

A Meeting of the Meridian City Council was called to order at 6:06 p.m., Tuesday, January 12, 2020, by Mayor Robert Simison.

Members Present: Robert Simison, Joe Borton, Luke Cavener, Treg Bernt, Jessica Perreault, Brad Hoaglund and Liz Strader.

Also present: Chris Johnson, Bill Nary, Sonya Allen, Jamie Leslie, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☒ Joe Borton
☒ Brad Hoaglund	☒ Treg Bernt
☒ Jessica Perreault	☒ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: Council, we will call our meeting into order. For the record it is Tuesday, January 12th. 6:06 p.m. And we will begin tonight's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Our next item is the Pledge of Allegiance. If you would all rise and join us in the pledge.

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Pastor Enos, can you hear us now?

Enos: Yeah. I can hear you.

Simison: Okay. There we go. I think we got it ready for you now.

Enos: Are you ready for me?

Simison: If you want to go ahead and -- and -- we are ready for you.

Enos: Okay. Well, thank you so much, Mayor Simison and Council Members, for the privilege of praying for you in this meeting and let's go to the Lord in prayer. Father, we just thank you for your great grace to us, Lord, as a community and, Lord, just the blessing that we have experienced as a city. Lord, thank you for each member of this Council and, Lord, their dedication in what they give to our city in serving and leading. Lord, we ask,

Lord, just your blessing on this Council meeting tonight. We pray, Lord, that you would grant them your wisdom and your mind on each and every item that they will discuss. We pray, Lord, that there would be just unity and being able to come to creative solutions for any challenges they might face and, Lord, we pray, Lord, your blessing upon our city and our nation as we are living in very tumultuous times right now and we need your grace that would unify our hearts and bring us together and, Lord, we continue to be against the Coronavirus that it would be seized and would -- we pray your protection over each member and family of our city and we just thank you, again, for the privilege to be in this community, in Jesus' name, amen. God bless you all. Thank you.

ADOPTION OF AGENDA

Simison: Thank you. Appreciate it. Our next item is the adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adopt the agenda as presented -- as published.

Hoaglun: Mr. Mayor, second the motion.

Simison: Have a motion and a second to adopt the agenda as published. 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: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

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

Johnson: Mr. Mayor, for that portion we did not.

ACTION ITEMS

1. Public Hearing for Volante Investments (H-2020-0118) by The Land Group, Inc., Located at 2700 E. Overland Rd.

- A. Request: Modification to the Existing Development Agreement (Inst. #2016-060157) to include a conceptual development plan for the subject property.

Simison: Okay. Then we will move into Action Items. Our first item is the public hearing for Volante Investments, H-2020-0118. Do I -- Mr. Nary, based on the actions that are requested do I need to open the public hearing?

Nary: Mr. Mayor, yes, we would need to open it.

Simison: Okay. Then I will go ahead and open this public hearing or turn it over for staff comments.

Allen: Thank you, Mayor, Members of the Council. The first item before you is a development agreement modification for Volante Investments. The applicant is requesting this project be tabled in order to submit concurrent applications for a conditional use permit and a subdivision and I believe the applicant is online if you have any additional questions.

Simison: Okay. Thank you. I don't have the full list, but do we have the applicant -- would they like to make any comments at this time? Tamara, would you like to be recognized for 15 minutes? Can't hear you. You're muted. We don't -- nothing we hear yet. Tamara, if you would prefer -- to have you just call in on a cell phone if you would prefer to do that and, clerk, could --

Allen: Mr. Mayor, perhaps I could answer any questions if the Council does have any on this request.

Simison: I don't know if Council has any questions. Just giving the applicant their opportunity to make their comments.

Thompson: I'm -- I'm okay. I don't need to make anything.

Simison: Okay. We can -- I heard very faint audio that says she was okay. So, I will assume that you are okay with no comments. Okay. Council, based on what you heard would you like any further action or comments or do I have a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I guess maybe a question. I know we have got -- I don't -- I know we have got some attendees in the room. I guess I would want to make sure that whatever date that we were proposing to continue that the public would be able to attend that meeting as well.

Allen: Mr. Mayor, the applicant is not requesting a date certain. This project has requested to be tabled until such time as they can submit those additional applications, which will require a hearing before the Planning and Zoning Commission before it gets back to Council.

Nary: Yeah. Mr. Mayor, I was going to add -- we are simply tabling it, because it will catch up to that and they will all be noticed for a future meeting.

Simison: Okay. I have never heard of tabling a public hearing. That's why I was wondering if we were to open it or not. So, how do you table a public hearing --

Nary: So, the motion would be to table the -- the matter and allow, then, the new application and -- I don't remember if it's a CUP or it's just the plat.

Allen: Yes.

Nary: New application to be submitted and go through the Planning and Zoning process and then -- and, then, marry it up to this application at a future Council meeting and all of it would be noticed to the public.

Simison: Okay.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: One second, Council Woman Strader. Mr. Clerk, do we have anybody that signed up for this item?

Johnson: Mr. Mayor, we did. Bill Schuler, who is on now, did sign up.

Simison: Okay. Mr. Schuler, if -- if you would like to provide any comments on this if you can use the raise your hand function at the bottom of your screen and we can bring you into the meeting for any comments. It looks like he does. So, we will recognize you for three minutes once the clerk gets you in and, then, when that happens if you can state your name and address for the record.

Johnson: He should be able to speak now, Mr. Mayor.

Simison: Okay.

Schuler: Can everybody hear me first of all?

Simison: Yes, we can.

Schuler: Thank you. My name is Bill Schuler. I live at 2103 South Weimaraner Way, which is in the Sportsman Point Subdivision at the corner of Locust Grove and Overland. I have been a resident here for 17 years and for full disclosure I am the secretary of our homeowners association and I'm also precinct committee person for 2021. I don't know if it makes sense for me, but I object to the permit -- or this -- building in this area. My experience of living here and having lived here is that Overland through this stretch of road is overburdened as is. In the morning there are times where I have to wait 20 minutes just to get outside of my subdivision and in the evening coming back it can be anywhere from five to ten minutes to turn back into the subdivision. During the morning,

the rush hours, with Mountain View High School and Dutch Brothers, believe it or not, causes great backup. There are times that there is backup at Locust Grove and Overland all the way to Millennium and, then, once again, at Eagle Road for traffic trying to turn left onto Eagle that could take five or six cycles for people to actually make that turn and, in fact, Overland becomes a single lane road, because the traffic in the turn lane is backed up all the way to Wells. In the evening it's even worse. With all the people coming off the interstate that are trying to get to their homes within this area, plus all the businesses, call centers, that are at the Silverpoint strip mall I guess what I would call it. I'm not sure. And with all the traffic that's coming off the interstate the traffic is often backed up all the way from Eagle Road to Locust Grove and at the stoplight at Millennium and, then, once again, that same traffic is backed up all the way from South 5th to Meridian Road. Overland Road is -- is well overburdened at this point in time and adding an apartment complex or multi-family subdivision in there will even burden it more and we still don't even know what the impact of the road is going to be for the new office buildings that are going up at Idaho Central Credit Union and Harris CPA. I mean we -- those buildings aren't even built out yet and there is going to be an impact to Overland in this area and we don't even know what that is and now we are just trying -- talking about adding an apartment complex. I can tell you as a resident Overland cannot handle anymore burden at this point in time with the infrastructure we have and that's all I have to say, unless there is questions.

Simison: Thank you, Mr. Schuler. Council, any questions? Thank you. Was there anybody else online on the Zoom call that was wanting to provide testimony on this item? If you can indicate by using the raise your hand feature. I see no one else looking to raise their hand. Council Woman Strader, you had wanted to speak. I don't know if that was what you were referencing was the public. Okay. With that, Council, do I have any motions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yes. Question for Bill. I -- we would probably follow the same process of closing a public hearing, making a motion for that first, and, then, tabling the issue?

Nary: Mr. Mayor, Members of Council, I would just leave it open and just table it, because, again, we are going to add it to the additional application. I don't want any question about whether that's applicable or not. So, I think leaving it open is fine.

Hoaglund: Thank you, Bill.

Cavener: Councilman Cavener.

Cavener: Thank you, Mr. Mayor. I move we table Item 1, H-2020-0118, to a future date.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Second the motion.

Simison: I have a motion and a second to table this item to a future date. Is there any discussion on the motion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and this item will be tabled to another day. Thank you. Sorry for the technical difficulties. We are going to take some of that blame, so, Tamara, don't worry.

MOTION CARRIED: ALL AYES.

2. Public Hearing for Southridge South (H-2020-0083) by The Land Group, Inc., Generally Located South of W. Overland Rd., East of S. Ten Mile Rd.

- A. Request: Rezone of 7.15 acres of land from the R-4 to the R-2 zoning district and 28.89 acres of land from the R-2 and R-4 to the R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 254 buildable lots and 29 common lots on 83.77 acres of land in the R-2 and R-8 zoning districts.

Simison: Next item is a public hearing for Southridge South, H-2020-0083. We will open this public hearing with staff comments and I will turn this over to Sonya.

Allen: Thank you, Mr. Mayor, Members of the Council. Next item is a request for a rezone and a preliminary plat. This site consists of 84 acres of land, zoned R-2 and R-4, located on the south side of West Overland Road east of South Ten Mile Road and is part of the larger 291 acre Southbridge development currently in the development process to the east. Southridge encompasses land on the south side of Overland Road from this property to the east to Linder Road and to the south to Val Vista and Aspen Cove Subdivisions and this property has got quite a bit of history on it, so I'm just going to go into that for a moment here. This property was annexed back in 2007 with a development agreement that was later replaced a couple of times with a new development agreement. The existing agreement requires a minimum of one thousand and a maximum of 1,286 residential units, consisting of a mix of apartments and single family residential homes to develop in the overall Southridge development, unless otherwise specifically approved by Council through subsequent applications. Subsequent development agreement modification applications were approved that removed the two apartment projects east from the overall Southridge development agreement and placed them in agreements of

their own, which no longer tied them to terms of the original agreement. With the 640 units anticipated to develop in Southridge Apartments, 336 units in Linder and Overland apartments, 221 single family residential units in Southridge phases one through five, and 254 in the proposed development, that's a total of 1,451 units, which is 165 units over that originally anticipated in the development agreement. Mostly the difference is in the apartment units, which were approved through subsequent applications, i.e., 848 were anticipated and 976 were approved. The single family residential units were anticipated to consist of 438 units for a balance to total 1,286 total units, with the apartment units. The total number of single family units in the overall development, if this development is approved, will be 475, which is approximately 37 over that originally anticipated. Because the subject plat is considered a subsequent application, as described in the development agreement, staff finds the proposal in compliance with the agreement without a modification to that agreement. A preliminary plat was approved with the annexation that included the subject property, as mega lots for future resubdivision. The existing development agreement does not include a concept plan for this site and only governs the number of lots anticipated for future development, which can be modified through a subsequent application approved by Council. The Comprehensive Plan future land use map designations for this site are low density residential, which is approximately five and a half acres, and medium density residential, which is approximately 78 acres. A rezone of 7.15 acres of land is proposed from R-4 to the R-2 zoning district. If you can see that here, that -- that's along the southern and western boundaries of the site and 28.89 acres of land from the R-2 and R-4 to the R-8 zoning district for the development of 254 single family detached homes at a gross density of three units per acre, consistent with the density desired in the Comprehensive Plan for this area. A preliminary plat is proposed consisting of 254 buildable lots, 29 common lots on 83.77 acres of land in the proposed R-2 and R-8 zoning districts. The minimum lot size proposed is 4,369 square feet, with an average lot size of 8,053 square feet. The plat is proposed to develop in four phases as shown on the phasing plan on the right. Staff worked with the applicant to modify the phasing plan prior to the hearing to include the large 3.8 acre common area where a clubhouse, pool, and tot lot is proposal to develop in the second phase, along with the bridge and extension of a stub street to the east, instead of with the first -- fourth phase as originally proposed and that is this area right here and the street we are talking about with the bridge is right here, if you can see my pointer. There is one existing home on this site that is proposed to remain on a lot in the proposed subdivision and that is the Rice parcel, which is right here where my pointer is. Access is proposed via one public street and one emergency access via Overland Road. Stub streets are proposed to the west, south and east for future extension. Off-street parking will be provided in accord with UDC standards on individual lots. On-street parking for guests can also be accommodated on both sides of public streets. Public streets and three common driveways are proposed for internal circulation and access to lots. Detached sidewalks with the landscape parkways are proposed throughout the development. The Ridenbaugh Canal runs along the northeast side of this development and is a large open waterway that is required to be piped and left -- left open and improved as a water amenity or linear open space. The applicant requests a Council waiver to this requirement to allow the canal to remain open and proposes to construct six foot tall chain link fencing along waterway to preserve public safety. The Williams Northwest Gas Pipeline bisects the

southwest corner of this site within a 75 foot wide easement and that is that hatched area right here and is containment within common lots. A 35 foot wide landscape street buffer is required along Overland Road, an entryway corridor. Ten foot wide multi-use pathways are proposed in accord with the pathways master plan on the site within the street buffers along Overland Road along Ridenbaugh Canal and along the Williams Pipeline. Qualified open space is proposed in excess of UDC standards. A minimum of ten percent or 8.38 acres is required. A total of 24 acres or 29 percent is proposed consisting of half of the street buffer along Overland Road, linear open space and open grassy areas of at least 50 by 100 feet in area. A minimum of four site amenities are required. A clubhouse, swimming pool, tot lot with children's play equipment, three different segments of multi-use pathways and additional qualified open space above the standards are proposed in excess of UDC standards. Conceptual building elevations are proposed for each of the different lot widths proposed for 40 foot, 50 foot, and 60 foot wide lots and the commission did recommend approval of these applications and I will just go through a summary of the hearing. Tamara Thompson and Jason Densmer from The Land Group, they are the applicant's representatives, testified in favor. There were several folks -- well, actually, only like a couple of folks that testified -- commented on the application and that was Scott Nichols. He testified on behalf of himself and his neighbors, the Eltons, Przybos, and Voglemores and, then, Michael Voglemore also testified. Written testimony was received from Tamara Thompson, The Land Group, the applicant's representative. Ken and Sherry Fawcett, Scott and Jennifer Nichols, Curtis and Naomi Elton, Steve and Susan Przybos, and Michael and Brenda Voglemore. Key issues of public testimony were as follows: The neighbors to the south in Val Vista Subdivision would like their view shed preserved with development. Mr. Nichols is agreeable to the location of the stub street to the south to his property. They would like a condition placed on this development and the associated housing to only allow dark sky compliant lighting, so that it doesn't encroach on their properties. Preference for the two lots east of the stub street to the south, Lots 1 and 2 -- 10 and that's these lots right here. If you can see my pointer down at the southwest corner. To be shifted to the common area and that's the Lot 3, Block 10 to the northwest. This area right there. They would like the height of the residential vegetation adjacent to Val Vista Subdivision fence to be limited to ten feet above ground level, so views aren't obstructed. They would like suitable drainage for irrigation and runoff to be maintained from the west and of the Southridge fence northwest toward Overland Road. And the Fawcetts are against the proposed R-8 zoning and would like the stub street to the south shifted further to the west between Lots 4 and 5, Block 10. And that is in -- I believe it's this area right here. Key issues of discussion by the Commission are as follows: The majority of the Commission did not feel another housing type was necessary to be provided within the development as originally recommended by staff. They felt the variety of lot sizes, along with the apartments to the east, is sufficient. Their request for a ten foot limit on the height of residential vegetation on lots abutting Val Vista Subdivision and the difficulty of enforcing such a requirement. They would like to see the common open space better distributed near the smaller R-8 zoned lots. Most of the common area is near the larger lots and, finally, they weren't in favor of the proposed common driveways providing access to the six lots on the east end of the development and that's these lots right here. They preferred a restriction and no more than four lots accessed via the common driveways. The Commission made the following changes to the staff

recommendation. The Commission recommended the applicant consider replacing a few of the buildable lots in the R-8 area with common area and this was not a recommended -- this was only a recommendation, not a requirement, and the Commission also recommended the applicant consider reducing the number of units accessed from the common driveways and the Commission did not require another housing type to be provided within the development. The only outstanding issue of Council tonight is the applicant's request for a waiver to UDC 11-3A-6B to allow the Ridenbaugh Canal to remain open and not be piped. So, the last hearing the applicant did submit a revised plat, landscape plan, and qualified open space exhibit that includes an approximate half acre park in Lot 15, Block 4, in the R-8 portion of the development and that's this area right here where smaller lots are probably in response to the Commission's recommendation. Written testimony has been received since the Commission hearing -- actually, just a hour or so ago from Jim Jewett. He owns the one hundred -- or, excuse me, 1.25 acre property at the northwest corner of the development and that's this property right here. He is concerned that with the proposed phasing plan that sewer service won't be available to his property for development purposes until the fourth phase and he would -- he's trying to work with the developer of this property to see what they could do and he would prefer it happen with the first phase. That's all staff has, unless the Council has any questions.

Simison: Thank you, Sonya. Council, any questions for staff? All right. Thank you very much. It looks like we have -- Tamara is still with us. I don't know if you got your audio fixed -- figured out.

Thompson: Mr. Mayor, can you hear me?

Simison: Yes, we can.

Thompson: You can -- you can hear me?

Simison: Yep.

Thompson: I didn't change anything. So, I'm not sure -- it was just Gremlins or something, so --

Simison: And you are recognized for 15 minutes. If you would state your name and address for the record, please.

Thompson: Thank you. Mr. Mayor, Members of Council, my name is Tamara Thompson. I'm with The Land Group. We are at 462 East Shore Drive in Eagle. And tonight with me is Jason Densmer. He is the engineer for the project. And if it's okay I will share my screen. Let's see here. All right. Are you seeing that? Yes. Perfect. All right. Before you tonight is the Southridge South Subdivision. This is a rezone and preliminary plat application. As Sonya mentioned, the property is located south of West Overland Road, east of South Ten Mile Road, and the property was annexed in 2007. It has a development agreement that has been in place since 2012. The current version since

2012. A rezone is necessary to clean up the zoning boundaries and I -- I colored that up for you so it was a little easier to see the -- with the R-8 zone for the majority of it and the R-2 to the south. The zoning boundaries are consistent with the proposed lot configurations and the proposed zones are consistent with the development agreement and the future land use map for the area. And this just shows you -- this is the concept plan that is with the development agreement. So, one of the things we wanted to show here is just the overall master concept plan and the variety of residential product types. That was a topic of conversation with the Planning and Zoning Commission, but they -- with the entire development there is a considerable amount of variety with apartments and patio homes, both alley loaded, narrow lots -- there is an elementary school site nearby. So, this -- this -- the Planning and Zoning Commission decided that the -- the variety was there and we are providing three product types with this development. So, this is the -- the layout of the preliminary plat. Two hundred and fifty-four single family lots. They are proposed in four phases and services are readily available to serve the site. The -- this is a colored plan, showing you the -- the various open spaces and we are at 23.96 acres, which is 28 percent open space within 29 common lots. The amenities include essentially located clubhouse, swimming pool, tot lot, play equipment and the one thing that was added from what Planning and Zoning thought is we added a pocket park in the R-8 zone, so that it wasn't so far -- the other areas we had different parks and it wasn't a condition of approval, but we decided to add it, because it was a topic of conversation and it -- it definitely made sense. And just so you can see, I just added this here, so you could see this -- this is what Planning and Zoning looked at and it did not have that pocket park. The other areas that we have added to this -- to -- of note are the amenities. We have a multi-use pathway that runs along Overland Road. The multi-use pathway also continues down the Ridenbaugh Canal and it crosses over to the east and you can make it to Linder Road with that -- that multi-use payment. We also have the multi-use pathway that runs underneath this -- or runs in this gas -- gas line corridor as well. All of the units are single family residential and there is three different product types. Sonya went through these quickly. We have 60 foot lots and these are the home styles proposed for those lots. Fifty foot lots and these are the home styles for the 50 foot. And, then, the 40 foot lots. And I will let Jason speak now. If -- Jason, did you have anything to add here? Is he in?

Johnson: Mr. Mayor, Jason is coming in now.

Thompson: Okay.

Densmer: Thank you, Tamara. This is Jason with The Land Group. I have the same address and I don't have anything to add at this time.

Thompson: All right. Thanks, Jason. So, with that we have -- we have read the staff report. We agree with staff's analysis and the recommended conditions of approval and we respectfully request your approval tonight with the addition of the Council waiver to allow the Ridenbaugh Canal to remain open. And we are available for questions. Thank you.

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

Borton: Mr. Mayor?

Borton: Councilman Borton.

Borton: Thank you. Tamara, did you have an exhibit which shows the -- the properties adjacent to the Ridenbaugh Canal and that open space? I didn't see anything in the materials, but when you showed the open space exhibit it -- the property boundary looks like it -- it juts into the canal and probably didn't give it a fair appearance. It looks like along that north boundary -- I don't know if it goes into it across the Ridenbaugh or what's going on there.

Thompson: So --

Densmer: Council Member Borton, this is Jason Densmer with The Land Group. I can answer that question.

Borton: Okay. Thank you.

Densmer: There are portions of that northwest -- or northeast boundary of this project, the -- the common lot goes both -- I guess the full width of the Nampa-Meridian Easements and other portions of it, just the way the mega lots that Sonya mentioned earlier, were laid out, the boundary line is the centerline of the canal. So, in some cases it's on the centerline of the canal and on other segments it's on the north boundary.

Borton: Okay. Mr. Mayor, follow up?

Simison: Councilman Borton.

Borton: So, looking at this, the green space north of the blue line, which must be the centerline of the Ridenbaugh, isn't actually green space, open space necessarily, is it?

Densmer: Correct. It is common lot -- or common area within the project, but it's not included in the calculated qualified open space per the UDC requirements.

Borton: Okay. One last follow up on that topic. There was reference in the staff report -- and I think Sonya mentioned it -- that on these properties along the north and the northeast -- clarify for me the -- the property -- the property fencing, open space, and a pathway and, then, there is reference to chain link fencing which might be utilized before the -- the canal. Does that -- does that describe it correctly?

Densmer: Yes. I will do my best to paint a mental picture verbally. The -- the rear lot -- the rear line of the residential lots would be fenced with an open style metal fencing and, then, the city multi-use pathway would be constructed within Nampa-Meridian Ridenbaugh Canal easement and, then, separating the pathway from the actual canal

would be a chain link fence and, then, the canal happens and, then, on the north side of the canal is the irrigation district's access and maintenance road.

Borton: So, I guess one last question on this point -- I guess a quick question for the applicant or maybe it's for Sonya, but I recall in other areas of the town where chain link is utilized and it really is an unattractive eyesore. And the canal, you know, by its nature is oftentimes weedy, unkept and, you know, this is a big facility. So, the chain link, coupled with weeds, adjacent to a pathway is not the most attractive element for a community that looks as nice as this. So, I don't know if the chain link is common. The staff report sounds like it is maybe around here, but there is nothing attractive or appealing about chain link, other than its cost, which I understand. So, if this is how it's always done let me know, but it seems to seem a bit odd for something this nice.

Densmer: Council Member Borton, we don't disagree necessarily and we would be happy to look at that within the context of Nampa-Meridian's approval for the fence material, because it is occurring within their easement. We may be restricted by their requirement.

Borton: But if not there might be other fencing styles that could be utilized here?

Densmer: Possibly, yes. There is also, of course, the desire to remain consistent with the prior phases of the Southridge Subdivision, which are just to the east. So, we would want to keep all of that in mind. But we are -- we are open to looking at the fencing type.

Borton: Thank you.

Simison: And I know we have Mr. White on the line from the Parks and Rec Department. If he does not know the answer perhaps he can reach out. My familiarity with the area along the Ridenbaugh is chain link in south Meridian. Or whatever that --

White: Mr. Mayor, Members of Council, I'm not sure if it's chain link or if it's just a basic metal open fencing. I can reach out real fast and see if I can --

Simison: If you could do that while we are taking public testimony that would be great.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Question. Right there in the lower right, number 11 with -- with the arrow, it looks like to me that the common driveways are providing access to six homes. Is that still how it's planned to be? I know that was a discussion with the Commission and they recommended reducing that number. What -- what -- what's the plan for that particular setup?

Densmer: This is Jason with The Land Group. I think I can speak to that again. The P&Z Commission did express some reservations about six lots access from a common

driveway, which does comply with the UDC requirements. The particular construction and the layout of those lots there is -- it's quite steep topography to the south. Those -- the main street from east to west is quite a bit lower than the adjacent properties in the Val Vista and Aspen Cove Subdivisions across the property line and the topography to some extent is really governing the available options that we have to lay out the lots and streets. That configuration that we have proposed with the six lots access from single common drive has already been used for other common driveways within the existing Southridge Subdivision just to the east and has been very successful in providing access to the homes, meeting the fire department requirements and really coming up with a little enclave of six homes that really can be constructed as a small neighborhood. So, thank you, Tamara, for sharing a picture. That's an example of one -- of very similar construction of a common driveway, just say about 800 feet to the east within the project.

Hoaglund: Okay. Mr. Mayor. Jason, that photo is very helpful. Thank you.

Strader: Mr. Mayor.

Simison: Council Woman Strader. A follow-up question for you, Jason. How -- how wide is the common driveway. I think that would help me wrap my head around it and it -- the picture -- this picture -- this example looks like it's pretty wide and there is room to maneuver, but do you widen the use to make it more accessible for the fire department or provide more parking or how do you sort of get ahead of these logistical issues that come with common driveways when you have this configuration?

Densmer: Yeah. The fire department requirements are really integral to the designs and so the width of the driveway is 20 feet to meet their standards. The common lot that the common drive is inside of is 30 feet wide. So, there is actually five feet of common space beyond the paved surface on either side and, then, the length of the driveway is established by the maximum amount that the fire department would go in without having a turnaround at the end. So, those various parameters -- the aspects of what's happening we have laid out those two common driveways in the project.

Strader: Thank you.

Simison: Any further questions for the applicant? Okay. Thank you very much.

Bernt: Mr. Mayor, one last question. I apologize.

Simison: Councilman Bernt.

Bernt: So, in the staff's presentation they mentioned that the original amount of single family residents were -- units were 438 and it's been increased hopefully by 40. Is there a reason for the increase of -- in density in the project?

Allen: Mr. Mayor. I'm sorry, were you asking staff or the applicant?

Bernt: Whoever -- probably the applicant -- applicant. I was just referencing that I heard that in your presentation.

Allen: Yes. I thought you were asking the applicant, but I wasn't sure. Thank you.

Densmer: Thank you. I wasn't sure either. The increase in total lot count was really centered around what makes a practical layout for the project. The original development agreement and the master concept plan that was attached to it was a -- was a suggestion the property might develop at the time that that development was last modified in 2012. Since then there has been a, you know, a rethinking of that master plan and although we are largely consistent with the original layout in terms of streets and blocks and the overall feel of the development, there have been some adjustments in the placement of lots and the numbers and it just so happens that that redesign ended up just kind of the most suitable configuration of lots, being a total of 37 more than the original concept plan had been.

Simison: Council, any further --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Just a question for the applicant. In the staff presentation they said that the average lot sizes are running 4,369 square feet to 8,053 square feet. Is that an average over the R-8 and the R-2 as a total or is there -- do you have separate averages for -- I guess I'm trying to understand a couple of things. One is is there -- there is tradition being accounted for between the south side of the property and the neighboring subdivision to the south, but is there a good transition existing, you know, within the lots -- in the lots within the subdivision itself, so what are your average lot sizes in -- you know, in the R-8 section or can you kind of give us an idea I guess of where the 40 foot, 50 foot and 60 foot lots are in relationship to the larger lots to the south, something like that?

Densmer: I don't think that we have parsed the lot statistics quite at the level that you were asking about. The 4,369 square foot lot is the smallest lot within the whole project and it's one of the R-8 lots. It's in that block of lots that's indicated by number four on the screen. There are also some lots that are quite large and just trying to find what the largest is. The 8,000 square foot figure that you referenced is actually the average lot size across all of the lots, but there are lots that approach I believe a half an acre in size or more along the R-2 properties in the -- next door to the property in the south, Aspen Cove and Val Vista Subdivisions.

Simison: Council, any further questions for the applicant?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If -- maybe just to ask if the applicant would like to comment on any items they can do to address concerns of the neighbors that were made at this point.

Densmer: I think maybe we would prefer -- we did respond to the neighbors' comments at the time of the Planning and Zoning Commission hearing and rather than assume what they might say this evening, I think I would rather withhold any response to their comments until after we have had a chance to hear them.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think that the tricky thing is there is one neighbor specifically that just -- just submitted a letter and can't attend because of COVID. So, we will have to find our way through that issue, but that's just -- you may not have seen that letter, so -- that's okay. I'm sure we are going to try to tackle that.

White: Mr. Mayor?

Simison: Mr. White.

White: I just spoke with Kim Warren, our parks, pathways manager, and she basically said that, you know, she doesn't recall any other chain link along that pathway or along that canal, although to Councilman -- Councilman Borton's point, we typically don't approve the chain link, we typically approve the wrought iron type of looking fencing and with that -- I don't know if Sonya has anything to add regarding code with that, but that's typically the answer we got.

Allen: Mr. Mayor, Council, I did ask the applicant about the choice of fencing. I was not in favor of it either. They did say that that was the type of fencing that they had constructed in earlier phases and I don't remember off the top of my head how many phases have been developed right next to the Ridenbaugh where it has been constructed, but to ensure consistency I didn't include a condition of approval for a different type of fencing. Our code doesn't specify type of fencing, only open vision or -- or such that, you know, maintains public safety adjacent to the waterways.

Stewart: Mr. Mayor, this is Warren. Mr. Mayor?

Simison: Yes, Mr. Stewart.

Stewart: Yeah. Having had to work with Nampa-Meridian Irrigation District for public works facilities on a number of irrigation ditches and canals and so forth in the city, at least in the past chain link fencing has been a requirement of Nampa-Meridian Irrigation District. They want something that they aren't going to damage if they spray it, burn next

-- against it and things like that. So, that has been a Nampa-Meridian Irrigation District requirement of the Public Works Department before, so that wouldn't surprise me if that was the case, but it's been a while, maybe they have changed their opinion. I don't know.

Allen: Mr. Mayor. My experience with that in the past has been that they will allow wrought iron fencing as well. I'm not sure if Mr. Stewart considered that, but -- then that's safe if they are burning ditches and whatnot.

Borton: Mr. Mayor?

Simison: Mr. Borton.

Borton: As we move on to the -- kind of the next topic, I think an example of that type of fencing, which can be looked at as we continue on, is -- is where the Ridenbaugh crosses Locust Grove is an example of what Sonya is talking about. It's open vision metal, but it's -- it's not chain link. It's just a much more attractive design. So, we can probably pull that up at some point down the road and give that a look and see if the applicant likes that.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Speaking on the density question that I had earlier, I don't know, looking at my screen, these numbers -- if they are phases or not, so I'm not quite sure -- I'm assuming that they -- that they might be, but what would make these numbered phases or these numbered areas that I'm looking at on the screen -- what would make these areas and type of product planned for built -- for building -- for these phases different from other areas in this development and also maybe even the development to the east? Is there something unique in there that's requiring -- I guess what I'm asking is there something unique there that's requiring this much density?

Densmer: Mr. Mayor, Council, I may be able to answer that question if I could jump in. The majority of this property is within the medium density residential future land use map designation, which requires a density between three and eight units per acre and I believe they are right at three units per acre with what is proposed.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe a follow up to Councilman Bernt's question. How do you look at that when most of the properties are within a certain designation? Do you like prorate -- I mean if you -- do you say, okay, 90 percent of this would be three to eight units per acre, maybe ten percent is another density? Do you, then, like adjust it that way or -- based on the space or how do you look at what we would target?

Allen: Mr. Mayor, Council Woman Strader, I assume that was a question for staff. You know, it's kind of all those things. In this case the low density residential designated area was not very much of the site and they are providing larger lots and zoning that transition to the neighboring larger lots. So, that's something the staff really looks at that -- I don't know if the applicant has a breakdown of the density of just the low density designated area, but, yeah, the density that I gave earlier, the three units per acre, was overall.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: It sounds like in your opinion it's more of an art than a science. Do you have a rough guideline of what the percentage was that would have been low out of the total? Or the applicant.

Allen: I believe it was like five acres of the site, approximately, that's designated low density residential. The reason it's not an exact science, Council Woman Strader, is because the Comprehensive Plan is a guide. It's -- it's not a standard.

Strader: Yep. I got it.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I apologize. Maybe one more shot at -- is there any update on just the discussion with Mr. Jewett and his sewer concerns from the applicant's perspective? And, then, I would ask staff if -- if those concerns were something we needed to address from a city perspective.

Densmer: This is Jason at The Land Group. I joined a pre-application meeting with Mr. Jewett today with the city staff where we talked at some length about sewer availability to his parcel. The -- there is sewer available to him from Overland Road, although reaching it in the middle of Overland Road is certainly more complicated. There will be with construction of phase one of the Southridge South project -- anticipating your hopeful approval of the project this evening, there will be additional sewer available with the phase one portion at the east side of the Williams Gas Pipeline, which puts it within say a hundred or 150 feet of Mr. Jewett's property. The developer and I spoke about that briefly this evening and understanding that phase one will certainly happen before the other phases, if Mr. Jewett needed to access that sewer prior to the construction of the phase four portion of the project that would actually physically deliver the sewer along Mr. Jewett's property frontage, the developer would be willing to make an easement available for Mr. Jewett for the cross -- through the phase four portion in an alignment that would allow him to access that sewer sooner than the project would normally build it in its normal

sequence. So, that I think would at least provide Mr. Jewett the ability to reach the sanitary sewer without being held -- held up by the fact that this project wouldn't bring it to his project until phase four.

Strader: Thank you,

Perreault: Mr. Mayor? You're muted.

Simison: Oh. Council Woman Perreault. I couldn't tell who said it, so --

Perreault: What's that?

Simison: I couldn't tell who was asking to speak. So, Council Woman Perreault.

Perreault: Oh. Sorry. Along those same lines, a follow up question on -- on that -- for the applicant. So, I briefly scanned the letter that Mr. Jewett sent in and it doesn't really specify his concerns about receiving access in phase one or phase four. Did he express to you the reasoning? Is he concerned about not -- not receiving access at all or is there a timing concern for him that -- did he express specifically what that issue would be? I know you can't speak for him, but just in relationship to the conversations that you have had.

Densmer: I believe all of those things would be of concern to him. Certainly he wants access to sewer ultimately, but also as early as possible to facility -- facilitate his development. So, I think there is both a timing and just an overall accessibility question. Certainly we understand and have anticipated that sewer would be provided to him. I would say that his primary concern is just timing related.

Simison: Council, just to -- or the comments I made earlier about the Ridenbaugh Canal, I can confirm that there is two types of fencing in south Meridian related to this. There is a black chain link, as well as a black wrought iron at least along the road from Locust Grove up to as far as Stoddard along city pathways. So, multiple types. Four foot, black fencing. Don't know what Nampa-Meridian is -- you know, those were Reflection Ridge and, then, a lot older subdivisions. So, things could have changed, but that's what is -- at least there are multiple types. So, with that, if there is no further questions for the applicant from Council, Mr. Clerk, I assume we have some people signed up to testify on this item this evening.

Johnson: Mr. Mayor, we had one person sign up in advance and that's Scott Nichols and he's available to turn on his microphone now.

Simison: Okay. Mr. Nichols, you are recognized for three minutes.

Nichols: Mr. Mayor, Council, thank you for allowing me to speak this evening. I represent four owners along the south side of Southridge Subdivision. I hope I have a few seconds over three minutes, but my address is --

Simison: We will recognize you for ten minutes. Go ahead.

Nichols: Okay. Thank you. I live at 2730 West Val Vista Court, Meridian, Idaho. 83642. First I want to say thank you to the Council and thank you to The Land Group for continuing this collaborative discussion to the City Council meeting. We have been discussing this with The Land Group and the developer for I think about 14 years now and I just want to say thank you to Jason Densmer and his team and the developer for the concessions that they made. We -- we started out 14 years ago with the idea that the entire parcel in question was going to be covered in houses and we at that time recognized that the neighboring land uses of this rural residential, supporting horses, cows, mules, goats, whatever, there could be some conflicts. We also recognized that we had some view lots and while we didn't object to the development, we have always wanted to pursue some avenue to retain some semblance of the view lots that -- that we all purchased along the north side of the subdivision. We have never ever considered the fact that this parcel wouldn't be developed and we are certainly not opposed to that tonight, but we hope that this collaborative process can continue, at least with some -- one last discussion on what we might be able to do to address this last concern that we have. At the Planning and Zoning meeting the neighbors and I had talked and they had encouraged me to ask for the farm, when we all knew that we might get a -- you know, a portion of it and I -- if we can -- Tamara, are you available to pull up your screen?

Thompson: Yes, sir. What would you like to see?

Nichols: If you can just go down to that south edge of Val Vista -- or the north edge of Val Vista and the south edge of Southridge where the development is, that would be great. I think you might have the -- the area in question that we talked about with some lot adjustments up. I don't know if you have that available or not. But for the -- for the record I would like to just make it known for the Mayor and Council that we originally went into this planning with the idea that there were about 14 -- what is it, 1,296 family units out here on this lot, from Linder to Ten Mile, from Val Vista and Aspen Cove north to Overland. Through a series of modifications -- and I don't know how the development process works, but I can tell you that the community feels a little bit -- we are not objecting, but the community does feel a little bit -- I want to say misled, that we have now gone to -- I want to say 165 additional units on the whole parcel and so we don't object to that, we can work with that, but we have been trying to retain, as you can see where my property is, Elton, and, then, to the east of me we have two more properties that have viewsheds there that look to the northwest. Me to the north. And all that we have asked is that one of -- for the record declare we are not worried about trees, probably not worried about dark sky for the amount of development that's already going on in the area, but we are worried about the ability to retain some semblance of -- of this view shed to the east, northeast and northwest for those three or four properties. At the Planning and Zoning Commission meeting we simply asked that those two lots be moved to the northwest and that instead of being a -- I want to describe it as a pocket park, one large land mass that that park would wrap around that -- that circular turnaround to the north of my place. You know, if my place were ever developed that would, then, provide access for the developments to the south to access the park system off of the street system that could

potentially be extended. That being said, that's -- that's really the only thing we are asking for and with the increase of a -- what, 165 units from the original planned development here, we feel that there is really no concession on the part of the developer in terms of revenue. We wouldn't ask that they be removed, just moved, and that would provide -- really it would allow us to retain the view value that the designation of a view lot for Elton, Nichols, Voglemore and to the east is Przybos. So, with that I would, again, just thank -- thank Jason for the work that he's done on the house heights, the single story 22 foot roof heights. The wall that they put in and the other concessions that have been made. Thank you.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I'm not sure I was totally following the request. If you wouldn't mind, Mr. Nichols, just -- if you could specify -- is it -- kind of which -- which lots have you like moved or -- if you could explain.

Nichols: So -- thank you, Council Woman Strader. The two lots we are talking about -- Tamara, can you highlight those two lots? Or put your cursor over them.

Thompson: These two?

Nichols: Go just to the north. That lot and the lot to the east -- that diamond shaped lot that -- those two we actually just asked that they move those two lots to the northwest and utilize a portion of the park that is to the northwest and simply allow that park to wrap around the half circle that exists. Does that make sense, Council Woman Strader?

Strader: Thank you. It does.

Nichols: Okay. And, you know, the reason -- the reason for that is, again, the ability to retain some semblance of the view. We understand there will be trees planted. We understand that it's going to be maintained. There will be kids playing back there. But, again, if anything were ever developed to the south that would provide an access right off any development to the south to go north on that road into that circular area and access a wrap around park. This was discussed at Planning and Zoning and -- and we would ask that you consider that again.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: This is Brad. Yeah. Thank you, Mr. Mayor. Mr. Nichols, you know that land very well. Having lived there for quite a while what -- what is the slope comparison to

what they are proposing the houses to be versus where you would like them to move the houses? Is there a lot of difference in slope variation in those areas?

Nichols: Commissioner Hoaglund, there is actually no difference in slope and -- and, to be honest with you, I think it puts those houses on a little bit higher a view shed. Those are still very nice view lots that overlook the remaining development to the east and -- and to the northeast of the -- of the pipeline there.

Hoaglund: Thank you.

Simison: Council, any additional questions? Okay. Thank you very much, Mr. Nichols. We did have a few other people in the room. If anyone else would like to provide testimony on this item, if you can, please, indicate so by using the raise your hand feature at the bottom of the screen. I'm not seeing anybody raise their hand at this point in time. So, with that, I will turn it back over to the applicant for any final remarks.

Densmer: Thank you very much, Mr. Mayor and Members of Council. We appreciate the opportunity. In responding to the public comments from Mr. Nichols, I would echo his sentiment in his appreciation to us for having worked with him all this time. We certainly appreciate his engagement with us over those 14 years and -- it might actually be 15 now, Scott. Not to correct you. But it's certainly been a long time and he's been a valuable contributor to the planning of Southridge throughout that time period. Just to go back, for the Council's benefit, to the original development agreement for the property. It included some requirements specific to the portion of Southridge adjacent to Val Vista and Aspen Cove in order that we respect, through the ongoing planning that we have been doing, agreements that were made previously. The pre-plat does reflect all of these commitments that were part of the development agreement, some of which are already complete, things like construction of a six foot tall masonry fence along the shared property line at the south. Restrictions on the heights of the homes for all of the lots that were to the south. Those restrictions on -- on height of the homes were driven directly in response to Scott and his neighbors' comments about maintaining their viewsheds. The total number of lots that are along that property line is restricted -- is restricted to the development agreement and that restriction is reflected in the -- in the proposed layout of the project and, then, I guess specifically with regards to Scott's comments about the two lots to be relocated, we have -- we have talked about that in the past, both with him and in front of the Planning and Zoning Commission and the developers perspective and it's one that I share is that the location of those lots is -- is really better where it's been designed, because it maximizes the available open space and the portion of the project that's indicated there with the number three on it, by putting the two lots along the south property line we are able to create an open space amenity both for the project and -- and for others that is really cohesive. So, that -- it's a little bit tough to tell scale, I realized that, but that -- that park land, number three there, is large enough to hold a football field, which provides a really active amenity to the subdivision in terms of open play area. It can support a lot more uses than it would be able to if those two lots were relocated to the north side of the cul-de-sac, which really kind of chops up the open space and makes it less useful as an amenity. That's been our perspective and I certainly understand Scott

and his perspective, but, respectfully, we would request that the Council approve the vision that we have and the plan that we have presented this evening. With that I think that closes our portion of the presentation. I'm happy to stand for any questions that you may have.

Simison: Thank you. Council, any questions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Yeah. As a follow up on that fencing topic, with the remarks about open vision, the black wrought iron fence being utilized along the -- between the pathway and the Ridenbaugh Canal, is that something that you would be willing to do in lieu of chain link?

Densmer: Mr. Mayor and Council Member Borton, we would prefer not to -- the number that Sonya was looking for was four. There have been four previous phases of the Southridge project already constructed along the Ridenbaugh and that provided an open metal style fencing. We would like to continue the same paradigm that has been used for those four prior phases. That would -- I guess that would be our preference.

Borton: Okay. What gives me some pause -- quick follow up, Mr. Mayor, is --

Simison: Councilman Borton.

Borton: -- if -- if it's a preference of doing it because it's how it's been done before, it's maybe not the most compelling argument if -- if one versus the other -- if the wrought iron fencing is a more attractive, appealing perimeter between the multi-use pathway, that we hope over the generations is used to a great degree and this is the one and only time that chain link can be removed as the permanent boundary and, then, this is the only shot you get to make it right and the fact that it might not be attractive elsewhere isn't probably the most compelling reason to make it not attractive here as well. That's kind of the reason why I was sort of pressing on it. Otherwise, we will just have chain link everywhere, because it was chain link at the start. So, as to why some of the questions came up on it and hoping that there might have been a more attractive alternative and, then, others might follow your lead on this issue adjacent to the Ridenbaugh with a more attractive safety barrier. That was just an explanation for the questions.

Densmer: Thank you. I understand that and certainly if the Council were to condition a different fence we would -- we would comply.

Simison: Council, any additional questions? Okay. Thank you very much to the applicant. We will let the Council contemplate their -- their thoughts on how they would like to move forward.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I will just make some quick first remarks. Tamara, thank you for the presentation. I think it's a good presentation and a -- quite frankly, an attractive yet moderate pivot from what was originally annexed and platted back in '07. I think the presentation that described that region and the mix of housing that's available -- maybe not necessarily all in this specific plat, but really in the -- in the vicinity, helps describe that diversity of housing that we like to see. Jason, I think your explanation with regards to the open space in that southwest portion of the project, the trade-off there, your explanation seemed to make sense and it -- and it really does, as platted, preserve usable open space down there. It's a large -- large open space and it doesn't seem to make sense that -- the way it's platted allows this development to utilize it better than if those two properties were moved across the street. So, the school capacity seemed to be sufficient to handle it. We certainly have public safety services nearby as well. So, I'm supportive of the project. Really, the only -- and Ridenbaugh by being open is fine as well. I wouldn't have any concern with that. The only thing that I think -- maybe I'm just being a stick in the mud, but that wrought iron fencing -- I think that's just an appropriate pivot. I know -- and I appreciate the applicant is willing to do so if that's what it takes. I just think that should be part of this. It's such an attractive product, especially those properties -- there is a pathway, we want people on this pathway for generations to come. One shot to do it right, make it look attractive for the public. So, I would hope that fencing could be -- could be wrought iron. But beyond that I'm supportive of the project and the rezone request.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, I want to bring up the discussion about the schools, because it should always be a conversation that we have and the information that the district provided us does make it look like there is currently additional enrollment. However, in the staff report Miranda on our staff did an evaluation of the lots that have already been approved, lots that have been entitled in this area, in addition to what would be -- will be approved on this application and it does put all of those schools over one hundred percent capacity. So, I don't know if that's a factor that we want to discuss, if that -- they are not significantly over one hundred percent capacity, I think it was like 102, 104, 107, something like that. I don't -- I know there is an elementary school that has already been in the planning stages off of Linder somewhere around Victory. I don't know if that will affect elementary school enrollment for this application. So, just wondering if any of my fellow Council Members have thoughts on that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks for bringing that up, Council Woman Perreault. I wanted to compliment Miranda as well, just specifically on the school impact table. I don't think we have seen

anything like that before. It's so detailed. I think it gives us a really clear picture. It gives me pause. It didn't look like it was dramatically overcapacity and the fact that the West Ada School District has now committed to us to continuously redraw their boundaries, it sounded like based on the Mayor's comments last week, it makes me feel a little bit more flexible, you know, but it's still an issue.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Just to touch on a few points. One of the things I asked about was the common lots and the six homes and appreciate that photo and how it's laid out. One of the things that makes this a little different than some of the others that we have seen is the fact that they are larger lots that these driveways go into and that -- that makes a big difference on the space and the ability to move and it just -- it's just a better -- better layout that way. I do appreciate the Planning and Zoning Commission with their recommendation that there is no need for higher density. There is a lot when you look at that whole area, there is a lot of apartments and I think going to the lower -- lower densities is a good move and there is still three housing types, so there is a good variety. The open space versus moving the lots, you know, I -- I sympathize with Mr. Nichols, having been on a rural property and a subdivision comes in and being able to work with the developer on that and, you know, making sure houses are lower and different things like that, but, you know, in the end we did -- did lose our view and -- and it's just that open space priority in -- in something like this to allow -- because of the densities there is a lot more people there to provide open space for activities and kids is very important. So, yeah, I feel for Mr. Nichols, but it's just one of those competing priorities that it's -- it's hard to -- hard to satisfy both and, in fact, you can't. So, I'm good with leaving that -- that open space. I do appreciate the applicant working with the property owners and trying to mitigate as much as possible. Leaving the Ridenbaugh open is -- is perfectly fine. It's -- it's that way elsewhere. And to Councilman Borton's point, I agree, at what point do you start going to that higher standard, instead of continuing what has been that really is -- doesn't fit anymore. I think if we were to go back and do over it would be nice to have a nicer fencing all along that pathway. It's going to be a great pathway. It's very lengthy. There are some choke points as I have learned on -- on park tours of our pathways along the Ridenbaugh, but we will figure something out down the road. So, I have no problem with supporting a black wrought iron fencing option for -- for this development and continuing that requirement as -- as things move to the west.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I share similar thoughts on the fence and, in general, I think this -- this is a nice fit for the area. I'm a little concerned about schools. I don't think we have totally put that to bed. If we approve this one and, then, we have more on Overland, maybe that number is not 106 percent, 110 percent pro forma for what we have approved, maybe that hits

120 percent and, then, my view might evolve pretty quickly. But it doesn't feel like it's too far at this point. Generally supportive. I just want to make sure that we -- I guess if we have to specify it would be good of staff to let us know if we need to specify that the neighbor will get an easement to access the sewer in phase one. I think that was important that they made that concession. I might have preferred to lose two lots to create some kind of a regional park if that lot to the south were to develop, but I think it's a lot of open space and that to me is what sort of sets this one apart and maybe gets us across the finish line.

Simison: Just to note, West Ada is discussing the proposed boundary adjustments this evening and this area is slated to be moved into Peregrine, which is very un -- has a very low enrollment. But, of course, by the time everything gets built you have no idea where any of this is going to be anyways. But food -- food for thought as you contemplate the -- yes, West Ada is making efforts to adjust the numbers, but they will -- they are taking public feedback and you never know what's going to happen.

Strader: Great point.

Simison: Council, any further discussion or motions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I didn't hear any additional discussion, so I'm going to make a motion that we close the public hearing on H-2020-0083.

Hoaglund: Mr. Mayor, I will second the motion.

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.

MOTION CARRIED: ALL AYES.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: In light of the comments and discussion that has just happened during deliberations, I will make a motion that we approve H-2020-0083, the rezone and the preliminary plat, as presented in the staff report of January 12th. That includes the provision that the Ridenbaugh Canal remain open. That requires the black wrought iron fencing along the Ridenbaugh Canal adjacent to the public pathway. That the -- the easement concession that Council Woman Strader had referenced -- she may be able to clarify for me, but that's included as one of the conditions as well and that the plan as presented is otherwise approved. Lots aren't being moved on that southwest side.

Strader: Mr. Mayor?

Simison: Do I have a second?

Strader: Second -- I will second the motion.

Simison: Have a motion and a second. Council Woman Strader.

Strader: I guess I would ask Mr. Nary how much more specific we need to be in the motion. Do we need to specify that Mr. Jewett will get an access to the -- an easement to access the sewer in phase one? Is that sufficient?

Nary: Mr. Mayor -- Mr. Mayor, Members of Council, Council Woman Strader, I think that's adequate, because they are going to have to still determine specifically where it is before they can finalize it. So, I think at this point for findings that it's totally adequate.

Strader: Thanks.

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

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

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

MOTION CARRIED: ALL AYES.

FUTURE MEETING TOPICS

Simison: Thank you very much, everyone, for your attention to the details in this one. Next on the agenda is future meeting topics. Do we have any items?

EXECUTIVE SESSION

3. Per Idaho Code 74-206A(1)(a) To deliberate on a labor contract offer or to formulate a counteroffer.

Simison: If not, Executive Session.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we go into Executive Session per Idaho Code 74-206A(1)(a).

Hoaglun: Mr. Second, second the motion.

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

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

Simison: All ayes and we are recessed -- or adjourned into Executive Session.

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: 7:35 p.m. to 8:23 p.m.)

Bernt: Move we come out of Executive Session.

Hoaglun: Second.

Simison: Motion and second to come out of Executive Session. All in favor?

MOTION CARRIED: ALL AYES.

Bernt: Move we adjourn.

Hoaglun: Second.

Simison: Motion and second to adjourn. All in favor?

MEETING ADJOURNED AT 8:24 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK