve an 11 by 20 foot lot, but I would park my car there, even though it doesn't require it if it's closer to where -- where I want. So, while we may think we are solving -- you can't guarantee and we -- I appreciate what the applicant is trying to accomplish, but we can't force -- they can -- you know, you can go down to the parking lots in Boise and they say compact only. People park where they want to park when -- when they want to park. Yeah. Alan's Tundra. You know. And they will park in alleyways apparently when they want to as well. So, I think these are all good ways of trying to address it, but I don't -- this is just an area that's trying to retrofit challenges that anything that is done is going to have some repercussions one way or the other and I don't think that we will know which -- what will be until things occur. So, I'm just pondering. So, no real questions at this point in time if we want to have more --

Hoaglun: Mr. Mayor?

Simison: -- comments. Councilman Hoaglun.

Hoaglun: Yeah. Those are -- those are good ponderings, because that's definitely what we are wrestling with, because if -- if you take away parking on the north side, in my mind, because that -- between Richter and going east, does that put more pressure on their guest parking lot, because people go, oh, that's open, I'm just going to park there, as opposed to leaving that with parking on the north side. It's -- it's one of those conundrums. I mean I have no problem going from Richter, as deputy chief pointed out, on both the north and south side and, then, I think, okay, maybe we allow parking both ways and,

then, have ACHD also examine ways to have no parking and bring that in at least one or two car lengths at each intersection, so you have better viewing, so when you pull out you can see better, instead of having to go clear out. But, then, Mayor, you -- you make a very good point. If you have no parking on both sides you don't have to make a U-turn, you know, come up the street, because you don't have to. You don't have to swing around to go to the north side or -- if you parked on the south side you are going to have to do a U-turn later on. So, you know, all these things that -- that balance. I think overall, just kind of -- so the applicant has -- has some idea of what we are pondering -- for me anyway is they -- they have made lots of changes. I think they have asked everything that we have -- asked them to -- to do. They have come up with some solutions for increasing parking and trying to regulate parking and keep people in compliance and without this expansion they don't have to do any of that. I mean it's just going to remain the way it is. So, it's -- it's one of those things I think we can bring about benefits with approval -- more benefits than we can without. But it's just a matter of how do we -- how do we solve some of those on-street parking issues that -- that actually work.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I know Kristy is on the call. Maybe we can bring her in -- and I guess maybe my question would be is -- kind of getting her expertise, she's been following this project, if she's got any recommendations for Council to include in our motion and conditions, should we move towards approval, that maybe us not being the subject matter experts, but the highway district being that, that -- that we could maybe address some of these concerns in the most efficient manner possible.

Inselman: Mr. Mayor, Councilman Cavener, sorry -- you guys are so small on my screen. I think that's Cavener.

Cavener: It is. Thank you.

Inselman: I did go through and -- and I did converse back and forth with some of our DTS staff on some of these issues and we certainly -- our traffic has that request from the fire department to look at the north and south side from Richter out to Meridian Road and they are definitely -- that is in their cue to analyze that to see if there are some sight distance issues with those two driveways and potentially putting some no parking there. The street is -- and will be if this is approved -- 36 feet wide back of curb to back of curb, which is a standard local for us. I don't know how we can address the turnaround issues at the end of the roadway. It is our right-of-way, but given that it's an offsite we can't require them to place a turnaround there and I know that there was a request to expand the pathway on the -- the right-of-way out to Eureka to 12 feet for an emergency access for the fire department. So, that may help with some of that. And, yes, the -- all of those drive -- all of those drive aisles on the north side on that development are all private. So, we have no jurisdiction over those. But our -- the local roads are wide enough for parking on both sides and if the fire department says it -- it's not needed, that they can traverse

that roadway, I think it really kind of -- kind of comes down to the turnaround, which we don't have any authorization to require with this development. I don't know that that really answers your questions, but we also certainly would work with the city if they request no parking on one side or the other. We certainly -- that would be analyzed by our traffic department, so --

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Kristy, could we also include, you know, like a request for a sign, like a dead end or -- or no outlet --

Inselman: Oh, for sure.

Cavener: I want to be sympathetic to Mr. Schwerd's concerns about, you know, apartment traffic or drive-through traffic turning around in his parking lot and I don't know if that solves it, but I think would maybe at least reduce some of that.

Inselman: Yeah. Mr. Mayor, Councilman Cavener, that would be part of the traffic analysis that they would look at. They can -- they can include that for the no parking. They can look at appropriate signage to notify drivers that this is not a through street.

Simison: So -- so looking at you, deputy chief, if Mr. Schwerd's decided to put a fence up on his property line, what would that do and mean from -- from your standpoint? I'm not putting words in his mouth, but I -- I couldn't -- you know, it -- it's a possibility that, you know, there is no access turn around and how does that impact the fire department if that was the case?

Bongiorno: Mr. Mayor, I was actually just looking at the map to see if Ada county could put some kind of a turnaround in. But, unfortunately, down at the end past the Meridian Meat Packers there is the drainage ditch and that's kind of the big problem with this whole road, why it just stops is because of that ditch. So, I mean the -- the solution is to push it through to Eureka. I believe the right-of-way is there, but, again, we would have to go back with ACHD and see what their thoughts are of actually programming it to -- to put that last 500 feet in and just make it a through road. But to answer your question, if he were to put a fence up our only solution, if we had to go down to Meridian Meat Packers for a call, some kind of an incident, the only option would be to back all the way down to Waterbury or the -- the apartment entrance that they potentially will be building here, which, obviously, for us backing is a problem that's why we have turnaround requirements and stuff, because we don't want to back, because it's inherently dangerous. Firefighters die every year from being backed over by their own fire apparatus, so -- I mean the best solution is to push the road through. The second best would be to try and come up with some kind of a turnaround in that area. But, again, with the ditch it -- it kind of -- we are -- this is just one of those bad spots.

Simison: Sorry to take us down that road literally, but just -- unfortunately, this application is bringing up too -- too many other issues that are in this area that we may or may not be able to solve. Yes, Alan.

Tiefenbach: Alan Tiefenbach. Just to add to what Mr. Bongiorno said real quick, the issue, though -- and I think this has already been discussed -- is there is infrastructure there; right? There is utility poles and all those things that -- that's going to make it extremely difficult and costly to widen that. It's not just a matter of widening it, it's moving all of the utility poles. So, you are not just working with ACHD, you are working with utility providers. So, that's quite a beast and you -- yeah. And it -- it starts getting difficult to -- to -- to require an applicant to make offsite improvements that aren't on their property. The -- the applicant is being, you know, nice enough, because they are trying to accommodate the impacts that saying they are going to widen it, but -- but I -- I might leave that to Mr. Nary, but we are going to start delving into places we don't want to go if we start requiring off-site improvements as a -- as a -- as a request -- as a -- as a requirement.

Simison: Alan, I don't think I have heard anyone talk about offsite improvements. I think we are just talking about the impacts of the road and what were to occur if things were to happen and how that should impact parking on that road.

Tiefenbach: Understood.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Question for Kristy. Kristy, for -- I'm -- I'm looking at East Blue Heron from Richter to Waterbury and I -- I know you guys have safe -- safety standards for, you know, site views at these corners. Triangles. How far back do you keep people from parking from the intersection say of Richter and, then, Waterbury on that north side? Is it 20 feet Is it 30 feet? How -- how far back do you keep vehicles so there is -- when someone pulls up to turn out they at least have a -- a decent view down the street?

Inselman: Mr. Mayor, Council -- Council Member Hoaglun, it depends on the type of roadway and what we are talking about. Our standards for like an intersection for our local to local or local to another street is typically 40 feet. So, you follow the curb line and it's 40 feet back on either area and, then, you kind of draw a connecting line between the two to create that triangle. So, it's typically 40 by 40 on -- for sight distance issues. If it's a driveway those generally will narrow to like a 20 by 20, but the maximum is -- is 40 by 40. And, then, I just wanted to follow up with that connection to Eureka. It -- it -- just to kind of piggyback on what your staff had talked about with connecting that roadway. That is something that the city could add to their request, because it is a local roadway connection to their community programs request to the city -- or to Ada -- Ada County Highway District. There is that difficulty with those utilities and with the canal and we would have to acquire right of way to do that, because, then, right of way does narrow

down to about 35 feet from where that pathway is currently located. So, we actually don't have sufficient right of way to finish the road out, unless we were able to acquire some additional.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Follow up with Kristy on that 40 feet. Is that typically posted? I -- I -- I can't tell from the map I'm looking at if that's posted no parking or is it striped in some way?

Inselman: Councilman -- Mr. Mayor, Councilman Hoaglund, typically we would put some no parking for the 40 -- 40 by 40 if it's requested and I don't -- I don't know if there is existing signage out there or not now, but if there isn't that -- I can make that request of our traffic to include that as part of their analysis to make sure that there are those signage to keep people out of this sight distance window.

Hoaglund: All right. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I also have a question for Kristy and, then, would like a follow-up comment from Deputy Chief Bongiorno about the letter that was put in the project folder today from ACHD and -- and just mentioning that the Meridian Fire Department had had concerns. I don't know if that -- those have been addressed and that letter was just sort of late to us, but the conversations had already been had, it -- it didn't -- I guess the letter seems like it's way past when we -- you know, when the two entities would have had the discussion, so --

Inselman: Sorry. Mr. -- Mr. Mayor, Council, Council Member Perreault, are you talking about the letter from ACHD dated August 25th, 2021?

Perreault: I apologize. It's an e-mail that our --

Inselman: Oh. Okay.

Perreault: -- staff uploaded to our site and I don't know -- let me look at the date. Do you have a copy of it?

Inselman: I may have it in front of me. We will see. I have a lot in front of me. It's from back in October and then -- where is the other one at? Apologies. I have a small desk at home, not nearly as much room, and, then, there is one from March 22nd.

Perreault: Yes. That one.

Inselman: Okay. Yes, that's one that Mindy included me on as well from our DTS department. Yeah. So, in essence, what she's saying is if the City of Meridian -- if the fire and emergency services have an issue with access on Blue Heron, with parking on there, we would work with them to address those issues and evaluate whether to put up no parking signs in conjunction with -- with your fire department. So, I was just going off of what Fire Marshall Bongiorno said had -- that he was fine, he was able to get down that road with the parking. But if that's not the case, then, we absolutely would work with the City of Meridian on some no parking.

Simison: Councilman Borton?

Borton: Thank you, Mr. Mayor. It's good discussion. I guess just as we wrap this up and get towards a motion, I think Councilman Hoaglund's remarks are spot on with where I see this application. It's -- the continuances have made it better. It got as close to, in my mind, solving difficult challenges within the bounds of what this application can -- can control and solve. There is -- there is tradeoffs I think, quite frankly, with each iteration of this application. But with the conditions of approval and concessions made by the applicant, I'm supportive of this application as presented.

Simison: Okay. Would the applicant like to make any final comments, since we did take comments from the public in the form of a question?

Stelluto: Yes. I just wanted to reiterate that we are in favor of working with ACHD and the Fire Department to get that study conducted to see if no parking is warranted and we are also in favor of the no parking west of Richter on both the north and the south side. We also wanted to reiterate that the garage solution of removing those doors will provide larger spaces for those larger vehicles to be parking in, as well as all parking within the complex is now free as part of -- as part of their rent now and so that's a huge incentive to park inside as well and we would -- we would appreciate your approval of this application.

Simison: Thank you. So, Council, I'm going to make us a suggestion for your consideration or discussion with ACHD -- is potentially to look at only allowing parking in the area on the street between the two entrances for the -- both sides of the street on the north and the south in hopes that you could encourage people to use the -- quite frankly, the U-turn option there at the Waterbury areas, so we are not forcing people -- or enabling people to park further down and push them to have to turn around in -- I know they are both private. One is a private drive, one is a private property, but, you know, part of me would like to suggest like no parking at all on the street, but I think that pushes -- when people have a few people over it pushes them -- where are they going to park? Then -- then you are one hundred percent forcing neighbors to park over in the apartments or neighbors to park over in the other side of the street. You need to have some parking in that area, otherwise, Albertson -- I mean how far away -- there is no good place to park outside of this area. Ultimately it's going to be ACHD's call, but I -- I think trying to look at ways to not push people there or down further than outside of where the residents are, quite frankly, is kind of where I was trying to suggest consideration.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. That's -- that's where I landed as well with -- with the interest in ACHD studying the setback -- the safety zones for Richter and Waterbury at the 40 feet and possible signing for -- make it easier for those residents and also at Waterbury, if you have got that 40 foot no parking area that's clear, I -- hopefully it would encourage people to do that U-turn there and -- and not have obstruction of people parking right up to the intersection and having some room to do that turn and still allowing parking on that north side to help alleviate, I hope, parking within that residence area and -- and allowing people to -- to utilize that. So, that -- that's where I fell as well on that, so --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: If I heard Kristy correctly, a lot of these are dependent on the city making these requests and they are -- they are independent of this application. So, the -- the signs for the 40 -- 40 feet from the intersections and -- I guess I don't -- I don't -- I didn't quite understand this, the connection to Eureka was allowed to be a condition of this or if that is also a request that the city has to make independent of this application, but I'm still trying to connect the dots on is how can we -- can we condition the application on anything that ACH does with -- ACHD does with us? In other words, we -- we say this -- you can move forward with this if ACHD does A, B and C. Are we permitted to do that? And that's probably a question for Alan.

Tiefenbach: Thank you, Council Person Perreault, Members of the Council. In regard to the connection first to Eureka, I think -- my understanding was ACHD was amenable to that. I -- I believe that -- that Mr. Bongiorno has already had some discussions with them. So, that -- that's a -- I don't want to use the word done deal, but they are amenable to that. In regard to the rest, it would just be a matter of staff requesting that ACHD do a study of that area to see if there could be some kind of better parking management with no parking. But, yeah, you can't condition it. You could condition it with the suggestion from the Council that staff and ACHD -- or that ACHD and the applicant and staff explore whether areas in that area could be striped no parking.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: It sounds like we are all in agreement that there definitely needs to be no parking between Meridian Road and Richter on north -- north or south side, but -- but am I hearing, Alan, correctly that we also cannot condition that?

Tiefenbach: Council Person Perreault, I'm extremely reluctant to condition something on what a different agency is going to do, especially when they haven't even done a parking study and I have no idea if ACHD would be supportive. So, they may -- they may say no and, then, we are back here, I suppose.

Bongiorno: Mr. Mayor?

Simison: Mr. Bongiorno.

Bongiorno: Thank you, Chief -- Mayor. Going to call you chief. Chief. Just clarification. So, that connection to Eureka is the emergency access only. I want to make sure that's clear.

Tiefenbach: Thank you. Thank you.

Bongiorno: The pathway is there. All I asked was can they widen it to where I could drive a fire truck down it, just in case we had to. So, what I was talking about earlier that Kristy had already talked about was actually pushing the whole road through eventually and that's something that I think she said we would have to request. So, I just want to make sure we were clear that the connection is just that emergency access only.

Simison: You know -- and from my standpoint, you know, to me it's just good for the applicants to hear the changes that we -- the city would be looking for from our partner agency so they understand what this is -- you know, it's kind of interesting that it's daylighted some issues that have been there, but this -- hopefully it helps address larger issues altogether, but, yeah, that part -- in my viewpoint -- I won't make the motion, but not part of the application. With that do I have a motion to close the public hearing?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing on H-2021-0027.

Cavener: Second the motion.

Borton: Second.

Simison: I have a motion and a second to close the public hearing. 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.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just to kick off discussion and make sure we are all on the same page -- we have covered a lot of ground tonight and it's been a good discussion. But it sounds like a -- a condition that we could include -- include is that the existing enclosed garages be converted to carports. So, I think we can do that. Make that as a condition. That we would request ACHD study no parking on the south and north side of East Blue Heron Drive from Meridian Road to North Richter and the entrance to the -- the first entrance to the development. And also I'm interested in including that the -- request ACHD to take a look at possibly posting signage after a sight distance analysis is done at the intersections of East Richter and Waterbury Lane to make sure we have safety margins in place there. And I think that's all I had. Was there anything else that the Council was interested in? Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After hearing all staff, applicant, and public testimony, I move to approve H-2021-0027 as presented in the staff report for the hearing date of March 22nd, 2022, with the following modifications: That we condition that the existing enclosed garages be converted to carports. That we request ACHD to consider no parking on the north and south side of East Blue Heron Drive between Meridian Road and North Richter and the first entrance to the development and that they look at possibly putting in no parking signage for the site distance analysis at East Richter and Waterbury Lane for safety reasons and that would -- would cover all that in my motion. And I move for approval of that. Had to find out where I was.

Borton: Second.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Appreciate the -- the work of the applicant. I think they have been really responsive to the public testimony and the feedback of the Council. I also just want to take a minute -- I always appreciate when members of our public go through the marathon sessions of Planning and Zoning Commission and City Council meetings with lots of continuances. Your intestinal fortitude is noted and appreciated and I appreciate your -- your public testimony here tonight. I -- I originally was pretty opposed to this project and I think Council Member Hoaglund or Borton put it best that this has been a -- a good example of taking multiple bites of the apple to make sure that we get it right and I think this is as right as we are going to get on this particular project. So, I'm -- I'm -- I'm supportive of it.

Simison: Any further discussion from Council? Then Clerk will call the roll.

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

Simison: All ayes. Motion carries. Thank you.

MOTION CARRIED: ALL AYES.

ORDINANCES [Action Item]

- 8. Ordinance No. A-19-1812: An Amended Ordinance (H-2017-0142–Summertown) for Annexation of a Parcel of Land Located in Government Lot 2 of Section 1, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, as Described in Attachment “A” and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City of Meridian; Establishing and Determining the Land Use Zoning Classification of 15.17 Acres of Land from RUT to TN-R (Traditional Neighborhood Residential) Zoning District in the Meridian City Code; Providing that Copies of this Ordinance shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date**

Simison: Council, the last item for us this evening is Ordinance No. A-19-1812. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. This is an amended ordinance related to H-2017-0142, Summertown, for annexation of a parcel of land located in Government Lot 2 of Section 1, Township 3 North, Range 1 West, Boise meridian, Ada county, Idaho, as described in Attachment “A” and annexing certain lands and territory situated in Ada county, Idaho, and adjacent and contiguous to the corporate limits of the City of Meridian as requested by the City Of meridian; establishing and determining the land use zoning classification for 15.17 acres of land from RUT to TN-R (Traditional Neighborhood Residential) Zoning District in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing for a summary of the ordinance; and providing for a waiver of the reading rules; and providing an effective date.

Simison: 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?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. -- is it 19-1812? With suspension of rules.

Hoaglun: Second the motion.

Simison: I have a motion and a second to approve Ordinance No. 19-1812. Is there any discussion? If not, Clerk will call roll.

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

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics? All right. Then do I have a motion to adjourn?

Hoaglun: Mr. Mayor, move to adjourn.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 4:72 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK